

DECISION DELEGATED TO HEAD OF PLANNING
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Application No:	H11-0712-23	Applicant:	Mr J Dewsberry & Mrs S Anderson
Proposal:	Proposed single-storey rear extension & alterations to dwelling		
Location:	29 West Street Long Sutton Spalding		
Terminal Date:	4th October 2023		

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 2023**

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
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a proposed single storey rear extension and alterations to dwelling.

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

H11-0322-22 - Proposed single storey rear extension and alterations to dwelling - Approved

Consultation Responses

South Holland Internal Drainage Board

No comments.

Lincolnshire County Council Highways

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:

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.

This proposal is for extension and alterations to the dwelling and the access and parking arrangements remain unchanged; therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety.

South Holland District Council Conservation Officer

No objections.

I think, given the relative insignificance of the side elevation windows in comparison to those on the front in terms of contribution to the character, that I would not wish to raise any particular objection. However, due to the visible conservation area setting, I would recommend adding a modified version of condition MD13 to an approval, emphasizing the need for the new UPVC window marked as 'window 4' on drawing 6479/02E, to match the existing timber as closely as possible, particularly in frame/glazing bar thickness and colour.

Evaluation

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

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework (updated 2023) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Planning Considerations

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

Paragraph 130 of the National Planning Policy Framework (NPPF), 2023 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, that they are visually attractive, as a result of good architecture, and are sympathetic to local character. 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. 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.

For the most part all materials would match the host dwelling. As such, the extension would appear well blended into the host, ensuring visual consistency is maintained. The proposed windows will feature a change from that of the existing, currently there are white timber sash windows, the front elevation will remain the same. The side elevation windows in the main dwelling are to be replaced with white uPVC sash windows and the side/rear will be uPVC casement windows. With regards to the replacement windows 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.

Some internal alterations will be taking place through the likes of changing the layout of rooms or relocating certain rooms, however most of these changes do not require planning permission. The existing dining room will now be turned into a kitchen and the room shall be extended slightly by around 300mm to make the new length approximately 4214mm. The access into this room will also be altered. The existing boot room will be knocked down and replaced with a the proposed single storey extension, this will be of a similar foot print to that of the existing and will come up level with the rear part of the house. It will not be widened and the new length will be 3645mm. These new measurements are very minimal and the overall proposal itself only creates very minimal changes and is therefore considered to be acceptable.

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.

Impact on Residential Amenity/Land Users

Paragraph 130 of the National Planning Policy Framework (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.

There will be no overshadowing concerns following this development taking place due to the minimal works that will actually be taking place and that the extension itself is on a very similar footprint to the existing section it will be replacing. It is on the opposite side of the nearest neighbour and there is an adequate distance between the proposal area and the neighbours.

There will also be no overlooking that will occur following the extension again due to the minimal works and the adequate distances to the nearest neighbouring properties. All the new proposed windows/doors will be on the ground floor so naturally there will be no issues. On the first floor a window in the rear bedroom will be relocated to face the rear however this is also considered to be

acceptable due to their being no neighbours in this direction. The proposal is not considered to be overbearing on the area, naturally, after the initial construction, which itself would take place over a short period, minimal additional noise pollution would be caused as a result of the development.

The proposal is therefore in accordance with Policies 2 & 3 of the South East Lincolnshire Local Plan and Section 12 of the National Planning Policy Framework.

Heritage

The proposal is not considered to impact the Conservation Area or the setting of a listed building following development taking place. SHDC Conservation Officer has commented on the application stating that he has no objections, 'Given the relative insignificance of the side elevation windows in comparison to those on the front in terms of contribution to the character, that I would not wish to raise any particular objection'. They have also stated a condition be imposed onto the application to protect the area through the windows included 'However, due to the visible conservation area setting, I would recommend adding a modified version of condition MD13 to an approval, emphasizing the need for the new UPVC window marked as 'window 4' on drawing 6479/02E, to match the existing timber as closely as possible, particularly in frame/glazing bar thickness and colour', this is relevant as the building is prominently in the Conservation Area and therefore making sure the windows match the area is important to remain in keeping with the area.

Planning Balance

As detailed above, Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, 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 and Conservation Area. 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.

Conclusion

Taking the above considerations into account, the proposal is considered to be in accordance with Policies 2, 3 & 29 of the SELLP, along with the identified sections contained within the NPFF. There are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

It is recommended that the application is approved conditionally.

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 recommendation is for a delegated approval.