

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H11-0160-20 **Applicant:** Mr & Mrs Perks
Proposal: Proposed Garage
Location: Dunsmere Daniels Gate Long Sutton
Terminal Date: 4th December 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

- 01 Spatial Strategy
- 02 Development Management
- 03 Design of New Development
- 04 Approach to Flood Risk

National Guidance

National Planning Policy Framework 2019

Paragraph 127 of Section 12. Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application that seeks permission for proposed garage at Dunsmere, Daniels Gate, Long Sutton, Spalding.

Site Description

The site is the suburbs of the historic core of Long Sutton. To the south, Delamore Lodge is a large detached dwellinghouse within a sizeable site which falls within the Conservation Area. To the north, Rowan House is detached two-storey dwellinghouse similar in scale and appearance to the application property. Both properties benefits from fairly deep front garden with lawn, driveways and gravel partially on the surface.

Opposite the road and onto the adjacent road to the west Delamore Way, bungalow is the predominant housing type on the street scene. Two-storey detached houses however are observed along Daniels Gate and St Mary's Garden to the east.

The rear garden of the site is laid in lawn. A nearly 2 metre high timber closeboard fence with concrete posts enclose this part of the plot. A conservatory with base brick wall projects from the southern side elevation of the house.

History

H11-0317-19 - Proposed second-storey extension and garage conversion - Approved

Consultation Responses

South Holland IDB

No objection.

Planning Considerations

Principle of development

The site is within the settlement boundaries for Long Sutton and adjacent to the Conservation Area as set out in the South East Lincolnshire Local Plan (SELLP), 2019. Irrespective of spatial strategy considerations, the principle of developing a house extension and alterations that are incidental to the enjoyment of the dwellinghouse are 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.

Design and layout

Paragraph 127 of National Planning Policy Framework (NPPF), 2019 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 proposals entail the demolition of the existing conservatory to gain further floorspace for the intended development.

The proposed extension will project 3.90 metres from the southern side wall of the house and will extend 6.37 metres. The apex height will be as much as the eaves of the house. A hot tub under a shed roof is proposed to the rear of the extension which its diameter will not exceed the original rear wall of the building. Having regard to the dimensions of the house, it is conclude that the extension will appear subservient to the host property in terms of scale, mass and bulk.

The purpose of the extension is to create an in-built garage. A 3 wide garage door will be onto the front drive. A single panel door will be opened to the rear which will provide an independent access to the garage from the rear garden. A standard size window will be opened onto the side wall of the extension. Two roof lights will be formed on the shed roof covering the hot tub. External materials will match those existing in the property, thereby the visual amenity will not result significantly

altered.

Rainwater goods and a soakaways are proposed for the management of the surface water runoff generated by the development. These proposals are in accordance with Policy 4 of SELLP 2019 which promotes the implementation of Sustainable Drainage Systems (SuDS) to new development in order to address the impacts of flooding.

In summary, the development is subservient to the host property in terms of scale and height. The features of the extension indicate that the development will meet the needs of the householders without being at expense of good design standards. The use will be clearly ancillary to the residential character of the property and its setting. For these reason, the proposals comply with the aforementioned policies at the top of this section.

Residential amenity

The pitch height of the extension will be nearly as much as the ridge of the house although the extension will be only used on the ground floor level.

The opposing elevation of the extension is approximately 19 metres away. At such separation, the material increase of the single-storey extension will not have impact upon the residents of Delamore Lodge in terms of overbearing effect.

With regards to fenestration, only one window will be opened facing Delamore Lodge and it will be on the ground floor level. Therefore, no overlooking effect will occur. The existing boundary treatment obscures views from fenestration to this neighbouring property.

The users of the hot tub might be positioned slightly higher from the ground levels. It is not anticipated any overlooking effect onto the garden and western windows of Delamore Lodge given the nearly 2 metre high of the mean of enclosure on the boundary line. In any case, the hot tube constitutes planning permitted development under Class E, Part 1, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

In summary, the development complies with residential amenity which is one of the key principles of design and development management as set out in Policies 2 and 3 of SELLP (2019).

Car parking provision

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision.

After reviewing the approved plans under H11-0317-19, the dwellinghouse has 5 bedrooms. 3 no. car spaces must be provided within the curtilage for dwellings with 4 or more bedrooms. A garage can count as one space if it is 2.6m x 5.6m internal width. The proposed garage will be internally 3.60 x 5.80 metres. Thus, one car can be parked within. Two further cars can be parked in tandem on the driveway. Therefore, the proposals will ensure appropriate car parking provision within the curtilage as per Appendix 6 of SELLP 2019.

Conclusion

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2, 3 and 4 of the South East Lincolnshire Local Plan (SELLP), 2019; and also Paragraph 127 of the National Planning Policy Framework (NPPF), 2019.

It is accordingly recommended to approve this planning 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 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.