DECISION DELEGATED TO HEAD OF PLANNING

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Application No: H14-0212-22 **Applicant:** Mr D Cairns

Proposal: Demolition of conservatory & erection of single storey extension & alterations to create additional bedrooms, en suite & walk in wardrobe, two storey extension to create coach house with room above and alterations - retrospective

Location: 55 Milestone Lane Pinchbeck Spalding

Terminal Date: 10th June 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 the demolition of conservatory and erection of a single storey extension and alterations to create additional bedrooms, en suite & walk in wardrobe, two storey extension to create coach house with room above and alterations. The development is proposed to the dwelling at 55 Milestone Lane, Pinchbeck. The conservatory has already been demolished and work on the single storey commenced.

Site Description

The site is situated within the defined settlement of Pinchbeck. The detached dwelling is situated on a large somewhat triangular plot, between two other detached properties. The surrounding dwellings are characterised by a variety of ages and designs. To the north and west of the rear of the site is an open field. The boundary treatment to the front of the dwelling is made of high mature hedges and screen the view of the front/side garden.

History

H14-0573-01- Approved on 29-06-01- Erection of conservatory.

Consultation Responses

No consultation responses received.

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.

Work has already commenced on the single storey extension in place of the conservatory at the southern end of the dwelling, which measures approx. 3.3m deep by 5.2m in width and includes a mono pitched roof with two rooflights. It is yet to be rendered in a light grey render, but roof tiles match existing. At the other end of the property will be a small single storey extension from the eastern elevation off the kitchen/diner, projecting by approx. 1m with a width of approx. 5.3m. This will include a monopitched roof with rooflights and tiles to match existing and a set of aluminium bi fold doors. The proposed two storey extension with a coach house, will project northwards and westwards, measuring approx. 17m in width and a maximum of approx. 6m in depth. Having regard to the existing dimensions of the house and plot it sits within, the proposals are acceptable in terms of scale, mass and bulk. The external appearance is appropriate in terms of visual amenity.

The roof tiles and UPVC in fenestration will match those existing in the property and the entire property will be a light grey render. Development in the surrounding area is a variety of designs and the light grey rendering will not have a detrimental impact on the visual amenity due to most of the property being screened from view from the street.

Internally, the purpose of the development is to gain further internal floor space for enlarging and creating new rooms inside the house. This includes the creation of a new open plan kitchen/diner, additional storage on the ground floor, as well as a new entrance with a new w/c room and a family play room. To the first floor, there will be an addition of two new bedrooms, including a new master bedroom with an ensuite and walk in wardrobe. Off the master bedroom, will also be a small balcony with a glass balustrade facing the open fields to the north. This is in keeping with the residential use of the property.

Taking the above into account, the proposal is 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 windows to the eastern side elevation include 3 roof lights and bi-fold doors at ground level and two roof lights at first floor. The latter are well-above eye level and will therefore generate

no overlooking impact. There are no dwellings immediately to the rear of front to be impacted by the north and south facing rooflights. A balcony is proposed at first floor to the rear, but the arrangement has been revised during the course of the application so that there is a privacy wall on the eastern side. This should very much restrict views of the neighbouring garden to the north.

It is not considered that there would be an overbearing or overshadowing impact upon the neighbouring properties to the north east and south west of the dwelling due to the angles of those properties in relation to no. 55 and separation distances would be at least 15m.

Taking the above into account, the proposed two storey extension and retrospective demolition of conservatory and single storey extension 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.

Parking Provision

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. 3 no. car spaces must be provided within the curtilage for dwellings with more than 3 no. bedrooms. The drive to the front is clearly sufficient to accommodate these cars.

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 proposal 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 therefore 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.