DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H01-1192-22**	**Applicant:**	**Mr S Tyrrell & Mrs R Luke**
Proposal:	Two storey side extension & single storey front extension		
Location:	37 Backgate Cowbit Spalding		
Terminal Date:	8th February 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 12- Achieving well-designed places.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application seeking planning permission for a proposed two storey side extension and a single storey front extension to the property at 37 Backgate, Cowbit.

Site Description

The property is a detached dwelling situated within the defined settlement limits of Cowbit. The plot is large and adjoined to the north and south by other frontage residential properties that are of a variety of ages, sizes and design.

The dwelling is set back from the road with a large gravelled driveway. There are high mature hedges to the north and east boundaries.

History

H01-0684-14- Full- Refused 06-11-14- Erection of log garage to front of dwelling

H01-0278-15- Full- Refused 30-06-15- Proposed log garage to front of dwelling - re-submission of H01-0684-14

Consultation Responses

Ian Marshman, Historic Environment Officer

No archaeological impact.

Planning Considerations

Layout, Design, Size and Scale

Paragraph 130 of the National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations. Likewise, Policy 2 of the SELLP states that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

The proposed two storey side extension will project from the southern side elevation by approx. 2.7m, with a depth of approx. 7m. The proposed front extension will measure approx. 8.8m in width and project 2.3m from the principle elevation.

Overall, having regard to the existing dimensions of the house and plot it sits within, the two storey side and front extension are acceptable in terms of scale, mass and bulk.

The external materials include LBC Tudor Brickwork or similar to match existing, with a cedar lap weatherboard in Pewter Grey to the front and rear elevation and concrete roof tiles to match existing. The application also proposes for anthracite grey windows to the entire property. The proposed cedar lap and anthracite grey windows is different to the existing, but it would be considered add character to the dwelling and surrounding area and therefore, visual amenity will not be undermined.

The proposed roof structures include an a pitched roof to the side extension. To the front single storey extension, will be a mono pitched roof structure, which will be in keeping with the overall appearance.

Internally, the purpose of the development is to gain further internal floor space for enlarging and creating new rooms inside the house. The side extension will enable a new open plan living, dining and kitchen space, attached to a proposed utility and w/c room. The front extension will form a study to the ground floor and a new porch. To the first floor, a new layout will be formed but keeping the same number of bedrooms. The master bedroom will be formed with a new walk in wardrobe and en-suite. Bedroom 4 and the family bathroom will also be enlarged .

Overall, the proposals will ensure good living conditions for the house occupiers and are in keeping with the residential use of the property.

Taking the above into account, the proposed two storey side and single storey front extension is

deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of layout, design, size and scale.

Residential Amenity

Paragraph 130 of the National Planning Policy Framework (2021) amongst other matters seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

One additional kitchen window is proposed to the ground floor. To the first floor a new bedroom window will be added. It is not considered that the proposed new windows to the rear elevation would impact upon overlooking to the rear given that it measures approx. 19m to the rear boundary.

The proposed side elevation fenestration includes a utility room door and window to the ground floor and an obscure glazed window to the first floor to the proposed en-suite. The neighbouring property to the south has no side elevation windows and therefore there would not be a detrimental overlooking impact in this respect.

The proposed side two storey extension would not create unacceptable overshadowing or be unduly overbearing upon the neighbouring building to the south, given that the front elevation of the two storey extension would only project approx. 2.3m beyond the front elevation of the neighbouring dwelling and would be at an angle.

Taking the above into account, the proposed two storey side extension and single storey front extension is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of residential amenity.

Parking Provision

In connection with Policy 36 of the SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision.

3 no. car spaces must be provided within the curtilage for dwellings with more than 3 no. bedrooms. The number of bedrooms would not be increased as a result of the proposal and therefore parking arrangements are not proposed to change.

Planning Balance

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The proposed two storey side and front single storey extension is not considered to materially harm the character or appearance of the locality or amenity of nearby residents. It is therefore considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

Conclusion

The recommendation is for a delegated approval.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or

other areas where they are underrepresented) of people with a protected characteristic(s).
C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.