DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H03-0620-23**	**Applicant:**	**Ms L Fisher**
Proposal:	Demolition of the existing conservatory and erection of a two-storey rear extension		
Location:	18 Barley Grove Deeping St Nicholas Spalding		
Terminal Date:	6th September 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development

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
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
OTHER STATUTORY BODIES	0	0	1	0
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

Proposal is for a rear two-storey extension at 18 Barley Grove. The works would see the demolition of an existing conservatory. The development would project approximately 4900mm from the rear. It is proposed that the extension will be marginally narrower than the host dwelling, coming in by approximately 450mm on each side. This would give the extension a total width of approximately 7000mm.

The extension would feature a dual pitch roof, with height to the eaves of 5000mm. The ridge height would be approximately 7900mm. Both heights are in line with the host dwelling. The dual pitch roof of the rear would be incorporated into the existing dual pitch roof of the host, to form one continuous design.

It is proposed that a chimney stack is constructed on the north-east elevation. The height of this chimney would be consistent with the ridge height of the extension.

All materials would match the host. The solar panels currently on the south-east elevation would be moved to the newly formed south-west slope. Three first-floor windows would be created, two facing south-east and one facing south-west. No new bedrooms would be created.

Site Description

The site is within the settlement boundaries of Deeping St Nicholas, as outlined within the South-East Lincolnshire Local Plan, 2019 (SELLP). The site is to the south of Barley Grove, a cul-de-sac to the south-east of the settlement. To the south and east of the dwelling is agricultural land.

The area is characterised by early 21st century, two-storey residential developments. 18 Barley Grove is typical of the developments in the area, being constructed of a light brown brick with dark grey tiles.

Relevant History

H03-0082-92 - Full. Residential development including details of means of access. Approved 31/05/95.

H03-0547-98 - Permission Renewal. Residential development inc. details of means of access (renewal of H03/0082/92). Approved 03/12/98.

H03-0072-01 - Reserved Matters. Proposed residential development (195 dwellings). Approved 12/11/01.

H03-1374-01 - Reserved Matters. Residential development of 25 plots (substituting 26 plots of previously permitted scheme). Approved 29/01/02.

H03-0719-02 - Full. Proposed residential development - Plots 65-109 & 140-167 (revision to previously approved scheme). Approved 31/01/03.

Consultation Responses

Welland and Deeping Internal Drainage Board

"Further to receipt of the above, I confirm that Welland & Deepings IDB have no comment to make with regard to this application."

Historic Places Team Lincolnshire County Council

"No archaeological input required"

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, one letter of representation has been received, stating their objections to the proposal.

These can be summarised as:

-Proposed window will overlook their garden and living room

Planning Considerations

Evaluation

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.
The adopted South-East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, 2021 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

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, that they are visually attractive, as a result of good architecture, and are sympathetic to local character. Likewise, Policies 2 and 3 of the SELLP, state 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.

All materials would match the host dwelling. As such, the extension would appear well blended into the host, ensuring visual consistency is maintained.

It is proposed that the roof of the extension is fully incorporated into the host, ensuring a continuity of design and appearance. Chimneys are fairly common within the Barley Grove area. As such, the creation of a chimney stack here would appear in keeping with the established design of the area.

The scale of development, detailed above, is proportionate to the host dwelling, ensuring that the extension would appear subservient to the host in scale. The scale of the dwelling, including the extension, would still be comparable to those already in the area. The development therefore would not be out of keeping with the established preference for larger units in the area.

The proposal therefore conforms to Policies 2 and 3 of the SELLP in terms of the design of development.

Impacts Upon Resident Amenity

Paragraph 130 of the NPPF amongst other matters, seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of the SELLP set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

The proposed extension would not create additional overshadowing. The extension would run parallel to the substation to the south. As such, any potential overshadowing would fall entirely on this land. The potential for the southern neighbour being overshadowed is reduced further by the distances involved, which, while small, are significant enough as to ensure no overshadowing occurs.

The dwelling to the north has no windows in the south-west elevation, reducing the potential for overshadowing. The northern neighbour has a window facing south-east, adjacent to the proposed extension. However, it is considered that the distance present and the scale of the extension are sufficient to prevent significant overshadowing.

The proposed windows to the south-east will look directly onto fields. Naturally, there are no overlooking concerns here. However, an objection has been lodged regarding the window to the south-west. This window would be installed in the existing south-west elevation, within a bedroom. Objections have been raised stating that the window would look into the garden of the neighbouring

property, reducing their privacy. However, there are numerous large boundary treatments of site, namely two evergreen trees with height over 7 metres. It is considered that these trees will be sufficient to prevent any potential overlooking.

Following initial concerns regarding the potential amenity impact of the development, a further site visit was completed. The additional site visit further illustrated that no significant amenity harm would occur due to the proposal.

It is considered that the proposal would not represent a significant amenity concern. The distances present would prevent overshadowing. The potential for overlooking is greatly reduced by the existing boundary treatments. As such, it is considered that the proposal conforms to Policies 2 and 3 of the SELLP in terms of amenity impact.

Planning Balance

The proposed extension would appear well blended into the fabric of the dwelling. The use of matching materials and the incorporation of the roof design ensures that the extension would not appear incongruous.

The potential for overshadowing as a result of the extension is low. Any potential overshadowing would fall solely onto a plot occupied by a substation.

An objection has been made regarding the positioning of the south-west window. However, it is considered, due to the trees present on site, that the works would not represent a significant overlooking concern. The trees would obscure any potential views of the adjacent garden, ensuring the amenity of the residents is protected.

There would be no increase in the number of bedrooms, therefore, no additional parking is required. The Internal Drainage Board and the Historic Places Officer have both stated they have no comments to make.

The proposal conforms to Policies 2 and 3 of the SELLP as well as Section 12 of the NPPF. As such, the planning balance is in favour of the proposal.

Conclusion

The recommendation is for 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.