

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H03-0235-19 **Applicant:** Mr A Walker

Proposal: Proposed dayroom extension, conversion of garage to utility/store and associated works

Location: 8 Fallow Fields Deeping St Nicholas Spalding

Terminal Date: 7th July 2019

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

- 01 Spatial Strategy
- 02 Development Management
- 03 Design of New Development

National Guidance

National Planning Policy Framework 2019

Section 12. Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	1	0
RESIDENTS	2	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application for a proposed dayroom extension, conversion of garage to utility/store and associated works at 8 Fallow Fields, Deeping St Nicholas, Spalding.

The development would be a single-storey flat roofed extension between the rear elevation of the house and the detached gable roofed garage. This house enlargement would connect internally both the house and the garage.

Site Description

The surroundings of the site are solely characterised by residential development. The site is part of a modern housing estate which was developed in early 2000s. Fallow Fields is the core of a concentric street grid. Two-storey detached houses are located around a grassed roundabout. Their rear gardens back onto those of houses in Hay Barn Road where the dwellings define a second concentric circle around Fallow Fields.

The application's property is a two-storey side gable roofed house. A driveway runs along the northern-west side elevation to a detached garage which falls one metre away from the rear wall of the house. The southern-east boundary is set at angle forming a triangular shape on the southern-west corner of the site. The rear garden is on average 9 metres deep.

History

None

Consultation Responses

Residents

Three neighbours has made representations raising the following issues:

- The access to the oil tank is on a private driveway under the shared ownership of residents at No.22, 24, 26 and 28 Hay Barn Road.
- Potential safety risk of the oil tank due to the closer proximity to one of the adjacent dwellings.
- The driveway to the garages of both the applicant and neighbours at No.6 would be block during the construction works of the proposed extension.

Planning Considerations

Size and scale

The proposed extension would protrude approximately 4.45 metres and 4.55 from the main rear wall of the house and the detached garage respectively. The maximum height would marginally exceed 3 metres. Having regard the dimensions of the house and the detached garage, it is concluded that the proposed development would be subservient to the host buildings in terms of scale, massing and bulk.

Design and layout

The floor plans show that the intended development would increase the internal floor space to accommodate a large dayroom and undertake a garage conversion to create a store room, utility room and a large cupboard. Given the nature of the host property, the purpose of the development is acceptable. Internal alterations such as wall demolition and new openings would be accordingly carried out to ensure the access between the proposed rooms and the remainder of the house.

A low-pitched lean-to roof would cover the house extension. Such roof type is acceptable given the massing of the development. A glazed roof lantern would be at the centre in order to enable further daylight indoors. Bi-fold doors would be located on the side elevation onto the garden.

The external walls of the extension would be coated with composite cladding. White UPVC is proposed for fenestration as those windows and doors in the property. A grey felt roof would be on top of the extension. The resulting appearance would differ from the existing dwelling although it would not be detrimental to the visual amenity of the property and its surroundings.

The oil tank would be slightly relocated in closer proximity to the rear boundary and next to the detached garage. The unit would be surrounded by timber fencing matching that existing on the site boundaries.

Impact upon the amenity

An approximately 1.8 metre high timber close boarded fence bounds the rear garden. This boundary treatment would be sufficient to mitigate the bulk of the single-storey development. As the extension would be widely obscured with the higher detached garage, there would not be views onto the development from the north and north-west.

One of the gable pitched detached garages on the shared driveway by the residents at No.22, 24, 26 and 28 Hay Barn Road is just on the rear boundary of the application's site. In view of its height and bulk, the proposed extension would not be visible from the curtilage of No. 30 Hay Barn Road. Moreover, the separation distances and angles with the properties at No. 26 and 28 Hay Barn Road are such that no visual detrimental impact is anticipated to their residents.

For these reasons, the amenity standards of the adjacent neighbours as well as the occupiers of the application's property would be preserved after carrying out the proposal.

Conclusion

After submitting the block plan Dwg No. 117-10 Rev A, the resident objection as to the access to the oil tank through a shared private driveway is no longer valid. The access has been relocated to the front fence nearby the adjacent property No. 10. No representation has been made by the occupiers of No.10.

Potential safety risk of the oil tank was an issue raised in one of the objections. Accordingly, both the Building Control and the Environmental Protection Officer have been consulted on this matter and no objection was raised.

The impact of construction work in terms of driveway access and user safety has been considered to carry little weight in the planning balance given the scale of the proposal and the access layout.

In light of considerations above, the proposed development is in accordance with Policy 1, 2 and 3 of South East Lincolnshire Local Plan, 2019 and Section 12 of National Planning Policy Framework, 2019.

It is therefore recommended to approve this application via delegated powers.

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 to grant permission 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 to grant permission 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 to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.