DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H14-1287-21**	**Applicant:**	**Mr & Mrs A Pullen**
Proposal:	Proposed First Floor Side Extension to Existing Dwelling		
Location:	3 Linden Way West Pinchbeck Spalding		
Terminal Date:	7th March 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2021

12 - Achieving well-designed places.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application at 3 Linden Way, West Pinchbeck for a first floor side extension. The proposed extension will provide a first floor extension above the existing entrance lobby, that will contain a bedroom with front and rear elevation windows. A new obscure glazed window serving the existing first floor bathroom will be provided. The extension will measure 3.715 metres in width, 4.665 metres in depth, has a 5.15 metre eaves height and a 6.79 metre eaves height when measured from ground level. Brick and tile is to match that of the existing dwelling and would be conditioned as such.

SITE DESCRIPTION

The proposal is within defined settlement limits and the surrounding area is characterised by dwellings of a similar age and design. The main dwelling of 3 Linden Way is to the south, Littlewood House to the east, 11 North Gate and 1 Linden Way to the north, with 2 and 4 Linden Way as well as 9 North Gate to the west. The site is in Environment Agency Flood Zone 3, and in a "Danger for Some" hazard area with a maximum predicted flood depth of 500mm on the 2115 South Holland Strategic Flood Risk Mapping. The application is for a first floor extension on the main dwelling so there is not a requirement to raise finished floor levels to address potential flood risk.

RELEVANT HISTORY

H14-0444-14

Full - Proposed conservatory - Approved - 29 July 2014.

H14-0645-14

Full - Sun lounge extension with balcony - re-submission of H14-0444-14 (retrospective) - Withdrawn - 15 August 2014.

CONSULTATION RESPONSES

Member of the public - 1 - Objection

Overlooking.

PLANNING CONSIDERATIONS

Principle of development

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

Assessment against SELLP Policy 2 - Development Management

This proposal is assessed against SELLP Policy 2 titled - Development Management. This policy states:

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:
1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets;
9. impact on the potential loss of sand and gravel mineral resources."

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

1. The size, scale and layout is considered to be appropriate for the site. A number of other dwellings in Linden Way have been granted approval for two storey side extensions. No trees will be removed to facilitate this proposal. There is not considered to be a material impact on the character and appearance of the area from the extension.

2. The design is that of a standard extension with the orientation and fenestration arrangement being that of a standard frontage orientation.

3. Brick and tile is to match that of the existing dwelling and would be conditioned as such. This is

considered to benefit the appearance of the dwelling.

4. The existing access and off road parking provision will not be altered by this proposal. The dwelling will contain three bedrooms and retains in excess of two off road parking spaces which is the minimum amount required under Appendix 6 of the SELLP.

5. The capacity of existing community services and infrastructure will not be 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 proposal is not considered to represent overdevelopment. The extension is on top of the existing entrance lobby extension and there is ample amenity space to the front and rear of the site.

Overshadowing / Overbearing - The proposal is not considered to have an overshadowing or overbearing impact. The extension is subservient in height to existing dwelling. The gable projection is 7 metres away from 1 Linden Way, and 12 metres away from 11 North Gate to the north. Using right to light calculations these properties will not be impacted.

Overlooking - The narrow north facing window serving the existing bathroom will be obscure glazed and is not considered to constitute an overlooking aspect. The frontage first floor bedroom window faces west and will be 48 metres from 4 Linden Way, 32 metres from 9 North Gate and 27 metres from 2 Linden Way with the side boundary fencing 20 metres away. This window is not considered to afford a material overlooking aspect. The rear elevation bedroom window is 17 metres away from the detached garage / games room of Limewood House which it faces. To the north-east is Limewood House 16 metres away, with 11 North Gate 14 metres away to the north-north-east. This window is not considered to offer a material overlooking aspect to any properties, whose gardens can already be overlooked by neighbouring properties. This window is not considered to afford a material overlooking aspect.

7. The site is in Environment Agency Flood Zone 3, and in a "Danger for Some" hazard area with a maximum predicted flood depth of 500mm on the 2115 South Holland Strategic Flood Risk Mapping. The application is for a first floor extension on the main dwelling so there is not a requirement to raise finished floor levels to address potential flood risk.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

This proposal is assessed against SELLP Policy 3 titled - Design of New Development. This policy states:

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. 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.
Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:
1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
2. distinguishing between private and public space;
3. the landscape character of the location;
4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;
5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;
8. crime prevention and community safety;
9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;

10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);
13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;
14. the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;
15. the appropriate use or reuse of historic buildings.

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

1. A sense of place is not impacted by this proposal. The size, scale and layout is considered to be appropriate for the site. A number of other dwellings in Linden Way have been granted approval for two storey side extensions. No trees will be removed to facilitate this proposal. There is not considered to be a material impact on the character and appearance of the area from the extension.

5. Adequate space remains on site for cycles and bins. The existing access and off road parking provision will not be altered by this proposal. The dwelling will contain three bedrooms and retains in excess of two off road parking spaces which is the minimum amount required under Appendix 6 of the SELLP.

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 proposal is not considered to represent overdevelopment. The extension is on top of the existing entrance lobby extension and there is ample amenity space to the front and rear of the site.

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12. The site is in Environment Agency Flood Zone 3, and in a "Danger for Some" hazard area with a maximum predicted flood depth of 500mm on the 2115 South Holland Strategic Flood Risk Mapping. The application is for a first floor extension on the main dwelling so there is not a requirement to raise finished floor levels to address potential flood risk.

This application accords with SELLP Policy 3.

PLANNING BALANCE

The scale of the extension and the orientation of windows is not considered to materially impact the character and amenity area 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.