

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H09-0353-19 **Applicant:** Mr & Mrs P Seaman
Proposal: Extension to bungalow
Location: 37 Langwith Gardens Holbeach Spalding
Terminal Date: 27th May 2019

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 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

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application for Extension to bungalow at 37 Langwith Gardens, Holbeach.

An existing flat roofed garage is on the northern side elevation. The proposal would entail the removal of this garage to develop a pitched side extension to accommodate a larger garage and additional bathroom.

Site Description

The site context is purely characterised by residential development. Bungalow is the most

predominant housing type along the road. A certain variety of designs has been perceived in the locality through the roof style and dormer windows. However, the appearance is similar on the wider street scene due to similar colour in facing brickwork and roof tiles.

The site is rectangular shaped and the layout is fairly spacious. The property is a single-storey bungalow set back approximately 8 metres away from the road. The front driveway is in gravel and the rear garden in grass. There are fenced kennels and outbuildings at the garden. A 2 metre high timber close board fence is on the site boundaries.

History

None

Consultation Responses

None

Planning Considerations

Principle of development

According to the Inset Map 5 of the South East Lincolnshire Local Plan, the site is within the settlement boundaries of Holbeach. The principle of development is therefore acceptable unless other material considerations indicate otherwise as laid down in section 70(2) of the Town and Country Planning Act 1990.

Size and scale

The proposed extension protrudes 3.71 metres from the northern side elevation. It would extend 8.31 metres along the elevation to the rear main wall. Its maximum apex height would be 5.20 metres and the eaves would be 2.40 metres high. Having regard to the dimensions of the bungalow, the proposal would be subservient to the host property in terms of scale, massing and bulking.

Design and layout

A hip pitched roof would be on top of the side extension which would be tantamount to the bungalow roof's style. The pitch would be below the main roof ridgeline and the rear slope of the extension would be aligned with that one of the main roof. The external layout of the development would provide a sense of scale and hierarchy with the original building. The front elevation of the garage would remain set back in order to not block or remove the bedroom window facing north.

The floor layout plans show that the proposal would host one 3.35 x 5.15m garage and one 3.35 x 2.20m bathroom. The use of the development is acceptable given the residential character of the building.

The external materials are confirmed to match those existing in the bungalow, thus the visual amenity of the built environment and appearance of the main building would not result adversely altered.

Impact upon the residential amenity

A 2 metre timber close board fence is along the northern side boundary. A flat roofed single-storey extension and rear conservatory of the adjacent property No. 35 is in close proximity and behind the fence. The single-storey extension is a garage/storage which means that no habitable space is within the extension. Therefore, there is no concerns on the grounds of residential amenity.

It was initially considered that the proposal might be in conflict with the enjoyment use of the rear conservatory in view of the bulk of the intended development and its close proximity with the conservatory. However, after assessing further the features of the proposal, any harm upon the amenity standards of residents at No. 35 would not be significant. Given the location of both properties within the sun path, it is not anticipated that the development would overshadow the rear conservatory. The proposed windows would overlook no opposing fenestration. The bulk of the extension is not excessive to create an overbearing impact upon the adjacent residents.

Conclusion

In light of considerations above, the proposed development is in accordance with Policy 1, 2 and 3 of South East Lincolnshire Local Plan, 2019 and Section 12 of National Planning Policy Framework, 2019.

It is therefore recommended to approve this application via delegated powers.

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 to grant permission 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 to grant permission 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 to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.