DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H08-0669-22**	**Applicant:**	**Mrs A North**
Proposal:	Two storey front & side extension with additional floor to existing bungalow.		
Location:	39 Mill Lane Gosberton Spalding		
Terminal Date:	2nd September 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2021

12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
RESIDENTS	1	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL]

This is a householder application at 39 Mill Lane, Gosberton for a two storey front & side extension

with an additional floor to the existing bungalow. The proposal seeks to provide a garage, wc, utility, entrance, study, lounge, garden store, and open plan kitchen, dining, snug room at ground floor level. At first floor level four bedrooms, two en-suites, a dressing room and a bathroom. Proposed materials of construction are to be addressed via condition.

SITE DESCRIPTION

The dwelling is within defined settlement limits and the surrounding area is characterised by linear development of varying ages and designs. The site is in Environment Agency Flood Zone 3, and is not in a raised hazard of depth area on the 2115 South Holland Strategic Flood Risk Mapping. The plot is on a north-south axis with a large rear garden. A two storey dwelling is sited to the west at The Willows, with a bungalow to the east at 41 Mill Lane.

RELEVANT HISTORY

None

CONSULTATION RESPONSES

Welland & Deepings Internal Drainage Board

No comments.

Members of the public - 2

Soakaways should be sited a significant distance from the rear of the property.

Overshadowing

Overlooking.

Visual impact on streetscene.

Sited beyond the property line.

Proximity to boundaries - There is isn't specific planning policies on proximity to boundaries, however, proximity can impact overshadowing, overlooking and the built character of the area.

PLANNING CONSIDERATIONS

Principle of development

The proposal is for residential development on residential land within defined settlement limits. The principle of development in this location is considered to be acceptable.

Assessment against SELLP Policy 2 - Development Management

When assessed against the relevant criteria the following can be observed:

1. The size and scale of the extension, whilst large, can comfortably be accommodated on this site. The layout, density and impact is considered to be acceptable. One tree will be removed to facilitate this proposal. The character and appearance of the surrounding area is not considered to be materially impacted by this proposal.

2. The orientation of the dwelling remains on a north-south axis, the design to meet the needs of the occupants whilst seeking to minimise amenity impact on the character of the surrounding area.

3. Proposed materials would be addressed by condition.

4. The existing access is not being altered and the site can accommodate three off road parking spaces which is the minimum amount requested by properties with four bedrooms or greater under Appendix 6 of the South East Lincolnshire Local Plan.

5. Existing community services and infrastructure will not be materially impacted by this proposal.

6. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion the following can be observed -

Overdevelopment - The proposal is not considered to constitute overdevelopment. There are other two storey dwellings in the area and ample amenity space remains to the front and rear of the property.

Overlooking - The windows to the front and rear are considered to represent a standard frontage orientation. The first floor rooflights are 1.8 metres above ground level at the lowest point so are not considered to afford an overlooking aspect. The east facing first floor window serving Bedroom 2 faces the open frontage of 41 Mill Lane so is not considered to constitute a new overlooking aspect.

Overshadowing - When 45 degree right to light lines are drawn from the roofs of each elevation there is not a material overshadowing impact on the windows of neighbouring properties as the line does not fall above halfway up any windows on adjacent properties.

7. The site is in Environment Agency Flood Zone 3, and is not in a raised hazard of depth area on the 2115 South Holland Strategic Flood Risk Mapping. Foul water will be dealt with by the existing septic tank, and surface water drainage by the existing soakaways.

Assessment against SELLP Policy 3 - Design of New Development

When assessed against the relevant criteria the following can be observed:

1. Due to the surrounding area not having a defined built character, there is not considered to be a material impact on a sense of place. The size and scale of the extension, whilst large, can comfortably be accommodated on this site. The layout, density and impact is considered to be acceptable. One tree will be removed to facilitate this proposal. The character and appearance of the surrounding area is not considered to be materially impacted by this proposal.

5. Ample space remains on site for cycle and bin storage. The existing access is not being altered and the site can accommodate three off road parking spaces which is the minimum amount requested by properties with four bedrooms or greater under Appendix 6 of the South East Lincolnshire Local Plan.

11. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion the following can be observed -

Overdevelopment - The proposal is not considered to constitute overdevelopment. There are other two storey dwellings in the area and ample amenity space remains to the front and rear of the property.

Overlooking - The windows to the front and rear are considered to represent a standard frontage orientation. The first floor rooflights are 1.8 metres above ground level at the lowest point so are not considered to afford an overlooking aspect. The east facing first floor window serving Bedroom 2 faces the open frontage of 41 Mill Lane so is not considered to constitute a new overlooking aspect.

Overshadowing - When 45 degree right to light lines are drawn from the roofs of each elevation there is not a material overshadowing impact on the windows of neighbouring properties as the line does not fall above halfway up any windows on adjacent properties.

12. The site is in Environment Agency Flood Zone 3, and is not in a raised hazard of depth area on the 2115 South Holland Strategic Flood Risk Mapping. Foul water will be dealt with by the existing septic tank, and surface water drainage by the existing soakaways.

PLANNING BALANCE

Whilst the extension to the property is substantive, it is considered that the proposed design can be comfortably accommodate in the site and does not materially impact the character or amenity of the surrounding area. This application is considered to accord with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2021.

CONCLUSION

This application is recommended for 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.