

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H12-0767-20 **Applicant:** Mr & Mrs Woodhouse
Proposal: Single storey extension to dwelling
Location: 23 Lowgate Lutton Spalding
Terminal Date: 9th November 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

- 01 Spatial Strategy
- 02 Development Management
- 03 Design of New Development

National Guidance

National Planning Policy Framework 2019

Paragraph 127 of Section 12. Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application that seeks permission for proposed single storey extension to dwelling at 23 Lowgate, Lutton, Spalding.

Site Description

The area forms part of the ribbon development extending along Lowgate from the historic core of Lutton. A wide range of house types, designs and appearances have are observed within the street scene. Most of the dwellings are bungalows built between 1980s and 1990s.

The application site is a detached bungalow fairly set back from the highway. The neighbouring properties of the frontage are also bungalows. Each of them including the application property benefit from a spacious front garden. The land to the front of the property is laid in gravel and used for car parking and turning. A farm gate and 1 metre high timber close board fence delimit the front part of the curtilage. Fencing rises up to 2 metres when running on both sides of the bungalow.

History

H12-0918-11 - Proposed garage conversion, side extension, porch and conversion of conservatory to sun room - Approved

Consultation Responses

South Holland IDB

No objection.

Planning Considerations

Principle of development

The site is within the settlement boundaries of Lutton as set out in the South East Lincolnshire Local Plan (SELLP), 2019. Irrespective of spatial strategy considerations, the principle of developing a house extension and alterations that are incidental to the enjoyment of the dwellinghouse are acceptable.

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 material considerations are addressed below.

Design and layout

Paragraph 127 of National Planning Policy Framework (NPPF), 2019 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.

The existing footprint of the building has a single-storey element projecting outwards onto the front drive which was an extension to the original house approved under ref. H12-0918-11.

The proposed extension will project from the remainder of the front wall to join the furthest point of the existing front extension. The apex height will be as much as the roof ridge. The eaves will be as high as those currently in the building. For these reason, the development will appear subservient to the host property in terms of scale, mass and bulk.

Internally, the separated dining room and kitchen will be all together replaced for one large combined dining and kitchen space. The front external wall as well as internal walls will be demolished to form the intended space. One of the walls of the adjoining bathroom will be replaced for a new wall positioned differently in order to provide further space to the bathroom. Overall, the proposals will be in keeping with the residential use of the building and the character of the area.

The proposed front elevation includes a single panel door with glazing panels on each side that provides access to the kitchen/dining from the front drive. A window of tantamount size and layout will be opened at the same position on the front wall to lighten the kitchen. The kitchen window on the north-eastern side elevation will be bricked up.

The external materials are confirmed to match the existing in the bungalow. Thus, the visual amenity will be kept after carrying out the proposed works.

In summary, the form of development is appropriate as the extension will appear subservient to the existing bungalow and also well-integrated by reason of external appearance. The intended use of the house extension is in line with the residential use of the property and neighbouring uses. Therefore, the proposal comply with the aforementioned policies concerning design, layout and impact upon the character of the area.

Residential amenity

The neighbouring building is set back approximately 5.45 metres further from the highway than the application property. Therefore, the distances of the proposed house extension are at an angle with the nearest property to the north-east (No. 25) ranging between 4.15 metres and 7.90 metres.

The proposed extension will protrude approximately 3.20 metres from the front wall of the property. In light of the above-mentioned distances, such material increase will not create any harm upon the amenity of adjacent residents by reason of overbearing effect nor overshadowing effect.

No overlooking is anticipated from the proposed fenestration for the extension. In fact, one window will be removed on the north-eastern side elevation although no overlooking was considered to occur.

In summary, 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; and also Paragraph 127 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.