DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H05-0482-22**	**Applicant:**	**Mr P Thompson**
Proposal:	Proposed 2 storey rear extension to dwelling		
Location:	Old School House Long Lane Gedney Hill		
Terminal Date:	7th July 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
28	The Natural Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 12 - Achieving well-designed places
Section 15 - Conserving and enhancing the natural environment

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is householder application seeking planning permission for a two storey side/rear extension to create a family/dining room on the ground floor and a bedroom with an en-suite bathroom and a plant/storeroom on the first floor. The extension would have a side projection of 2.5 metres and a rear projection of 7.7 metres.

The extension would have vertical timber cladding and grey roof tiles. The existing windows are proposed to be replaced with grey upvc sash windows.

Site Description

The site is located on Long Lane, within the Holbeach Drove settlement boundary. It comprises a two storey semi-detached dwelling. The property is red brick built sitting under a grey concrete roof tile. It has a single storey rear projecting element. There is a driveway to the front providing off-street parking for several vehicles. The immediate area comprises dwellings of varying designs and sizes.

History

H05-0660-17 - Proposed single-storey extension and associated works - Approved

Consultation Responses

No representations received.

Principle of development

The site is within the Holbeach Drove settlement boundary and the proposed extensions would be sited within the residential curtilage of the existing dwelling therefore the principle of extending the existing dwellinghouse 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.

Design and layout

Paragraph 130 of 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. Policies 2 and 3 of SELLP 2019 amongst other matters seek to ensure that development respects the character and appearance of the area and the relationship to existing development and land uses.

The proposed extension can comfortably be accommodated on the site and would not result in overdevelopment of the site. The majority of the extension would not be visible from the public realm as it would be blocked by the existing house. Only the small side projecting element would be visible from Long Lane. Given the small side projection and the fact it would be set back some 16 metres from the front boundary it would not appear overly prominent in the street scene. The extension is considered well designed and subservient in nature given the roof ridge would not sit higher than the existing roof ridge. Overall, the size and external appearance of the proposal would not be at odds with the existing dwelling on the site or the immediate area.

As such the development is considered acceptable in terms of its impact on the character of the existing dwelling and the area and therefore accords with Policies 2 and 3 of the SELLP and the Section 12 of the NPPF.

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 the attached neighbour. The proposed extension would be sited 3.4 metres from the shared boundary with this neighbour. Given this and the fact the extension would only project approximately 3 metres beyond this neighbours main rear elevation and closest primary window, the proposed extension would not obstruct the 45 degree view of this neighbour. Given the orientation of the property and the fact this neighbour is due south

no unacceptable overshadowing would result. In addition, the pitch of the roof would face away from this neighbour, thereby further lowering the impact. 2no first floor windows are proposed in the southern elevation. In order to avoid any overlooking and loss of privacy in respect of the attached neighbour a condition has been appended for these windows to be obscure glazed.

With regards to the neighbour to the north-west at The Hollies the proposed extension would be sited at least 7.9 metres from the shred boundary with this neighbour and some 16 metres from its closest elevation. This separation distance is considered sufficient as to not result in any overbearing impact or unacceptable overshadowing. A number of rooflights are proposed in the side elevation facing this neighbour, however, there would not be any prominent view from these therefore no overlooking or loss of privacy would result.

As such, the proposals are not considered to unacceptably harm the residential amenity of adjacent neighbours by reason of unacceptable overshadowing or overlooking.

Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed scheme would increase the number of bedrooms within the property from 3 to 4 therefore the parking required would also increase from 2no spaces to 3no spaces. A maximum of 3no off-street parking spaces would be required for the site. There is a large driveway to the front which can accommodate at least 3no vehicles. As such the scheme is considered to comply with the current parking standards.

Planning Balance

The proposal will not materially harm the character or appearance of the locality, the amenity of nearby residents or result in parking or biodiversity issues. The planning balance is therefore considered to be in favour of the proposal.

Conclusion

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.

Taking into account the above, this application accords with Policies 1, 2, 3, 28, 36 and Appendix 6 of South East Lincolnshire Local Plan (2019) as well as Sections 12 and 15 of the National Planning Policy Framework (2021).

Accordingly, it is recommended to approve this application via delegated powers.

Additional Considerations

None.

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.