

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H06-0829-22 **Applicant:** Mr R Lorenze
Proposal: Proposed rear extension
Location: 14 Bramley Meadows Gedney Spalding
Terminal Date: 13th October 2022

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01 Spatial Strategy
02 Development Management
03 Design of New Development
04 Approach to Flood Risk
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	1	0	0	0
WARD MEMBER	1	0	0	0
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
RESIDENTS	3	3	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for a single storey rear extension to create a kitchen/dining room, bathroom and a master bedroom with an en-suite steam room. The extension would extend the width of the existing bungalow and have a rear projection of between 4.3 and 8.6 metres. The external materials would match the existing bungalow.

SITE DESCRIPTION

The site is located on Bramley Meadows in Gedney. It comprises a detached bungalow of red brick construction. The property benefits from a single integrated garage and a paved driveway. The front garden is part paved for parking and part lawn. The front of the site is open and the rest of the site is enclosed by fencing. The immediate area comprises bungalows of similar design and size.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

South Holland Internal Drainage Board

No objections subject to compliance with the Boards Bylaws.

Gedney Parish Council

Objection as the development results in overdevelopment of the site and the size of the extension will cut out light to numbers 10, 12 and 16. The patio doors would look into the kitchen of no.10.

Cllr J L Reynolds

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Residents

4no letters of objection have been received siting the following concerns:

- Overbearing impact
- Overlooking from the doors in the side elevation
- The extension is out of character due to its significant footprint
- The extension would reduce light into neighbouring property due to its height
- Delivery of construction materials has already caused damage to the service road pavement

3no letters of support have been received based on the following reasons:

- The proposal would improve the property with minimal to no impact on the surrounding properties
- Due to the proposed height and orientation there would be limited impact on light to the surrounding properties
- Due to the space between each bungalow it is unlikely that number 16 will be penned in by bricks. Due to the height of the fences separating the properties it is unlikely the position of the patio doors will have any impact on number 10
- Due to the size of the back garden at number 14, this could not be considered overdevelopment.
- The street has an overall spacious feel and this extension would not impact on that.

PLANNING CONSIDERATIONS

Principle of development

The site is within the Gedney settlement boundary and the proposed extension would be sited within the residential curtilage of the existing dwelling therefore the principle of extending the existing bungalow 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 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.

A number of local residents as well as a local councillor and the parish council have objected to the scheme on grounds that the extension results in overdevelopment of the site and is out of keeping with the area. The concerns are noted, however it is not considered that that proposal would result in overdevelopment of the plot as sufficient outdoor amenity space would be retained. The bungalow would still remain similar in footprint to nearby properties therefore it could not reasonably be argued that the development would be out of character. In addition, the applicant is able to erect an 8 metre rear projecting extension under the Prior Approval scheme and the proposed extension would only be 0.6 metre more than that therefore it could not reasonably be resisted.

The extension would be located to the rear site therefore there would be limited views from the main public realm. The extension is considered proportionate to the existing bungalow and given its height does not exceed the roof ridge of the existing bungalow it would not appear overly prominent. The use of matching external materials would ensure the extension is in keeping with the existing bungalow.

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

Impacts upon 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.

A local councillor and the parish council has objected to the scheme on grounds that the proposed extension would cut out light to numbers 10, 12 and 16 and the patio doors would look into the kitchen of no.10. the neighbours at no.10 and 12 have also objected on this basis. The concerns are noted and discussed further below.

The proposed extension would sit adjacent to the rear gardens of no's 10 and 12. Given the relationship with these neighbours it is not considered that any overbearing impact or unacceptable overshadowing would result. With regards to concerns of overlooking from the patio doors, the concerns are noted, however given the high level boundary fencing there would be limited views from the proposed patio doors. As such any impact would be within acceptable tolerances.

With regards to the neighbour to the west at no.16 the proposed extension would be sited approximately 2.2 metres from the shared boundary with this neighbour and some 4.6 metres from its nearest elevation. The proposed extension would have an overall rear projection of 8.6 metres (5.4 metres beyond the existing conservatory). It would extend approximately 4.6 metres beyond this neighbours rear elevation closest to the application site. Given this, the separation distance and the fact this neighbour does not have any primary windows in its side elevation facing the application site no unacceptable impact is considered to result on the amenity of this neighbour.

As such the proposal accords with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Highway safety and car parking provision

In conjunction with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum standards for

parking provision upon the use class. The proposal would increase the number of bedrooms within the property from 2 to 3, however the parking requirement for the site would not increase. There is sufficient space in the driveway for several vehicles therefore the site meets the current parking standards.

Drainage

Policy 4 of the SELLP relates to flood risk management and states that new development will be permitted if appropriate flood resistance and resilience measures are proposed (criterion c); it incorporates the use of Sustainable Drainage Systems (SuDS) (criterion e); and demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development (criterion g).

South Holland Internal Drainage Board has advised that the applicant has not identified a drainage strategy for the proposed new impermeable area within their application. It is recommended that a drainage strategy is provided for the site. If the applicant proposes to discharge surface water to a watercourse, consent would be required under Byelaw 3. It should be noted that any discharge is in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), therefore the Board is unlikely to grant consent for discharges in excess of greenfield rate. It is noted that the applicant has not indicated how they propose to dispose of foul water from the development. If the applicant proposes to discharge treated foul water to a watercourse, consent would be required under Byelaw 3. The applicant should confirm if there are any riparian owned/maintained watercourses within or adjacent to the site boundary. Should the applicant's proposals include works to alter a watercourse, or if works are proposed to alter a watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4). An informative has been appended to this effect advising the applicant of the drainage boards bylaws.

Given the above the proposal is considered to be in accordance with Policies 2, 3 and 4 of the Local Plan and Section 14 of the National Planning Policy Framework (2021).

Other matters

A local resident has raised concerns that the delivery of construction materials to the application site has already caused damage to the service road pavement. The concerns are noted, however, the application could not reasonably be resisted on this basis as this is a highways matter.

Planning Balance

The proposal will not materially harm the character or appearance of the locality, result in neighbouring amenity issues or parking/highway implications. 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 1, 2, 3, 4, 36 and Appendix 6 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2021).

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.