

## DECISION DELEGATED TO DEVELOPMENT MANAGER

**Application No:** H12-0901-19      **Applicant:** Mr & Mrs T Brookin  
**Proposal:** Proposed side extension and alterations  
**Location:** 8 School Lane Lutton Spalding  
**Terminal Date:** 1st November 2019

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### Planning Policies

#### South East Lincolnshire Local Plan - Adopted: March 2019

02                      Development Management  
03                      Design of New Development

#### 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      | 1       | 0       | 0        |
| IAN MARSHMAN,<br>HISTORIC<br>ENVIRONMENT OFFICER | 0      | 0       | 0       | 1        |

### CASE OFFICER ASSESSMENT

#### Proposal

This is a householder application for a proposed side extension and alterations to the property at 8 School Lane, Lutton.

The proposal will convert the garage on the ground floor to a playroom, as well as creating an entrance lobby, with a WC and a utility area before entering the kitchen.

An additional bedroom with en suite bathroom is proposed at first floor level.

## Site Description

The property in question is a detached 2-bed 2-storey dwelling with attached garage. The site has a large front garden. The dwellings to the north of the property are of a similar brick type, but are semi detached. The dwelling to the south and surrounding areas are a variety of designs and brick types. The boundary treatment is predominantly made up of mature, large hedging. Much of the host property is hidden by the boundary treatment; the driveway and the garage is the only section that can be seen from the road.

## History

None relevant.

## Consultation Responses

Cllr J Tyrell - No objections to this application.

Ian Marshman, Historic Environment Officer Lincolnshire County Council - No Archaeological impact.

## Planning Considerations

### Size and Scale

The ground floor side/front extension is situated, and of such a scale, that it is subservient to the host property, not projecting as far forward as the existing front elevation and only being as wide as the existing garage. In terms of the first floor extension, the ridge height would be lower than the existing roof ridge and would only project above the existing garage. This is therefore also subservient in scale.

The ground floor side extension will not have an impact on the separation distance between buildings due to keeping to the size of the original width of the current garage.

Overall, the proposed extensions are considered to be commensurate with the size of the existing property and the size and scale is therefore acceptable.

### Layout and Design

The proposed plan for the extension and alterations is to create a second storey above the existing attached garage with a new hipped roof to blend in with the existing property.

There will also be a new entrance made which will be towards the front of the property and take the form of a single storey side/front extension.

The proposed utility room to the front part of this extension will be constructed of bricks to match the existing. The second storey side extension will be finished with a cream monocouche render, which is typically seen in the area.

Given the above, it is not considered that the proposal would have a material adverse impact upon the character and appearance of the host dwelling or the wider area.

### Impact upon Residential Amenity

It is not considered that the proposal will have a material adverse impact upon residential amenity.

There will be two new windows to the first floor, facing the front and rear of the property. This will not create any overlooking of neighbours to the front of the property as the dwelling opposite is not in view of the extension due to the boundary treatment obscuring any potential overlooking of the property. The new rear en suite window will be obscure glazed which would restrict overlooking of the property to the rear. The proposed new front bedroom window would be at such an oblique angle that there should be no direct overlooking of the rear of the neighbouring property to the north.

The property to the north is set further forward than 8 School Lane meaning that the first floor extension would be in line with the conservatory to the rear of the neighbouring property. However, it is not considered that the neighbouring property would be unduly impacted in terms of the extension being overbearing or resulting in overshadowing. The existing garage has a relatively steep pitched roof which does already appear to cause shadowing on the adjacent property to some extent and there has been no resident objections to the application. It is therefore not considered that any impact from the proposed first floor extension would be so significant as to warrant a refusal.

## **Conclusion**

In light of the considerations above, the proposed side extension and alterations to this dwelling are considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and of Section 12 in the National Planning Policy Framework (2019).

The recommendation is therefore 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.