DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H11-0031-23**	**Applicant:**	**Mr & Mrs N Howard**
Proposal:	Proposed side extension to bungalow		
Location:	120 London Road Long Sutton Spalding		
Terminal Date:	9th March 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
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	0	0	0	0
WARD MEMBER	0	0	0	0
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for a single storey side extension to create an en-suite shower room to bedroom to and an en-suite and dressing area to the existing master bedroom. The extension would measure 3.2 metres (width) x 6.5 metres (depth) and stand at 4.7 metres in height (2.5 metres to the eaves). The extension would have grey composite board

cladding elevations, white upvc windows and roof tiles to match the existing bungalow.

SITE DESCRIPTION

The site is located on London Road, within the Long Sutton settlement boundary. It comprises a detached white rendered bungalow. The site benefits from a gravelled driveway to the front/side providing off-street parking provision for several vehicles. The immediate area is primarily residential comprising dwellings of varying ages, design, materials and sizes.

RELEVANT PLANNING HISTORY

H11-0215-22 - Proposed single storey rear extension - approved under H11-0792-17. Modification of condition 3 to allow cladding in lieu of render - Approved

H11-1019-19 - Installation of flue on workshop - Approved

H11-0792-17 - Proposed single storey rear extension - Approved

H11-0712-17 - Proposed rear single-storey extension - Refusal

REPRESENTATIONS

Resident

One letter of representation has been received from the neighbour at no.122 London Road siting concerns of close proximity of the extension to their boundary fence and if there would be sufficient space for repairs etc in the future. In addition it has been requested that if any damage results to their boundary fence during construction works then the applicants should be responsible for repairs.

PLANNING CONSIDERATIONS

Principle of development

The site is within the Long Sutton settlement boundary as set out in the South East Lincolnshire Local Plan (SELLP), 2019. The extension would be sited within the existing residential curtilage therefore the principle of a development associated with an existing dwelling is considered 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 side extension would be visible from the public realm given its positioning. However, given its small side projection and modest height it would not appear overly prominent in the street scene and is considered proportionate to the site and the existing bungalow. The design of the extension is sympathetic to the existing bungalow and appears subservient given its height would be lower than the existing roof ridge

The proposed use of cladding is considered acceptable as it would match the cladding approved on the rear extension and given there are a mixture of different materials in the area therefore the development would not be out of character with the area.

As such the extension would on balance 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.122a London Road located to the east of the application site. The proposed extension would be sited at least 7 metres from this neighbours boundary. Given the modest height/footprint of the proposed extension this separation distance is considered sufficient as to not result in any overbearing impact or unacceptable overshadowing. 2no windows are proposed in the side elevation facing this neighbour, however, one would serve a bathroom therefore it would be obscure glazed and the other would serve a dressing room. There would be limited views from above the boundary fence and in any case the windows would face this neighbours driveway therefore no unacceptable loss of privacy would result.

In respect of the neighbour at no.122 London Road the proposed extension would be sited a significant distance from the house and amenity space. It would sit adjacent to this neighbours private driveway, however, no impact is considered to result on terms of overbearing impact or unacceptable overshadowing given the relationship.

With regards to the neighbour to the west at no.118 London Road the proposed extension would not be visible to this neighbour as it would be blocked by the applicants existing bungalow.

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

The proposal would not increase the number of bedrooms within the property or impact/reduce the current parking arrangements for the site therefore it is considered to comply with Policy 36 and Appendix 6 of the South East Lincolnshire Local Plan (2019).

Other matters

One letter of representation has been received from the neighbour at no.122 London Road siting concerns of close proximity of the extension to their boundary fence and if there would be sufficient space for repairs etc in the future. In addition it has been requested that if any damage results to their boundary fence during construction works then the applicants should be responsible for repairs. The concerns are noted, however, unfortunately this would be a civil matter and could not reasonably be enforced by planning.

Planning Balance

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