

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H04-0918-22 **Applicant:** D S M Construction Services Ltd

Proposal: Proposed two storey and single storey rear extensions and removal of existing garages.

Location: 13 Church Street Donington Spalding

Terminal Date: 15th November 2022

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
28	The Natural Environment
29	The Historic Environment
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 application seeking planning permission for a proposed two storey extension and a single storey extensions and removal of existing garages at 13 Church Street, Donington.

Site Description

The site is close to the High Street and near to the heart of Donington. The Village of Donington is well served with a range of facilities and services within close proximity to the development site. The High Street comprises of a variety of different uses and local services ranging from residential to shops, food and drink, community uses, etc.

The site is within the Donington Conservation Area and is close to the Listed 'Red Cow' (Grade II) which has recently been converted to residential units. It is also close to the Grade II Listed No. 2 Town Farm House on the western side of Church Street.

Of less visual value, but of equal significance in terms of planning consideration, is the rear of the site. The appearance and overall visual amenity to the rear is less characterful despite still being within the boundaries of the Conservation Area.

History

No relevant planning history.

Consultation Responses

Ian Marshman, Historic Environment Officer

No archaeological input required.

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 development will include the demolition of the existing garage at the rear, which is of no architectural or historic merit. The proposed ground floor extension will protrude from the rear elevation of the existing kitchen, by approx. 6.8m and carry the same width as the original dwelling. To the first floor, the proposed extension will also protrude from the rear elevation, forming an L-shape include and minimum protrusion of approx. 3m and a maximum of approx. 5m.

Overall, having regard to the existing dimensions of the house and plot it sits within, the proposed development is acceptable in terms of scale, mass and bulk.

The external materials include facing brickwork to the southern elevation, with off white render to the north side and rear elevation. Roof tiles, white UPVC/aluminium in fenestration and rainwater goods will match those existing in the property. As much as UPVC windows are not favourable within a Conservation Area, there are already UPVC windows on the property currently and is therefore justifiable.

The roof will be formed to include a gable roof to the first floor and also partial to the ground floor extension. There will also be a partial flat roof to the first floor at the rear (reflecting the existing arrangement) and to the ground floor rear extension. As much as flat roof extensions are not considered favourable, the first floor already has a flat roof and it would be set back further by virtue of the side gable part. The side south elevation is a large elevation, but the proposed two windows on that elevation provide some relief.

Internally, the purpose of the development is to gain further internal floor space for enlarging and creating new rooms inside the house. To the ground floor this includes enlarging the existing kitchen, and creating an open plan kitchen, dining and seating area. The extension will also include a utility room and a downstairs w/c and shower room.

To the first floor, the extension will include the addition of a family bathroom, a new master bedroom with an ensuite and also enlarging the first bedroom. The first floor will also have an enlarged landing, creating a more open space to the first floor. The number of bedrooms will stay the same. Overall, the proposals will ensure good living conditions for the house occupiers and is in keeping with the residential use of the property.

Taking the above into account, the proposed two storey extension and single storey rear extension are deemed to comply with Policies 2, 3 and 29 (Part B) 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 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.

Two obscure glazed windows are indicated on the southern elevation at first floor, plus windows and doors to the kitchen and seating area at ground floor. No. 13 and the dwelling to the south are separated by an access to the land to the rear. As such, and given the location of the dwelling to the north of no. 11, it is not considered there would be a material overlooking, overshadowing or overbearing impact. The windows to the rear will overlook an industrial unit therefore there will be no impact on neighbouring amenity in that respect.

The centre of the rear first floor bedroom window to no. 15 is at a greater than 45 degree angle from the shortest part of the rear extension. It is therefore considered that there will not be a material amenity impact in that direction.

Taking the above into account, the proposed two storey extension and single storey extension are 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 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. Given the property is not changing the number of bedrooms, the current parking provision is considered sufficient.

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 development will not 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, 3 and 29 of the South East Lincolnshire Local Plan, 2019.

Conclusion

The recommendation is therefore 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.