

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H14-0099-22 **Applicant:** Mr S Walton
Proposal: Proposed Extension and Alterations
Location: 2 Dairy Close Pinchbeck Spalding
Terminal Date: 31st March 2022

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01 Spatial Strategy
02 Development Management
03 Design of New Development
28 The Natural Environment

National Guidance

National Planning Policy Framework 2021

12 - Achieving well-designed places
15 - Conserving and enhancing the natural environment

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 at 2 Dairy Close, Pinchbeck for a two storey extension and alterations. The proposal seeks to provide a utility room and a playroom at ground floor level with a bedroom and en-suite at first floor level. Proposed brick and tile is to match that of the existing dwelling and would be conditioned as such.

SITE DESCRIPTION

This application site is within defined settlement limits and the other 8 dwellings in the vicinity were approved under application H14-0241-18. The surrounding area beyond to the south is characterised by dwellings of varying ages and designs. The western side elevation fence is 1.6 metres in height adjacent the blank side elevation garage wall of 3 Dairy Close. Beyond this garage wall the western boundary fence is 1.8 metres in height. The northern and eastern boundary fence is also 1.8 metres in height. The site is in Environment Agency Flood Zone 3, and is subject to "Low Hazard" with a maximum flood depth of 0.25 metres on the 2115 South Holland Strategic Flood Risk Mapping.

RELEVANT HISTORY

H14-0241-18

Full - Erection of 9 dwellings - Approved - 13 July 2018.

CONSULTATION RESPONSES

None

PLANNING CONSIDERATIONS

Principle of development

This application is within defined settlement limits and is for residential development on residential land. The principle of development in this location is considered to be acceptable.

Assessment against SELLP Policy 2 - Development Management

When assessed against the relevant criteria the following can be observed:

1. The size, scale and layout of the extension is considered to be appropriate. No trees will be removed to facilitate this proposal. This two storey extension is set to the rear of the dwelling and will not impact the character and appearance of the surrounding area.
2. The design is considered to compliment the dwelling and the orientation minimises character and amenity impact.
3. Proposed brick and tile is to match that of the existing dwelling and would be conditioned as such.
4. Access and vehicle generation levels are not impacted by the proposal. The proposal can accommodate three off road parking spaces which exceeds the minimum of two off road parking spaces requested by Appendix 6 of SELLP for dwellings with three bedrooms or fewer.
5. The capacity of existing community services and infrastructure is not impacted by this proposal.
6. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion the following can be observed:

Overdevelopment - The proposed extension is not considered to constitute overdevelopment. There remains ample amenity space to the front and rear of the site.

Overshadowing - There is not considered to be a material overshadowing impact from the extension. The extension has an eaves height of 5.3 metres and a ridge height of 7.25 metres which is subservient in height to the existing dwelling ridge height of 8.05 metres. The extension is not set further back than the existing rear elevation at 3 Dairy Close. The east facing side elevation walls of the garage and dwelling at 3 Dairy Close are blank so will not be impacted by a loss of light. The extension is 13 metres to the south from the side elevation of 4 Dairy Close. The side elevation windows at 4 Dairy Close serve a kitchen at ground floor level and an obscure glazed bathroom window at first floor level. The kitchen window is 2 metres from the 1.8 metre high boundary fence with 2 Dairy Close. Given the separation distance there is not considered to be a material loss of light. 1 Dairy Close to the east is 11 metres away at the nearest point. Given the separation distance and that there is no western side elevation fenestration at 1 Dairy Close, there is not considered to be an overshadowing impact.

Overlooking - There is not considered to be a material overlooking impact from the extension fenestration at ground floor level due to the 1.8 metre high timber fencing. The high level ground floor window in the western elevation is 1.85 metres in height with the purpose solely to provide natural light from the west. With regard to the first floor fenestration, the en-suite window will be obscure glazed. The window will offer an overlooking aspect to the rear elevation garden of 3 Dairy Close that is already afforded by the existing rear windows. The ground floor kitchen and rear garden at 4 Dairy Close cannot be materially overlooked due to the 1.8 metre high boundary fence. The area to the front of 4 Dairy Close is part of an open frontage cul-de-sac that cannot be materially overlooked by the rear extension bedroom window. Due to the siting of the of the bedroom window the rear garden of 1 Dairy Close cannot be materially overlooked.

7. The site is in Environment Agency Flood Zone 3, and is subject to "Low Hazard" with a maximum flood depth of 0.25 metres on the 2115 South Holland Strategic Flood Risk Mapping. There is not a requirement to raise finished floor levels to address flood risk as the extension is connected to the existing dwelling.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

When assessed against the relevant criteria the following can be observed:

1. A sense of place is not considered to be impacted by the extension. The size, scale and layout of the extension is considered to be appropriate. No trees will be removed to facilitate this proposal. This two storey extension is set to the rear of the dwelling and will not impact the character and appearance of the surrounding area.

5. There remains ample space on site for cycle and bin storage. The proposal can accommodate three off road parking spaces which exceeds the minimum of two off road parking spaces requested by Appendix 6 of SELLP for dwellings with three bedrooms or fewer.

11. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion the following can be observed:

Overdevelopment - The proposed extension is not considered to constitute overdevelopment. There remains ample amenity space to the front and rear of the site.

Overshadowing - There is not considered to be a material overshadowing impact from the extension. The extension has an eaves height of 5.3 metres and a ridge height of 7.25 metres which is subservient in height to the existing dwelling ridge height of 8.05 metres. The extension is not set further back than the existing rear elevation at 3 Dairy Close. The east facing side elevation walls of the garage and dwelling at 3 Dairy Close are blank so will not be impacted by a loss of light. The extension is 13 metres to the south from the side elevation of 4 Dairy Close. The side elevation windows at 4 Dairy Close serve a kitchen at ground floor level and an obscure glazed bathroom window at first floor level. The kitchen window is 2 metres from the 1.8 metre high boundary fence with 2 Dairy Close. Given the separation distance there is not considered to be a material loss of light. 1 Dairy Close to the east is 11 metres away at the nearest point. Given the separation distance and that there is no western side elevation fenestration at 1 Dairy Close, there is not considered to be an overshadowing impact.

Overlooking - There is not considered to be a material overlooking impact from the extension fenestration at ground floor level due to the 1.8 metre high timber fencing. The high level ground floor window in the western elevation is 1.85 metres in height with the purpose solely to provide natural light from the west. With regard to the first floor fenestration, the en-suite window will be obscure glazed. The window will offer an overlooking aspect to the rear elevation garden of 3 Dairy Close that is already afforded by the existing rear windows. The ground floor kitchen and rear garden at 4 Dairy Close cannot be materially overlooked due to the 1.8 metre high boundary fence. The area to the front of 4 Dairy Close is part of an open frontage cul-de-sac that cannot be materially overlooked by the rear extension bedroom window. Due to the siting of the of the bedroom window the rear garden of 1 Dairy Close cannot be materially overlooked.

12. The site is in Environment Agency Flood Zone 3, and is subject to "Low Hazard" with a maximum flood depth of 0.25 metres on the 2115 South Holland Strategic Flood Risk Mapping.

There is not a requirement to raise finished floor levels to address flood risk as the extension is connected to the existing dwelling.

14. To enhance biodiversity three swift bricks will be conditioned to be installed in the proposed extension.

PLANNING BALANCE

Due to the orientation, design and separation distances to neighbouring properties there is not considered to be a material impact on the character and amenity of the surrounding area. This application accords with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2021.

CONCLUSION

This application is recommended for 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.