DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H11-0769-19**	**Applicant:**	**Mr A Bone**
Proposal:	Two storey rear extension, single-storey side extension and associated works.		
Location:	8 St Thomas Court Long Sutton Spalding		
Terminal Date:	15th May 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
04	Approach to Flood Risk
02	Development Management
03	Design of New Development
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	1	0	0
WARD MEMBER	0	0	0	0
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application that seeks permission for two storey rear extension, single-storey side extension and associated works to the property at 8 St Thomas Court, Long Sutton, Spalding.

The extension will protrude 3.60 metres from the original rear wall of the property onto the rear garden. The side extension will be 2 metres wide from the south-eastern elevation. The existing detached garage will be demolished to accommodate both extensions. Materials are proposed to match existing.

Site Description

The site is one of the plots that forms part of a major residential scheme approved in late 1980s. St Thomas Court is a cul-de-sac street which was opened to provide access to the housing development.

The site is relatively long and narrow and the property is two-storey semi-detached. There is one detached garage which is located between the application site and No. 10 to the south-east. This building is set back further from the road falling narrowly behind the dwelling.

The adjacent semi-detached property No. 6 has a single-storey rear extension. A 1.80 metre high timber close board fence with concrete post and base is on the boundary with No. 6 whereas mature hedgerow of similar height is on the boundary with No. 10 as well as on the rear boundary.

History

H11-1131-87 - Outline - Residential development - Approved

H11-0408-88 - Reserved Matters - Residential development - Approved

Consultation Responses

Members of public
One resident has made a representation raising the following issues:
-Loss of light/overshadowing to habitable room and kitcken rooflights of neighbouring property.
-Overbearing impact of the new wall
-Loss of privacy by reason of additional bedroom overlooking the neighbouring rear garden.
-The fan is excessively close to the neighbouring property and odours might be smelled from that property.
-No details of the drainage
-300mm distance with adjoining boundary is insufficient for future maintenance of the house in that location.

Long Sutton Parish Council

No objection.

Planning Considerations

Principle of development

The site is within the settlement boundary of Long Sutton as set out in the South East Lincolnshire Local Plan (SELLP), 2019. Therefore, the principle of development is acceptable for the proposed house extensions and alterations at such location.

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 key considerations are below.

Layout and design

Paragraph 127 of National Planning Policy Framework (NPPF), 2019 establishes that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting, among other considerations. 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 as per Policy 2 of the SELLP.

The side extension will project nearly 2.15 metres onto the adjacent driveway to the south-east. It will extend nearly 4 metres further from the original rear wall of the house. The total depth from front to rear will be approximately 8.40 metres. The apex height will be about 3.60 metres.

With regards to the rear extension, the enlargement will protrude onto the garden as much as the side extension. The ridge height will be approx. 70 centimetres below the ridge of the existing house. Having regard to the existing dimensions of the house, it is concluded that the proposed development will be commensurate with the host property in terms of scale, mass and bulk.

The floor plans show that the increased floorspace will be distributed as following. On the ground floor level, there will be a utility room and toilet adjacent to the side wall and new kitchen at the rear. One additional bedroom and an enlarged existing bedroom will be on the first floor. Internal alterations comprise wall demolition, new beams, brick up opening and new openings including one bathroom window. The purpose of the development will be in keeping with the residential use of the property.
The two-storey nature of the rear extension will be confined to the south-eastern side of the house. The remainder will be single storey. Revised plans were requested to provide such layout in order to respect the 45 degree rule from the centre of the nearest first floor window of the neighbouring property No. 6.

Policy 4 of SELLP is concerned on flood risk management and states that new development will be permitted if appropriate flood resistance and resilience measures are proposed (criterion c); incorporates the use of Sustainable Drainage Systems (SuDS) (criterion e); and demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development (criterion g).

The proposals works include the installation of one soakaway for surface water runoff management and foul waters to the mains sewer. The suitability and specifications would be approved with SHDC Building Control at a later stage although in principle the drainage strategy appears acceptable as it accords with Policy 4.

The external materials are confirmed to match those existing in the house. Thus, the visual amenity will not result undermined should the proposed development be carried out.

Overall, the design and layout of the extension will be appropriate with the host property and surroundings by virtue of scale, height, function and external appearance. The proposal will accords with the aforementioned policies concerned on design and layout.

Residential amenity

The side extension will be set back nearly 4.40 metres from the opposite elevation at No. 10 beyond the south-eastern boundary of the application site. This part of the proposed development will not create any harm upon the amenity of residents living at No. 10 having regard to the scale, height and separation distance.

The new bathroom window on the first floor of the south-eastern side elevation will mirror a similar opening on the property adjacent. Both windows do not light any habitable spaces and the existing window has obscure glazing, thereby no potential overlooking effect will occur once the proposed window has been opened on the elevation.

The proposal does not increase the number of first-floor openings on the rear elevation of the house. The window of the additional bedroom will be set forward 3.60 metres facing the rear boundary, hence the visual angle will be in fact reduced towards the rear garden of No. 6. Thus, the proposal will not exacerbate overlooking impact into the adjacent curtilage to the north-west.

The nearest part of the rear extension to the north-western boundary is only separated 30 centimetres from the fence on the adjoining boundary. However, the eaves and height will be similar to those of the single-storey element to the rear of No. 6. In view of that, the proposed rear extensions will not appear overbearing to the occupiers of No. 6.

The revised plans shown the relocation of kitchen fan from the wall adjoining No. 6 to the centre of the property's rear garden. In doing so, the impact of odours expelled through the fan will be significantly reduced and the amenity standards of residents at No.6 will be improved.

In conclusion, the development complies with residential amenity which is one of the key principles of design and development management as set out in Policies 2 and 3 of SELLP (2019).

Car parking provision

Appendix 6 of SELLP sets out minimum requirements for parking provision. 2 no. spaces for dwellings with up to 3 no. bedrooms are at least required for new housing development. The dwelling will have 3 bedrooms should the proposed works be carried out.

Two cars can be easily parked in tandem on the driveway within the curtilage. Thus, the proposal will ensure minimum car parking provision for the occupiers of the house as set out in the Local Plan.

Conclusion

The issues raised in the resident representation have been satisfactorily addressed through the submission of revised plans. Therefore, taking into account the considerations above, the proposal is considered to comply with Policies 1, 2, 3 and 4 as well as Appendix 6 of the South East Lincolnshire Local Plan (SELLP), 2019, and also Section 12 of the National Planning Policy Framework (NPFF), 2019.

It is accordingly recommended to approve this planning application via delegated decision.

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.