

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H14-0374-23 **Applicant:** Mr & Mrs A Martin

Proposal: Remedial and refurbishment works to dwelling including internal alterations, underpinning, demolition of existing conservatory and construction of a new single storey extension to the south

Location: The Cottage 168 Six House Bank West Pinchbeck

Terminal Date: 15th June 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
29	The Historic Environment

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
HIGHWAYS & SUDS SUPPORT	0	0	0	1
BLACK SLUICE INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Application is for the demolition of an existing conservatory and a proposed single-storey, flat roof, side extension. Several exterior alterations are proposed, namely the removal of a timber shed and planters as well as alterations to the hard surfacing around the dwelling.

The proposed extension would measure approximately 3300mm (depth) by 8300mm (width). The height would be 2800mm. The proposed walls are to be rendered in white, to match the existing property. Guttering and windows are also to match the host dwelling.

Site Description

The site is outside of any settlement boundaries outlined in the South-East Lincolnshire Local Plan, 2019 (SELLP), lying between the settlements of Northgate and Pinchbeck West. The site lies approximately 85 metres south-west of the Grade II Listed St Bartholomew's Church, along the western side of Six House Bank. This road is characterised by a sparse, linear form of development along the western side of the road.

The dwelling itself is of moderate size, rendered in white. The property incorporates a sizeable garden to the south. Entry is via this garden, facing south. The elevation abutting Six House Bank has no windows or fixtures. The dwelling is significantly lower than the road.

Relevant History

No relevant planning history.

Consultation Responses

Black Sluice Internal Drainage Board

No objection. Stated that works will not infringe upon Byelaw 10 of the Board's construction control byelaws.

Highway and Lead Local Flood Authority

No objections. No alterations are proposed to the existing access arrangements.

Heritage and Conservation Officer

I wish to raise no objection to this proposal. The site is relatively close to the nearby Grade II listed St Bartholomew's Church. However, the site is still substantially distanced away from the church, being some ~30m between plots and ~90m between buildings and visually separated by a number of other properties and curtilages. Furthermore, the host property itself is not of any historic or aesthetic interest/value and the works proposed are sufficiently small in scale that, along with the above considerations, I do not believe there to be any risk presented to the value or significance of the nearby heritage asset. The case officer should therefore, continue to consider the application in accordance with P29 of the SELLP and S16 of the NPPF, in addition to all other relevant policy and guidance considerations.

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. That they are visually attractive, as a result of good architecture, and are sympathetic to local character. 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 materials and finishes (listed above) would be consistent with the host dwelling, ensure the development appears well blended into the fabric of the property. The scale of the extension is

proportionate to the size of the host, and as such, would be seamlessly incorporated into the dwelling.

The removal of the conservatory, and the replacement with the proposal, would make the property appear even more in keeping with the character of the area. The materials presently used for the conservatory, while in keeping with the host, do not match the original property. Replacing it with a structure using the same finishes as the host would therefore increase the visual harmony of the property.

The proposal therefore conforms with Policy 2 of the SELLP in terms of design and scale.

Impacts Upon Resident Amenity

Paragraph 130 of the NPPF amongst other matters, seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of the SELLP set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

As stated above, the proposed extension would low be lying, thereby reducing the potential for overlooking. The potential for overlooking is further reduced due to the considerable separation distance between the extension and the relevant neighbouring property (greater than 40 metres). Furthermore, there are sizeable boundary distances between the dwelling and its southern neighbour (the only neighbour at risk of overlooking) Therefore, the potential for overlooking is minimal.

As stated previously, there are sizeable boundary treatments present, the extension would be low-lying, and the separation distance is large. Therefore, there is minimal potential for overshadowing.

The proposed extension therefore would conform to Policies 2 and 3 of the SELLP in terms of residential amenity.

Heritage and Conservation

The proposal is relatively near to a Grade II listed church. However, the Conservation and Heritage officer has stated that the works will have no impact upon the church, due to the significant distance to the church and the nature of the proposal.

The proposal therefore conforms to Policy 29 of the SELLP.

Planning Balance

The scale of the proposed extension would be proportionate to the host dwelling and would be rendered white to ensure it appears visually blended into the original dwelling.

The low-lying nature of the extension, the sizeable separation distance and the significant boundary treatments all ensure that the potential for amenity impacts is minimal.

No objections have been raised by any consulted party. The proposal would not impact Highway safety or infringe upon the IDB development control byelaws. The Heritage and Conservation Officer has stated that there would be no impact upon the nearby listed building.

The proposal therefore conforms to Policies 2, 3 and 29 of the SELLP. The planning balance is in favour of the proposal.

Conclusion

The recommendation is for 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.