DECISION DELEGATED TO HEAD OF PLANNING

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H08-0347-22**	**Applicant:**	**C Bryans**
Proposal:	Two storey extension with pitched roof to east elevation with solar panels on south elevation roof		
Location:	Morstead House Cheal Road Gosberton		
Terminal Date:	7th June 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development

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

CASE OFFICER ASSESSMENT

Proposal

This is a householder application, seeking permission for a proposed two storey extension with a pitched roof to the east elevation with solar panels on south elevation roof at the property of Morstead House, Cheal Road, Gosberton.

Site Description

The site is situated within the countryside, according to the South East Lincolnshire Local Plan, 2019. The detached dwelling is sited on a spacious plot and well set back from Cheal Road. Dwellings along Cheal Road are set out sporadically and of a variety of ages and design.

The site has a long D shaped driveway, leading to the house, with a small bricked boundary treatment to the front boundary. There is a large grassed garden to the east of the site and the site is between open fields to the north and south.

History

No relevant planning history.

Consultation Responses

No consultation responses received.

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 extension will protrude from the east elevation of the dwelling, measuring approx. 5.3m wide by 7.5m deep and be two storeys high. Having regard to the existing dimensions of the house and plot it sits within, the proposed two storey extension is acceptable in terms of scale, mass and bulk.

Facing brickwork on walls, concrete roof tiles and UPVC in fenestration will match those existing in the property. The roof would be side gable to match existing, but the ridge height would be lower and overall subservient to the host property. Thus, the development will appear well blended with the fabric of the house and visual amenity will not be undermined.

The are also 20 solar panels proposed to the front roof elevation of the dwelling. It is not considered that this would have a detrimental impact to the character of the area, given the dwelling is set back from the road and the roof tiles are darker in colour, therefore solar panels would not be a stark contrast.

Internally, the purpose of the development is to gain further internal floor space for enlarging and creating new rooms inside the house. This includes enlarging the existing kitchen and dining room on the ground floor. To the rear elevation, there will be a set of external stairs which will be the only entrance to the first floor extension, which will be for the use of a study/office room.

Overall, the proposals will ensure good living conditions for the house occupiers and are in keeping with the residential use of the property.

Taking the above into account, the proposed two storey extension and solar panels are deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of layout, design, size and scale.

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.

It is not considered that there would be an overbearing, overlooking or overshadowing impact upon neighbouring properties given the extension would be a substantial distance from the next nearest property to the east and there are no dwellings immediately to the rear or opposite.

Taking into account the path of the sun, the solar panels should have no glint or glare impact on the neighbouring dwelling to the west.

Taking the above into account, the proposed two storey extension and solar panels 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.

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 two storey extension and solar panels 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 and 3 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.