DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H11-0322-22**	**Applicant:**	**Mr J Dewsberry & Mrs S Anderson**
Proposal:	Proposed single-storey rear extension and alterations to dwelling.		
Location:	29 West Street Long Sutton Spalding		
Terminal Date:	25th May 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
29	The Historic Environment

National Guidance

National Planning Policy Framework 2021

Section 12. Achieving well-designed places
Section 16. Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is householder application seeking planning permission for a replacement side rear extension to extend the kitchen. The extension would measure 3.9 metres (length) x 1.5 metres (width) and stand at 3.3 metres in height (2.4 metres to the eaves). The external materials would match the existing dwelling.

A number of internal and external alterations are also proposed to include converting the third bedroom into a bathroom, convert the bathroom into a bedroom, a new first floor window on the rear elevation, blocking up of an existing first floor side window, new patio doors on the ground floor rear elevation, a new window to utility room and replacing 5no existing sash windows in the side elevation with upvc.

Site Description

The site comprises a detached two storey dwelling located on West Street in Long Sutton. The property is within the Long Sutton settlement boundary and Conservation Area and is also subject to an Article 4 Direction. The dwelling is red brick built with white door/window frames. The front boundary is partially enclosed by a low boundary wall. There is a paved driveway to the side leading to a detached garage to the rear.

History

No relevant planning history.

Consultation Responses

Historic Environment Officer

No archaeological impact.

Design and layout

Paragraph 130 of 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. Paragraph 197 of the NPPF states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

Policies 2 and 3 of SELLP 2019 amongst other matters seek to ensure that development respects the character and appearance of the area and the relationship to existing development and land uses. Policy 29 of the SELLP states that development proposals will conserve and enhance the character and appearance of designated and non-designated heritage assets including conservation areas.

The proposed replacement extension would not result in any significant discernible difference in the overall appearance of the site as it would be similar in footprint and height to the existing. The footprint of the extension is subservient and its design is in keeping with the existing dwelling. The use of matching external materials would further ensure the proposed development is in keeping with the existing dwelling.

With regards to replacing the windows with upvc and other minor external alterations these can on balance be accepted as the new/replacement windows would be similar in appearance to the existing therefore there would be little discernible difference in the overall appearance of the dwelling. A condition has been appended to ensure the replacement windows match the existing timber frames.

As such the development is considered acceptable in terms of its impact on the conservation area and the character of the existing dwelling and therefore accords with Policies 2, 3 and 29 of the SELLP and the Sections 12 and 16 of the NPPF.

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 neighbour closest to the proposed development is no.27 West Street located to the east of the application site. The proposed extension would not be visible to this neighbour as it would be blocked by the applicants existing two storey house. As such no impact would result on this neighbour.

With regards to the neighbour to the west, this is located on the opposite side of the road and a significant distance from the proposed development. Given this no unacceptable impact is considered to result on this neighbour.

As such, the proposals are not considered to unacceptably harm the residential amenity of adjacent neighbours by reason of unacceptable overshadowing or overlooking.

Planning Balance

The proposal will not materially harm the character or appearance of the locality or the amenity of nearby residents. The planning balance is therefore considered to be in favour of the proposal.

Conclusion

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.

Taking into account the above, this application accords with Policies 2, 3 and 29 of South East Lincolnshire Local Plan (2019) as well as Sections 12 and 16 of National Planning Policy Framework (2021).

Accordingly, it is recommended to approve this application via delegated powers.

Additional Considerations

None.

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.