DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H11-0738-21**	**Applicant:**	**Mr C Yaxley**
Proposal:	Rear extension & alterations - re-submission of H11-0439-21		
Location:	7 Little London Long Sutton Spalding		
Terminal Date:	2nd September 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
28	The Natural Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

NPPF (2021)
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	2	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for single and two storey side/rear extensions. The ground floor extension would have a rear projections of 4 metres and a side projection of 1.8 metres. The first floor element would have a rear projection of 3.1 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 1no bedroom. The external materials would match the existing dwelling.

The application is a re-submission of a previously refused scheme. The scheme has been amended and the rear projection of the first floor element reduced from 3.6 metres to 3.1 metres.

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

H11-0439-21 - Rear extension & alterations - Refused

REPRESENTATIONS

Public

A third party comment has been received recommending the installation of a minimum of 3no swift nest bricks be required by a planning condition to provide enhancement for biodiversity.

2no letters of objections have been received siting the following concerns:

·The larger window on the first floor will result in overlooking
·The extension will damage the architectural integrity in relation to the attached semi
·The close proximity of the site to no's 5 and 9 would result in considerable inconvenience to these properties during the construction period
·The proposed extension will result in loss of privacy to neighbouring properties
·Road obstruction levels are likely to increase significantly during the construction period

PLANNING CONSIDERATIONS

Layout, Design, Size and Scale

Paragraph 130 of the 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; 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.

One neighbour has objected to the scheme on grounds that the proposed extension would damage the architectural integrity in relation to the attached semi.

The concerns ae noted, however, 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 extensions would on balance comply with the aforementioned policies on design, layout and impact upon the character of the local area.

Impacts upon Residential Amenity

Paragraph 130 of National Planning Policy Framework (NPPF), 2021 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 two adjacent neighbours at no's 5 and 9 London Road have objected to the proposal on grounds of increased overlooking, loss of privacy and disturbance during the construction period. The concerns are noted, however it is not considered that the proposed scheme would result in unacceptable overlooking, loss of privacy or disturbance. This is discussed in more detail below.

The proposed extension would be located approximately 2.7 metres from the shared boundary with the neighbouring bungalow to the south at no.5 Little London and approximately 4 metres from this neighbours side elevation. Given the reduced rear projection this separation distance is considered to be sufficient as to not result in any overbearing impact on this nieghbour. In addition, given this nieghbour is due south no overshowing would result on this neighbour. The side facing windows on the ground floor would be blocked by the boundary fence and no new first floor windows are proposed in the side elevation facing this nieghbour therefore there are no overlooking or loss of privacy concerns.

With regards to the attached neighbour at no.9 Little London the previous concerns are considered to be addressed. The first floor extension has been reduced to 3.1 metres in depth in order to ensure the 45-degree sightline would be respected from the rear bedroom window of this neighbour. The amended scheme is not considered to result in unacceptable overbearing impact or overshadowing to this neighbours. In addition, no first floor windows are proposed in the side elevation directly facing this neighbour therefore there are no overlooking or loss of privacy concerns.

As such the proposal would accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed scheme would not increase the number of bedrooms in the property therefore the parking requirement for the site would remain the same. 2no parking spaces are required for the dwelling and the driveway and remaining garage can accommodate these. As such the scheme complies with the current parking standards.

One neighbour has raised concerns that on street parking/road obstruction levels are likely to increase during the construction period. The concerns are noted, however, given the small scale nature of the development it is not considered that there would be high volumes of constructions traffic therefore the scheme could not reasonably be resisted on this basis.

Other matters

One letter of representation has been received from a local resident 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 a condition recommended to this effect.

Planning Balance

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

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2021).

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 can be approved under delegated powers.