DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H11-0439-21**	**Applicant:**	**Mr C Yaxley**
Proposal:	Rear Extension & Alterations		
Location:	7 Little London Long Sutton Spalding		
Terminal Date:	21st June 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

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
RESIDENTS	1	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for a two storey side/rear extensions with a rear projection of 3.6 metres and a side projection of 1.8 metres. On the ground floor a snug and a dining area would be created and on the first floor 2no bedrooms. The external material would match the existing dwelling.

SITE DESCRIPTION

The property is a semi-detached two storey dwelling located on Little London in Long Sutton. The dwelling is red brick built with grey door/window frames. There is a single attached flat roof garage to the side and a gravelled driveway to the front. To the south of the site is a detached bungalow and to the north is an attached two storey dwelling. There is a play area further to the south and the rest of the immediate area is primarily residential.

RELEVANT PLANNING HISTORY

None.

REPRESENTATIONS

Public
A third party has recommended installation of a minimum of 3no swift nest bricks be required by a planning condition to provide enhancement for biodiversity.

One letter of objection has been received from the adjacent neighbour at 5 Little London siting the following concerns:

·Noise and dust during construction would impact my living conditions
·The works will devalue my bungalow
·The application site is suitable for first time buyers and the proposed development would mean it is no longer affordable for first time buyers

PLANNING CONSIDERATIONS

Layout, Design, Size and Scale

Paragraph 127 of the 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 proposed extensions are considered proportionate to the existing dwelling. The small side projection would ensure the proposed extension does not appear overly prominent in relation to the existing dwelling. Its design is considered sympathetic with the roof sitting lower than the existing roofline. Furthermore the use of matching external materials would ensure the extensions are in keeping with the character of the existing dwelling.

As such the extension would comply with the aforementioned policies on design, layout and impact upon the character of the local area.

Residential amenity

Paragraph 127 of National Planning Policy Framework (NPPF), 2019 sets out that planning decisions should create places that promote health and well-being, with a high standard of amenity for existing and future users.

Following that, Policy 2 of SELLP 2019 establishes that considerations should be met about the relationship to existing development and land uses in order to grant permission. Residential amenity is one of the criteria to ensure high quality and inclusive design and layout in accordance with Policy 3.

The proposed extension would be located approximately 2.6 metres from the shared boundary with the neighbouring bungalow to the south at no.5 Little London and approximately 3.5 metres from this neighbours side elevation. Given the fact this neighbour has primary room windows (a bedroom and loving) in its side elevation facing the application site, this separation distance is not considered sufficient. The proposed extension would result in overbearing impact and a sense of enclosure on

this neighbour

The first-floor extension would protrude 3.6 metres from the original rear wall of the application dwellinghouse and sit close to the shared boundary with the neighbour to the north at n.9 Little London. The proposed first floor rear extension by virtue of its depth and close proximity to this neighbour would result in unacceptable overbearing impact and overshadowing to this neighbours first floor bedroom window located close to the shared boundary with the application site. The protrusion of the two-storey element would be such that the 45-degree sightline would not be respected from the rear bedroom window of this neighbour. Given the orientation of the properties with this neighbour due north, the proposed extension would result in overshadowing to this neighbours primary windows throughout most of the day

For the reasons outlined above the proposals contravene Policies 2 and 3 of South East Lincolnshire Local Plan (2019) and Paragraph 127 of National Planning Policy Framework (2019).

Car parking provision

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 in the property from 2 to 3, however, the parking requirement for the site would remain the same and the existing parking provision for the site would not reduced by the proposed development. As such the scheme complies with the current parking standards.

Other matters

One letter of representation has been received from a third party recommending installation of a minimum of 3no swift nest bricks be required by a planning condition to provide enhancement for biodiversity. The comments are noted and this could be achieved by way of a planning condition should the application be permitted.

One letter of objection has been received siting concerns of noise and dust during construction which would impact the neighbours living conditions. The concerns are noted, however, the noise and durst during construction would be temporary therefore the scheme could not reasonably be resisted on this basis. There were additional concerns raised that the proposed works would devalue the neighbouring property and that the application site would no longer be affordable for first time buyers. The concerns are noted, however, these are civil matter and the proposed scheme could not reasonably be resisted based on the.

Planning balance

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 scale and height of the extensions would be commensurate with the host property. The form of development and external appearance would be sympathetic with the existing fabric of the property. However, the footprint of the development would be at such proximity with the adjoining properties that the height and bulk would appear obstructive to their occupiers.

The proposed first floor rear extension by virtue of its depth and close proximity to the attached neighbour at no.9 Little London located to the north of the application site would result in unacceptable overbearing impact and overshadowing to this neighbours first floor bedroom window located close to the shared boundary with the application site. It would also obstruct this neighbours 45 degree view.

Furthermore the proposed extension would result in overbearing impact and a sense of enclosure on the neighbour to the south at no.5 Little London given the close proximity of the proposed first floor element to this neighbours primary windows in the side elevation facing the application site.

On balance, any adverse impacts of granting permission to the proposals would significantly and demonstrably outweigh the benefits, when assessed against the planning policies taken as a whole.

Conclusion

Taking into account the considerations above, the proposed development fails to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan (SELLP), 2019 and Paragraph 127 of the National Planning Policy Framework (NPFF), 2019.

It is accordingly recommended to refuse 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.

RECOMMENDATION

The application is refused under delegated powers.