

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H14-0661-22 **Applicant:** Mr D Coupe

Proposal: Single storey flat roof rear extension including demolition of detached garage

Location: 29 Rotten Row Pinchbeck Spalding

Terminal Date: 30th August 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 a proposed single storey flat roof rear extension including the demolition of the detached garage at the property of 29 Rotten Row, Pinchbeck.

Site Description

The detached bungalow is situated within the defined settlement of Pinchbeck within frontage residential development. The dwelling is set back from the road, with a large front garden and a driveway to the side of the bungalow.

The rear garden is long and spacious and has properties situated to the rear approx. 42m away from the existing rear elevation of the dwelling.

History

No relevant planning history.

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.

The proposed rear extension will protrude from the existing rear elevation by approx. 8m and an overall width of approx. 11m. Although the original dwelling measures approx. 6.2m deep and approx. 11.5m wide, the extension does not appear to be obtrusive upon the original dwelling, considering it is a single storey extension and is not visible from the street scene. The size of the plot is more than capable of accommodating an extension of this size.

The existing garage to the north west of the site will be demolished in order to accommodate the rear extension. This is acceptable as the driveway will still have ample car space to accommodate vehicles for the residents.

As much as flat roof extensions are not considered favourable, due to it being to the rear of the dwelling it will not impact on the overall character of the surrounding area and is acceptable.

The external materials include rendering on walls to the entire dwelling, GRP flat roof covering and white UPVC in fenestration which is considered to give a modern and contemporary appearance to the property. There are rendered dwellings within the vicinity, along this road and therefore, the proposed rendering to the bungalow would appear well blended with the surrounding character and appearance of the area.

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, dining and living space with a new family bathroom and a bedroom to the extension. To the original bungalow, the existing kitchen will be turned into a bedroom, along with the existing living room which will be another bedroom with an en-suite and dressing room. There will also be alterations to create an en-suite from the existing bedroom, as well enlarging the existing hallway and creating two airing cupboards.

Overall, the proposals will ensure good living conditions for the house occupiers and are in keeping with the residential use of the property.

Taking the above into account, the proposed single storey rear extension 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 rear extension includes two windows and large bi fold doors to the rear elevation which are considered acceptable due to the sufficient distance away from the neighbouring rear elevation to the north west, of approx. 34m away. The side elevation windows include a new living room window, two bathroom windows, and two bedroom windows. All side elevation windows are not considered to overlook unacceptably due to both of the neighbouring not having side facing windows.

The proposed extension will not be overbearing or have a material adverse impact in terms of overshadowing due to the single storey nature of the development and intervening screening in the form of vegetation one side and a garage the other.

Taking the above into account, the proposed single storey extension is 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 / side is 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 proposed single storey rear extension 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.