

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H12-0067-20 **Applicant:** Mr P Congreve
Proposal: Proposed extension
Location: Smiths Farm Poplar Lane Lutton
Terminal Date: 6th April 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

- 01 Spatial Strategy
- 02 Development Management
- 03 Design of New Development
- 04 Approach to Flood Risk

National Guidance

National Planning Policy Framework 2019

Section 12. Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application that seeks permission for proposed extension at Smiths Farm, Poplar Lane, Lutton.

The development will consist of a single storey side/front extension to the dwellinghouse. The existing lean-to extension on the eastern side elevation will be demolished to accommodate the proposed extension. Internal alterations will be kept at minimum.

Site Description

The site lies within an area of flat agricultural fields in Luton Marsh. Poplar Lane is a single track lane that connects the application site with ribbon development onto Luton Bank to the west. The site is located approximately 1km to the north-east of the settlement of Luton.

The dwellinghouse is a two-storey white rendered house. A spacious domestic garden extends to the rear and eastern side. A pond is at the rear of the curtilage. The land adjacent to the east is used for agricultural purposes as part of the farm holding.

History

H12-1112-08 - Proposed two-storey extension and detached double garage - Approved

Consultation Responses

None.

Planning Considerations

Principle of development

The site lies on land designated as countryside as set out in the South East Lincolnshire Local Plan (SELLP), 2019. However, there is no objection to the principle of an extension and associated alterations to a residential property. The key policy issues of this proposal therefore relate to the material considerations mentioned below.

Design and layout

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 proposed extension will protrude nearly 6 metres from the original wall forming the eastern side elevation. The development will extend approx. 1.80 metres beyond the existing front elevation of the building. The apex height will be approximately 4.90 metres and the eaves, 2.40 metres. Having regard to the current dimensions of the house, it is concluded that the house extension will be subservient to the host property in terms of scale, massing and bulk.

A gable roof will be formed on top of the extension. The roof will appear detached from the nearest slope of the house roof. Moreover, the pitch height will exceed approximately 65 centimetres the height of the house eaves. The resulting massing of the development will appear clearly ancillary and fairly noticeable from the bulk of the house albeit still subservient as mentioned above. Gable roofing will provide further variety in a coherent manner to the existing form which is dominated by a hip roof. Furthermore, a reasonable proportion of the extension would effectively be located behind an existing detached garage which would lessen views of the extension.

The external walls will be rendered and painted to match the existing. Likewise, slate roof tiles will be applied on the extension roof matching those in the property. Thus, the appearance of the development would preserve the visual amenity of the built environment and, by extension, the character of the local area.

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).

Surface water runoff will be collected and through PVC rainwater goods which will be connected with proposed on-site soakaways. No evidence of poor soil permeability is known in the area. Notwithstanding this, the suitability of infiltration methods will be proved via percolation tests that will be undertaken at a later stage in order to comply with Building Regulations. Overall, the extension is

aimed to be resilient to flood risk.

In summary, the design and layout of the development will be appropriate to the existing built environment without being at odds with the rural wider context of the site. The features are deemed to be of high quality design including flood risk considerations. Therefore, the proposal complies with the aforementioned policies regarding design and layout.

Residential amenity

There were initial concerns about the height of the gable pitch of the proposed extension and the existing first-floor windows on the eastern side elevation. Two of them relate to the front bedroom. The material increase upwards will be such that the extension might obscure views and daylight through these windows. However, further assessment has been made and it is concluded that one of the openings is auxiliary and there is also one bedroom window to the front facing south. The bedroom users will still benefit from the daylight through this window and therefore the harm upon residential amenity is not significant insofar as the proposal should be revised or refused.

Similarly, concerns existed with regards to the close proximity of the front gable windows of the extension and the garage. As the windows face south, most of the daylight might be retained by the bulk of the garage. After careful consideration, it is deemed that the enjoyment of daylight will be fairly preserved for the users of the study room. The garage will run in parallel with less than half of the width of gable windows. The separation distance is about 1.60 metres which is acceptable. There will be still sufficient daylight through the front openings.

Neither overlooking nor overbearing nor overshadowing could occur due to the lack of other residential properties in close proximity.

Thus, 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).

Conclusion

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan (SELLP), 2019 as well as Section 12 of the National Planning Policy Framework (NPPF), 2019.

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

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.