DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H04-0021-22**	**Applicant:**	**Mr & Mrs A Smolen**
Proposal:	Proposed single/two storey side extensions including internal alterations to existing dwelling		
Location:	34 Town Dam Lane Donington Spalding		
Terminal Date:	14th March 2022		

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 2021

12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder planning permission at 34 Town Dam Lane, Donington, for a proposed single extension and a two storey side extension including internal alterations to the existing dwelling. The eastern side elevation extension is for a flat roof garage that will have a garage door on the northern frontage elevation and a window and door on the rear southern elevation. The garage will measure 3.6 metres in with, 6.3 metres in depth and measure 2.45 metres in height. The garage will be constructed from brick matching that of the dwelling. The roofing material of the garage will be grey bitumen roofing felt.

The proposed two storey side extension will replace the existing single storey garage on the

western elevation. This extension will contain a study, cupboard, wc and diner. At first floor level a master bedroom, en-suite and dressing room will be provided. A high level window serving the dressing room will be sited in the side elevation at first floor level. This extension will measure 3.375 metres in width, 8.765 metres in depth and have an eaves height of 4.52 metres to match the existing dwelling. The ridge height of the dwelling will be raised from 7.17 metres to 7.82 metres to accommodate the proposal. Brick and tile would be to match that of the existing dwelling.

SITE DESCRIPTION

The site is within defined settlements and the surrounding area is characterised by dwellings of a similar age and varying design. The site is in Environment Agency Flood Zone 3 and is not subject to increased hazard or depth on the 2115 South Holland Strategic Flood Risk Mapping. There is not a requirement to raise finished floor levels in this location.

RELEVANT HISTORY

No relevant history.

CONSULTATION RESPONSES

No consultation responses.

PLANNING CONSIDERATIONS

Principle of development

This application is within defined settlement limits and is for residential development on residential land. The principle of development in this location is considered to be acceptable.

Assessment against SELLP Policy 2 - Development Management

When assessed against the relevant criteria the following can be observed:

1. The size, scale and layout is considered to be appropriate for the location. No trees will be removed to facilitate this proposal. The character and appearance of the area is not considered to be impacted by the proposal.

2. The design is commensurate with other dwellings in the orientation and the orientation of the extensions are of a standard frontage orientation.

3. The proposed materials of construction are to match that of the existing dwelling and will be conditioned as such.

4. The existing access will not be altered and there is not considered to be an increase in vehicular movements. The extension will lead to 4 bedrooms at the property and the site can accommodate 3 off road parking spaces which is the minimum requested for dwellings with 4 bedrooms or greater under Appendix 6 of the SELLP.

5. There is not considered to be an impact on existing community services and infrastructure from the proposal.

6. There is not considered to be a noise, odour or disturbance impact from the proposed extensions. With regard to visual intrusion the following can be observed:

Overdevelopment - The proposed extensions are not considered to represent overdevelopment. The extensions will be sited where an existing garage and sheds are located. There is ample amenity space to the front and rear.

Overshadowing / overbearing - The proposed single storey garage will be 2.45 metres in height. The garage will be 0.294 metres from the boundary with 32 Town Dam Lane at the nearest point, and it is 3.83 metres from the side elevation wall of the garage at 32. Using right to calculations this garage will not be impacted. The two storey western side elevation extension is 1.52 metres from the boundary with 36 Town Dam Lane at nearest, and it is 3.2 metres from the eastern side elevation wall of 36. There are no east facing side elevation windows at 36 Town Dam Lane and the

properties are on a similar line of frontage so there is not considered to be a material overbearing / overshadowing impact.

Overlooking - There is no new eastern elevation fenestration. On the southern elevation the ground floor windows and doors of both extension face 1.8 metre high fencing so there is not considered to be a material overlooking impact. The first floor south elevation window serves an en-suite and will be obscure glazed which reduces overlooking impact. The north facing ground floor garage door and study window, as well as the first floor master bedroom window face the dwellings on the opposite side of Town Dam Lane 25 metres away and are considered to represent a standard frontage fenestration arrangement. The ground floor west facing window in the extension serves a wc and will be obscure glazed. The first floor west facing dressing room window in the extension is high level, 1.4 metres above floor level, and faces the blank side elevation wall of 36 Town Dam Lane. There is not considered to be a material overlooking impact from this proposal.

7. The site is in Environment Agency Flood Zone 3 and is not subject to increased hazard or depth on the 2115 South Holland Strategic Flood Risk Mapping. There is not a requirement to raise finished floor levels in this location.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

When assessed against the relevant criteria the following can be observed:

1. A sense of place is not impacted by this proposal. The size, scale and layout is considered to be appropriate for the location. No trees will be removed to facilitate this proposal. The character and appearance of the area is not considered to be impacted by the proposal.

5. There is adequate space on site for bin and cycle storage. The extension will lead to 4 bedrooms at the property and the site can accommodate 3 off road parking spaces which is the minimum requested for dwellings with 4 bedrooms or greater under Appendix 6 of the SELLP.

11. There is not considered to be a noise, odour or disturbance impact from the proposed extensions. With regard to visual intrusion the following can be observed:

Overdevelopment - The proposed extensions are not considered to represent overdevelopment. The extensions will be sited where an existing garage and sheds are located. There is ample amenity space to the front and rear.

Overshadowing / overbearing - The proposed single storey garage will be 2.45 metres in height. The garage will be 0.294 metres from the boundary with 32 Town Dam Lane at the nearest point, and it is 3.83 metres from the side elevation wall of the garage at 32. Using right to calculations this garage will not be impacted. The two storey western side elevation extension is 1.52 metres from the boundary with 36 Town Dam Lane at nearest, and it is 3.2 metres from the eastern side elevation wall of 36. There are no east facing side elevation windows at 36 Town Dam Lane and the properties are on a similar line of frontage so there is not considered to be a material overbearing / overshadowing impact.

Overlooking - There is no new eastern elevation fenestration. On the southern elevation the ground floor windows and doors of both extension face 1.8 metre high fencing so there is not considered to be a material overlooking impact. The first floor south elevation window serves an en-suite and will be obscure glazed which reduces overlooking impact. The north facing ground floor garage door and study window, as well as the first floor master bedroom window face the dwellings on the opposite side of Town Dam Lane 25 metres away and are considered to represent a standard frontage fenestration arrangement. The ground floor west facing window in the extension serves a wc and will be obscure glazed. The first floor west facing dressing room window in the extension is high level, 1.4 metres above floor level, and faces the blank side elevation wall of 36 Town Dam Lane. There is not considered to be a material overlooking impact from this proposal.

12. The site is in Environment Agency Flood Zone 3 and is not subject to increased hazard or depth on the 2115 South Holland Strategic Flood Risk Mapping. There is not a requirement to raise finished floor levels in this location.

This application accords with SELLP Policy 3.

PLANNING BALANCE

It is considered that by virtue of the fenestration arrangement, as well as the design and siting of the adjacent dwellings, that there is not a material impact on the character and amenity of the surrounding area. This application accords with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2021.

CONCLUSION

This application is recommended for 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.