

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H11-0562-24 **Applicant:** Mr & Mrs S Morrell

Proposal: Proposed rear extension to form lounge, alterations and replacement garage roof

Location: 6 Lancaster Drive Long Sutton Spalding

Terminal Date: 21st August 2024

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development

National Guidance

National Planning Policy Framework 2023

Section 12 - Achieving well designed and beautiful places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a proposed rear extension to form lounge, alterations and replacement garage roof at 6 Lancaster Drive.

Site Description

The site is located within the defined settlement boundary of Long Sutton as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP). Lancaster Drive is sited off Seagate Road and provides access to Lancaster Close and Church Green. The design of this property is similar to other dwellings with a clear sense of uniformity throughout the estate.

History

No relevant planning history.

Consultation Responses

South Holland Internal Drainage Board

No objections - consent may be required under Byelaw 3, not currently required under Section 23 and not applicable under Byelaw 10.

Lincolnshire County Council Highways

Recommendation:

No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Comments:

The proposal is for a rear extension to form lounge, alterations and replacement garage roof. There is no impact on the access or parking therefore the proposal will not have an adverse impact on the Public highway.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

Planning Considerations

Layout, Design and Consideration of the Character and Appearance of the Area

Section 12 of the National Planning Policy Framework (December 2023) specifically relates to 'Achieving well-designed and beautiful places' and details that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the National Planning Policy Framework (December 2023), states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing.

Development proposals should also ensure that developments 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 South East Lincolnshire Local Plan outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework, in that it requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the National Planning Policy Framework and require 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.

Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

The walls of the proposed rear extension will be reclaimed appearance brick with Monocouche off white rendering, the existing property features brickwork and render currently. Concern could be raised regarding the use of render in this instance however as it will be set to the rear of the site and therefore not visible from the public highway this will be acceptable. In any case, the render to the rear will match that used on the front and limit any issues further. Grey uPVC windows will match the existing whilst the roof will be made from anthracite dui Edgemere with the existing currently featuring concrete large format. This roof material will be for both the rear extension and the new pitched roof altering the existing flat roof. Overall, these materials are considered to be acceptable in this instance and should not harm the street scene or locality.

The extension will project from the rear elevation by around 6258mm and have a total width of 4940mm. To the eaves it will be 2300mm and have a total height of 3400mm. This is therefore considered to be of an acceptable size in relation to the host property it is only 2m larger than an extension can be under Permitted Development with extensions of up to 8m being allowed under prior approval providing it meets other requirements, which it appears to do so in this instance. Furthermore, the change from a flat roof to a hipped roof on the side will increase the roof space by around 1700mm from its existing level. This is also considered to be suitable as it will match other properties and remove the flat roof which are not commonly favourable by LPAs.

The front room shall now be used as a gym with a WC and utility behind it. A lounge will be located within the rear extension with two separate sets of bi-fold doors. As mentioned the existing flat roof for the side section of the property will be converted to a hipped roof to allow for more head room internally and should match No. 4. Finally, the rear extension will use a gable roof which matches the design used on the main house as well as the majority of others.

Taking account of the design, scale and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with policies 2 and 3 of the South East Lincolnshire Local Plan and Section 12 of the National Planning Policy Framework (December 2023).

Impact on Residential Amenity/Land Users

Paragraph 135 of the National Planning Policy Framework (December 2023) states that development should 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The windows located on the rear elevation of the extension will be acceptable and should not result in a material loss of privacy, the same can be said in this instance regarding the rooflights. There

are bi-fold doors on the side elevation facing No. 8, these doors could potentially provide a view directly towards this neighbouring property, it is however considered that as there is an outbuilding on the opposite side of the fence this will limit any significant view. Furthermore, the existing fence on this side of the curtilage does not appear to be the permitted allowance of 2m in height, as it gradually slopes down towards the rear and is lower than the sections closest to the road; if there is any material or significant loss of privacy following the construction of this extension the neighbouring property can erect/increase this fence to a height that does not need planning permission and further negate this issues. In any case, the LPA take the view that the outbuilding/shed will block any potential view and therefore there are no material concerns.

The distance to the western neighbour, No. 8, is around 5.5m which is considered to be an acceptable distance to limit any potential overshadowing and therefore no material loss of light should impact this property. On the opposite side there is a distance of only 550mm, the height of the extension means that if the boundary treatment is set at 2m the extension would only be 1.4m higher than this. Furthermore, the roof also slopes away from the boundary fence further minimising any material concerns. Finally, the sun would be at its lowest point of the day when it passes round to the west and cast a shadow to No. 4, therefore the light would be its least and lowest at this time meaning any shadow that is cast would not significantly or materially effect the neighbouring plots light levels.

As detailed above, the scale and design of the proposal is considered to be such that there would be no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the provisions of the Section 12 of the National Planning Policy Framework (December 2023), and Policies 2 and 3 of the Local Plan.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposal represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents. Whilst conforming with the South East Lincolnshire Local Plan and the provisions of the National Planning policy Framework when viewed as a whole.

In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposal represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking, whilst conforming with the South East Lincolnshire Local Plan and the provisions of the National Planning policy Framework when viewed as a whole.

In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

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.

Conclusion

Taking into consideration these factors, the proposal is considered to comply with Policies 2, 3 and 36, along with Appendix 6, of the South East Lincolnshire Local Plan (SELLP), 2019; in addition to the identified sections contained within the National Planning Policy Framework (NPPF) (December 2023). Notwithstanding the aforementioned minor conflicts, there are no significant factors in this case that would outweigh the benefits of the proposal; therefore, in considering all the matters raised above the planning balance is in favour of the proposal and the policies referred to above.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.