DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-1307-21**	**Applicant:**	**D Gregory**
Proposal:	Proposed Extension & Alterations		
Location:	76 Langwith Gardens Holbeach Spalding		
Terminal Date:	14th February 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

Section 12. Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission to demolish the garage to the side and the conservatory to the rear and erect a wraparound extension to create a dining room, bedroom with an en-suite shower room, and an open plan lounge/kitchen. The extension would have a side projection of 2.5 metres and a rear projection of 4 metres. The extensions would be cream rendered and all other external materials would match the existing bungalow.

SITE DESCRIPTION

The application site comprises a detached bungalow located on Langwith Gardens in Holbeach. The bungalow is yellow brick built and has white door/window frames. There is a single attached flat

roofed garage to the side and a paved driveway to the front. The rear garden is enclosed by a boundary fence. A small conservatory and a shed are located in the rear garden. The immediate area is primarily residential comprising bungalows of varying styles.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

Holbeach Parish Council

No objections.

PLANNING CONSIDERATIONS

Principle of development

The site is within the defined settlement boundary of Holbeach and the proposed extensions would be sited within the residential curtilage of the existing dwelling therefore the principle of extending the existing 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 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 scheme is considered acceptable and proportionate to the site and the existing bungalow. it is accepted that the proposed extensions/alterations would significantly increase the footprint of the bungalow and change its appearance. However, the site can comfortably accommodate the extensions and would not result in overdevelopment of the site. The rear extension would have a flat roof which is not considered ideal, however there would not be any views of this from the public realm. The extension would have a small side projection therefore it would not dominate the bungalow. Only the side projecting element would be visible from the public realm and this element is considered well designed and in keeping with the design of the existing bungalow. It would somewhat improve the overall appearance of the site as the existing flat roof garage is not in keeping with the bungalow. The proposed extensions would be rendered as the applicant has advised that they had difficulty getting a match for the existing bricks. Only a small section of the proposed rendered walls will be visible from the public realm. All other external materials are proposed to match the existing bungalow therefore the development is considered to be in keeping with the existing bungalow.

As such the proposal would comply 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.

The closest neighbour to the proposed development is no.78 Langwith Gardens located to the north of the application site. The proposed side projecting element would be sited approximately 1.2

metres from the shared boundary with this neighbour and 2.7 metres from its side elevation. The proposed development is not considered to significantly change the relationship with this neighbour or result in unacceptable overshadowing or overbearing impact although as the extension would sit in a similar position to the existing garage and shed located along the shared boundary, albeit it would be higher than the existing structures. In addition, the roof would face away from this neighbour, thereby further reducing the impact. One door and two new window openings are proposed in the side elevation facing this neighbour. This neighbour does have one window in its side elevation facing the application site and it is not clear if this window serves a primary room. However, given the fact the applicant could convert the existing garage and install a window in the side elevation under permitted development the proposed openings could not reasonably be resisted.

With regards to the neighbour to the south at no.74 Langwith Gardens the side projecting element would not be visible to this neighbour. Only the rear projecting element would be visible to this neighbour. Given the rear projection and height would be similar to the existing conservatory which would be demolished, the relationship with this neighbour is not considered to significantly or unacceptably change.

With regards to the neighbour to the rear the proposed extensions would be located some 11.5 metres from the rear boundary. Given the single storey nature of the extension and limited height this separation distance is considered sufficient.

As such the proposal would accord with Paragraph 130 of National Planning Policy Framework (2021) 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 within the property from 2 to 3, however, the parking requirement for the site would not increase. One parking space would be lost as a result of the garage conversion, however 2no off-street parking spaces would be retained in the driveway to the front therefore the scheme is considered to comply with the current parking standards.

Planning Balance

The proposal will not materially harm the character or appearance of the locality, the amenity of nearby residents or result in 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 and 36 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.