DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H12-0313-22**	**Applicant:**	**Mr R Day**
Proposal:	Proposed extensions & alterations		
Location:	Le Jardin Lutton Bank Lutton		
Terminal Date:	18th May 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 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

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for proposed extensions and alterations to the property of Le Jardin, Lutton Bank.

Site Description

The detached bungalow is situated within the countryside according to the South East Lincolnshire Local Plan, 2019. The area is characterised by frontage residential development, with open fields on the east side of Lutton Bank. The property is situated on a modest size plot and has a gravelled and block paved driveway and with a suitably size rear garden which has no properties overlooking. There are similar style dwellings along this section of the road in terms of age and design.

History

No relevant planning history.

Consultation Responses

No consultation responses.

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.

Two extensions are proposed including an extension from the front elevation of approx. 7.2m in depth by 4.9m in width. To the rear, an extension will protrude by approx. 3.8m with a width of 7.4m. Having regard to the existing dimensions of the house and plot it sits within, the proposed extensions are acceptable in terms of scale, mass and bulk.

Light grey/stone colour render on the external walls are proposed, with roof tiles to match those existing in the property. The proposed grey render is considered to somewhat enhance the property, giving a modern and contemporary look to the overall design. The proposed grey render is a contrast to the existing facing brickwork along this section of Lutton Bank. However, it is not considered to be a detrimental impact to the overall character, due to rendered properties being situated further north along Lutton Bank. Thus, visual amenity will not be undermined.

An gable roof will be formed to cover both the front and rear extension, which is in keeping with the design of the building as it currently stands.

Internally, the purpose of the development is to gain further internal floor space for enlarging and creating new rooms inside the house. This includes a new snug room to the front, with a new hallway and study room. The proposed rear extension will form lounge off an open plan kitchen and dining room.

Overall, the proposals will ensure good living conditions for the house occupiers and are in keeping with the residential use of the property.

Taking the above into account, the proposed extensions and alterations are deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of layout, design, size and scale.

Residential Amenity

Paragraph 130 of National Planning Policy Framework (2021) amongst other matters seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of South East Lincolnshire Local Plan (2019) set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

The proposed extensions do not include any side elevations windows that will cause a detrimental impact in terms of overlooking of neighbouring properties. The bi-folds on the side elevation will face south where there are no residential properties within close proximity. The side facing windows to bedroom 2 and the study will face towards fencing and/or across the neighbours drive.

There is a small window on the south elevation of the neighbouring property to the north. However, it would appear to be a bathroom window and therefore would not be materially impacted upon in terms of overshadowing or being unduly overbearing. It is anticipated that the front extension will only project marginally beyond the front elevation of the neighbouring property and will therefore

have minimal impact.

Taking the above into account, the proposed extensions and alterations are deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of residential amenity.

Planning Balance

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 proposed extensions and alterations will not materially harm the character or appearance of the locality or amenity of nearby residents. It is therefore considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

Conclusion

The recommendation is for a delegated approval.

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.