

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H02-1087-22 **Applicant:** Mr G Yarham

Proposal: Proposed rear extension

Location: Granvin 193 Nene Terrace Road Crowland

Terminal Date: 6th January 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01 Spatial Strategy

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	1	0
WARD MEMBER	0	0	0	0
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for a single storey rear extension to create a third bedroom with an en-suite shower room. The extension would measure 6.3 metres (depth) x 3.8 metres (width) and stand at 4.1 metres in height (2.4 metres to the eaves). The external materials would match the existing bungalow.

SITE DESCRIPTION

The site is located on Nene Terrace Road in Crowland, within the settlement boundary. It comprises a buff brick built L-shaped bungalow. The rear garden is part patio with the rest laid to lawn and is enclosed by high level fencing. There is a single attached flat roofed garage to the side and a gravelled driveway providing off-street parking for several vehicles. The street comprises a mixture of bungalows, chalet bungalows and two storey dwellings. There are 4no industrial/commercial units to the rear of the site.

RELEVANT PLANNING HISTORY

H02-0058-02 - Utility room extension to rear - Approved

REPRESENTATIONS

North Level Internal Drainage Board

No comments.

Crowland Parish Council

No objection.

Residents

One letter of representation has been received advising that they have no objections provided building materials and scaffolding do not protrude or overhang onto their property and any damage resulting for the proposed works is repaired.

PLANNING CONSIDERATIONS

Principle of development

The site is within the Crowland settlement boundary and the proposed extension would be sited within the residential curtilage of the existing dwelling therefore the principle of extending the existing bungalow is acceptable.

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 key material considerations are addressed below.

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 extension is not considered to result in overdevelopment of the plot as sufficient outdoor amenity space would be retained. The bungalow would still remain similar in footprint to nearby properties therefore it could not reasonably be argued that the development would be out of character. In addition, the applicant is able to erect an 8 metre rear projecting extension under the Prior Approval scheme and the proposed extension would be only 6.3 metres in depth therefore it could not reasonably be resisted.

The extension would be located to the rear site therefore there would be limited views from the main public realm. The extension is considered proportionate to the existing bungalow and given its height does not exceed the roof ridge of the highest part of the existing bungalow it would not appear overly prominent. The use of matching external materials would ensure the extension is in keeping with the existing bungalow.

As such the extension complies with the aforementioned policies on design, layout and impact upon the character of the local area.

Impacts upon Residential Amenity

Paragraph 130 of 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 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.

The closest neighbour to the proposed development is no.191 Nene Terrace Road located to the north/north-west of the application site. The proposed extension would be sited at least 2.1 metres from the shared boundary with this neighbour and approximately 6.3 metres from its side elevation. Given this separation distance and the limited height of the proposed extension it is not considered that the proposal would result in any overbearing impact or unacceptable overshadowing. In addition, the pitch of the roof would face away from this neighbour, thereby further reducing any potential impact.

With regards to the neighbour to the south/south-east at no.195 Nene Terrace Road the proposed extension would be located some 9.5 metres from the shared boundary with this neighbour. Given this separation distance no unacceptable impact would result on this neighbour in terms of overbearing impact or unacceptable overshadowing.

As such the proposal accords with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Highway safety and car parking provision

In conjunction with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum standards for parking provision upon the use class. The proposal would increase the number of bedrooms within the property from 2 to 3, however the parking requirement for the site would not increase. There is sufficient space in the driveway for several vehicles therefore the site meets the current parking standards.

Other matters

One letter of representation has been received from a neighbour advising that they have no objections provided building materials and scaffolding do not protrude or overhang onto their property and any damage resulting for the proposed works is repaired. The concerns raised are noted, however, unfortunately these are not material planning considerations and cannot therefore be controlled by planning conditions.

Planning Balance

The proposal will not materially harm the character or appearance of the locality, result in neighbouring amenity issues or parking/highway implications. The planning balance is therefore considered to be in favour of the proposal.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 1, 2, 3, 36 and Appendix 6 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2021).

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.

RECOMMENDATION

The application can be approved under delegated powers.