

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H11-0793-23 **Applicant:** Mr J Roffe

Proposal: Proposed side & rear single storey extensions & internal works including demolition of existing conservatory

Location: 47 Gedney Road Long Sutton Spalding

Terminal Date: 1st November 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
OTHER STATUTORY BODIES	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a proposed side and rear single storey extension and internal works including the demolition of the existing conservatory at 47 Gedney Road, Long Sutton.

Site Description

The site is within the settlement boundary of Long Sutton as outlined within the South East Lincolnshire Local Plan, 2019 (SELLP). The property is made of brick with white uPVC windows and a black front door, on the front elevation there features a bay window which is a common feature on properties within this area. At the rear of the property there is a conservatory which will get demolished to make way for the proposed extension. There hedges and trees which run the length of the boundaries at the rear with the garden appearing well kept.

History

No relevant planning history.

Consultation Responses

South Holland Internal Drainage Board

No objection.

Consent was initially to be required under Byelaw 10 but following communication between the application and SHIDB it was concluded that the culvert was more than 9 metres away from the proposed development. Therefore consent is not required under Byelaw 10.

Lincolnshire County Council Highways

No objection -

The works being proposed in this Application do not include any alteration or intensification in the use of the existing vehicular access to the property. Therefore, the highway authority does not wish to object to the grant of Consent for this application.

Informatives -

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.

South Holland District Council Conservation Officer

I write to confirm that I have no objections to this proposal upon conservation grounds.

This site is situated across the road from the Grade II listed Cock and Magpie Cottage. However, the site is not situated within a conservation area. Policy 29 of the SELLP states that proposals within the setting of listed buildings will be supported where they preserve or better reveal the significance of the asset. The proposal site is visually distinct from the listed building, being separated by a substantial distance and Gedney Road between them. Furthermore, the trend of development on this side of Gedney Road in the immediate setting is of more modern residential development. Because of these facts and because the proposal represents only a minor set of extensions, mostly oriented to the rear, outside of public view, I conclude that this proposal would have no detrimental impact upon the significance of the nearby asset, and as such, by virtue of a lack of impact, the proposal succeeds in preserving its significance and is therefore acceptable in

terms.

Therefore, the case officer should continue to consider the application in accordance with all relevant planning policy and guidance considerations, including Policy 29 of the SELLP and S16 of the NPPF.

Lincolnshire County Council Historic Places Team

No archaeological input required.

Public Representation

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

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.

The materials being used on the development will match the existing for the most part, the only new material will be the walls for the extension, this shall be made of render in heritage white. It could be considered that following an approval and the development being carried out that the material being used on the extension would clash with the locality, however there are other dwellings within the immediate area that are made of a white render. Alongside this there are a variety of bricks being used on the different properties and therefore there is no one set design. The roof will be made of concrete roof tiles to match the existing with the windows and doors both being white uPVC again to match the existing dwelling. On the side boundary there will be a new wooden fence which will be 1.8m high to replace the existing post and wire fence. These materials are all acceptable following the justification for the wall material and ensures that the development is in keeping with the area.

The measurements of the development will be approximately 2100mm on the front elevation and 12250mm along the side elevation which means it all run slightly longer than the rear of the dwelling and protrude from the back by around 4100mm. Finally it will be approximately 5100mm at the rear. The total height of the extension will be similar to what is already there and therefore sits at around 3400mm. These measurements are considered to be acceptable when compared with the host dwelling and the existing side section, it will provide adequate extra floor space with multiple new rooms for the residents.

The development features some alterations mostly taken place internally. As mentioned, the conservatory at the rear of the property will be demolished to make way for the rear section of the proposal alongside the side section also being removed for the single storey side extension feature. The existing opening in the kitchen will be widened to allow access through into the extension alongside a new opening at the rear into the new dining room. This extension will feature a WC at the front, utility and dining area to make it an open plan kitchen/dining room. Within the dining room itself there are two sets of bi-fold doors allowing access onto the small patio area and into the kitchen. Many of these internal alterations are not subject to the need to obtain planning permission through this application.

Overall, it can be considered that this application is in accordance with both Policies 2 & 3 of the SELLP through its design and layout by improving the area and locality and Paragraph 130 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.

The proposal features no overlooking or overshadowing concerns. There are only new windows/doors at the rear of the proposal which outlook into the garden area and are on the first floor so naturally they will not provide any views into neighbouring properties. To prevent any loss of privacy they have incorporated roof lights into the build to ensure natural light is accessible and there is no loss of privacy. In any case, there are trees and hedges nearby which would limit the potential of overlooking if it were to arise. As mentioned, no overshadowing should occur following the development being built as it will be of a similar height to what is already there and there will be no new issues. The existing trees and hedges will also help limit any overshadowing that could occur, if any. 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

Policy 29 (The Historic Environment) states amongst other matters that the distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced, in keeping with the policies in the National Planning Policy Framework. Development proposals will be expected to conserve and enhance the character and appearance of designated and non-designated heritage assets, including archaeology, historic buildings, conservation areas, scheduled monuments, street patterns, streetscapes, landscapes, parks (including Registered Parks and Gardens), river frontages, structures and their settings through high-quality sensitive design.

In assessing proposals of this nature, the Local Planning Authority must ensure special regard to preserving the Listed Buildings and their settings in relation to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act'). No harm should be caused with the historical assets and their surroundings requiring to be preserved or enhanced.

Whilst not being situated within a Conservation Area the site sits opposite a Grade II listed building 'Cock and Magpie Cottage and therefore comments from the Conservation Officer were needed. The proposal is considered to be acceptable in terms of heritage and when compared to Policy 29 of the SELLP and Section 16 of the NPPF. The Conservation Officer states in his comments that he has no objections on the basis that 'The proposal site is visually distinct from the listed building, being separated by a substantial distance and Gedney Road between them. Furthermore, the trend of development on this side of Gedney Road in the immediate setting is of more modern residential development. Because of these facts and because the proposal represents only a minor set of extensions, mostly oriented to the rear, outside of public view, I conclude that this proposal would have no detrimental impact upon the significance of the nearby asset', it is therefore considered that the proposal is acceptable on heritage grounds and will not affect the setting of the Listed Building.

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 inside 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.

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 NPPF. 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.

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

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