

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H18-0125-21 **Applicant:** Mrs D Underwood
Proposal: Extension to existing garage including upper floor with velux windows
Location: 25 Railway Lane North Sutton Bridge Spalding
Terminal Date: 8th April 2021

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 2019

Section 12. Achieving well-designed places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application that seeks permission for proposed extension to existing garage including upper floor with velux windows at 25 Railway Lane North, Sutton Bridge, Spalding.

Site Description

The site is within the built-up area of Sutton Bridge. The area is predominately residential. To the west, Railway Lane North. To the north and south, No. 23 and 27 which are bungalows. To the east, the car park of terraced properties in Kenzie Drive.

The application site is of a rectangular shape. The rear garden is slightly restricted in depth and but

largely wide. The residential property is a dormer bungalow which appears to be built in the last years.

A nearly 2 metre high timber closeboard fence enclose the garden. There is currently a 'brick-and-tile' detached garage on the north-eastern corner. Other garden paraphernalia is across the rear area of the site.

History

H18-0492-14. Proposed 2-bed chalet bungalow - Approved

Consultation Responses

Sutton Bridge Parish Council

No objection.

Planning Considerations

Principle of development

The site is within the settlement boundaries for Sutton Bridge as set out in the South East Lincolnshire Local Plan (SELLP), 2019. The principle of developing an extension to a domestic garage that is incidental to the enjoyment of a dwelling is acceptable.

Design and layout

Paragraph 127 of National Planning Policy Framework (NPPF), 2019 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. Policies 2 and 3 of SELLP 2019 amongst other matters seek to ensure that development respects the character and appearance of the area and the relationship to existing development and land uses.

The footprint of the detached garage would be extended 7 metres southwards. The apex height would be increased in the region of 800 centimetres. Having regard to the footprint and massing of the bungalow, it is considered that the scale and height of the proposed garage would be still commensurate with the main property.

Internally, the existing garage space would remain and the additional floorspace on the ground floor level would be used as a sun room. A staircase would serve access to the loft space which would be a games room.

Bi-fold windows on the southern wall and further openings on the northern elevation would enhance the daylight enjoyment for the users of the sun room. A total of 5 Velux windows would be opened on the roof slope, three facing the property and two further onto the car park in Kenzie Drive.

The external materials including facing brickwork, roof tiles and windows would be matching the existing in the garage which, in turn, is similar to the dwelling. The intended extension therefore would blend well with the current fabric of the host building and the main property.

Residential amenity

Paragraph 127 of National Planning Policy Framework (2019) 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 increased bulk of the garage would be mostly perceived from the south and east given the proposed footprint. The separation distance of the extended garage is approximately 11 metres with the boundary onto No. 27.

The bulk of the development would be immediately onto the car park in Kenzie Drive. The rear elevation and domestic garden of No. 47 Kenzie Drive are close but have no strong relationship with

the garage subject to the proposals.

With regards to the roof lights, those facing east would overlook onto the adjacent car park with no direct views onto habitable spaces. The Velux windows facing west would oppose the main property. Given the visual field from their central point, no direct overlooking is anticipated onto the rear of No. 23.

Planning Balance

The principle of extending a domestic outbuilding that is incidental to the enjoyment of a dwelling is acceptable. The scale and height of the development is clearly subservient to the host garage and appears commensurate with the main dwelling. The proposed materials would blend the development with the current fabric of the detached garage. It is not anticipated any overbearing impact nor overlooking effect onto the neighbouring land.

On balance, no adverse impact of granting permission would significantly and demonstrably outweigh the benefits of doing so, when assessed against the planning policies taken as a whole.

Conclusion

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.

Taking into account the above, this application accords with Policies 1, 2 and 3 of South East Lincolnshire Local Plan (2019) as well as Section 12 of National Planning Policy Framework (2019). Accordingly, it is recommended to approve this application via delegated powers.

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.