

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H05-0524-21 **Applicant:** Mr I Marsden
Proposal: Extension & Alterations
Location: Pastures Green Lowgate Road Fleet Hargate
Terminal Date: 5th July 2021

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 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
RESIDENTS	1	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for a two storey rear extension measuring 6.7 metres (width) x 7 metres (depth). On the ground floor a bootroom and a kitchen/dining room would

be created and on the first floor 2no bedrooms would be created. The external material would match the existing dwelling.

SITE DESCRIPTION

The property is a detached two storey dwelling on located on Lowgate Road in Fleet Hargate. The site is located outside any settlement boundary and within the open countryside. The dwelling is white rendered and has a small canopy element above the front door. There is a gravelled driveway to the north with off-street parking provision for at least 6no vehicles. The site is fairly private and is enclosed by trees/planting along the side boundaries.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

Resident

One letter of objection has been received from the adjacent neighbour at Sunday, Lowgate Road siting the following concerns:

- Loss of privacy
- Concerns that more windows may be added/relocated in the future
- Loss of sunlight and overshadowing
- I have septic tank that needs grass to grow and any loss of light will impact the grass growth
- The extension will prevent me from cutting back overhanging trees on the boundary
- Light pollution from potential external lighting on the extended part
- Out of keeping with the area as no other properties extend this far back into the site
- Overbearing to both bungalows on either side

Public

A third party has recommended installation of a minimum of 3no swift nest bricks be required by a planning condition to provide enhancement for biodiversity.

PLANNING CONSIDERATIONS

Principle of development

The site is outside any defined settlement boundary and within the open countryside. However, the proposed development would be within the residential curtilage of the existing dwelling therefore the principle of a house extension that is incidental to the enjoyment of a 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.

Layout, Design, Size and Scale

Paragraph 127 of the National Planning Policy Framework (NPPF), 2019 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.

One letter of objection has been received from the adjacent neighbour at Sunday siting concerns that the proposed development would be out of keeping with the area as no other property extends this far back into the site. The concerns are noted, and it is accepted that the proposed extension is rather large. However, it would not have a bigger footprint than the adjacent neighbour to the north and there are dwellings of varying sizes in the immediate area. As such the proposed development

would not be out of character with the area. In addition, there would be sufficient amenity space retained therefore the extension would not result in overdevelopment of the site. The use of matching external materials and roof design would further ensure the extension is in keeping with the character of the existing dwelling.

As such the extension would on balance comply with the aforementioned policies on design, layout and impact upon the character of the local area.

Impacts upon Residential Amenity

One letter of objection has been received from

The adjacent neighbour to the south of the application site has objected to the proposed scheme on grounds of loss of privacy, concerns that more windows may be added/relocated in the future, loss of sunlight and overshadowing, overbearing impact, light pollution from potential external lighting on the extended part, concerns that the proposed extension will prevent them from cutting back overhanging trees on the boundary. There were also concerns raised that the loss of light will impact the grass growth in their rear garden which will impact their septic tank.

The concerns are noted, however, given the orientation of the property with this neighbour due south of the application site and the separation distance between the extension and this neighbour's boundary (approximately 10 metres), the proposed extension will not result in any overshadowing or overbearing impact. With regards to concerns of overlooking and loss of privacy, one new bedroom window is proposed in the side elevation facing this neighbour, however, given the presence of trees along the shared boundary and the separation distance there would not be unacceptable levels of overlooking. In addition, the application site already has windows at first floor level in the side elevation overlooking this neighbour therefore the addition of one additional window is not considered to result in any additional significant impact therefore the scheme could not be reasonably resisted on this basis.

With regards to the neighbour to the north, again given the significant separation distance (approximately 9.5 metres) the proposed development would not result in any overbearing impact or unacceptable overshadowing. Furthermore there are trees/hedges along the shared boundary with this neighbour therefore there would only be glimpsed views of the proposed extension from this neighbour's side.

As such the proposal would accord with Paragraph 127 of National Planning Policy Framework (2019) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

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 in the property from 3 to 4 therefore the parking requirement for the site would increase to 3no spaces. The existing driveway can accommodate at least 3no vehicles therefore the scheme complies with the current parking standards.

Other matters

One letter of representation has been received from a local resident recommending installation of a minimum of 3no swift nest bricks be required by a planning condition to provide enhancement for biodiversity. The comments are noted, and a condition recommended to this effect.

Planning Balance

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

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2019).

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.

RECOMMENDATION

The application can be approved under delegated powers.