

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H21-0437-22 **Applicant:** Mr & Mrs L Hickton
Proposal: Extension & Alterations
Location: Robin Hood Cottage 9 Station Road Tydd Gote
Terminal Date: 21st June 2022

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
28	The Natural Environment
29	The Historic Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 12 - Achieving well-designed places
Section 15 - Conserving and enhancing the natural environment
Section 16 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is householder application seeking planning permission for a two storey rear extension to create a lounge and utility room on the ground floor and a master bedroom with an en-suite. The ground floor element would measure 3.7 metres (depth) x 7.9 metres (width). The first floor element would measure 6 metres (depth) x 7.9 metres (width).

All windows in the property are proposed to be replaced with anthracite grey and all other external materials will match the existing dwelling.

Site Description

The site is located off Station Road in Tydd Gote. It is located within the conservation area and Tydd Gote settlement boundary. It comprises a two storey detached dwelling, access via a private drive and forming backland development. The dwelling is white rendered and modern in appearance. The dwelling sits on a generous sized plot and backs onto open countryside. There are several outbuildings located towards the north of the dwelling. There is a large driveway to the front providing off-street parking provision for several vehicles.

History

H21-0605-07 - Two-storey side extension - Approved

Consultation Responses

North Level Internal Drainage Board

No comments.

Tydd St Mary Parish Council

No objections.

Principle of development

The site is within the Tydd Gote settlement boundary and the proposed extensions would be sited within the residential curtilage of the existing dwelling therefore the principle of extending the existing dwellinghouse is acceptable.

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 key material considerations are addressed below.

Design and layout

Paragraph 130 of 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. Paragraph 197 of the NPPF states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

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. Policy 29 of the SELLP states that development proposals will conserve and enhance the character and appearance of designated and non-designated heritage assets including conservation areas.

The proposed extensions can comfortably be accommodated on the site and would not result in overdevelopment of the site. The site is not visible from the main public realm given the location therefore the proposed development would not result in any unacceptable impact on the street scene. The extension is considered well designed and subservient in nature given the roof ridge

would not sit higher than the existing roof ridge. Overall, the size and external appearance of the proposal would not be at odds with the existing dwelling on the site or the immediate area. The use of matching external materials would further ensure the proposed development is in keeping with the existing dwelling.

The Council's Conservation Officer has not commented on the proposed scheme however, it is considered that given the backland location of the site, the site is not considered to significantly contribute towards the character of the area.

As such the development is considered acceptable in terms of its impact on the conservation area and the character of the existing dwelling and therefore accords with Policies 2, 3 and 29 of the SELLP and the Sections 12 and 16 of the NPPF.

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.

Given the dwelling site in the middle of a large plot, the proposed extensions would be sited a significant distance from all neighbouring boundaries (at least 33 metres). As such no overbearing impact or unacceptable overshadowing would result. The first floor window serving the new bedroom would not directly face any immediate neighbour therefore there are no overlooking or loss of privacy concerns.

As such, the proposals are not considered to unacceptably harm the residential amenity of adjacent neighbours by reason of unacceptable overshadowing or overlooking.

Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed scheme would increase the number of bedrooms within the property from 3 to 5 therefore the parking required would also increase from 2no spaces to 3no spaces. A maximum of 3no off-street parking spaces would be required for the site. There is a large driveway to the front which can accommodate at least 3no vehicles. There is additional off-street parking provision in the garage. As such the scheme is considered to comply with the current parking standards.

Planning Balance

The proposal will not materially harm the character or appearance of the locality, the amenity of nearby residents or result in parking or biodiversity issues. The planning balance is therefore considered to be in favour of the proposal.

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, 3, 28, 29, 36 and Appendix 6 of South East Lincolnshire Local Plan (2019) as well as Sections 12, 15 and 16 of National Planning Policy Framework (2021).

Accordingly, it is recommended to approve this application via delegated powers.

Additional Considerations

None.

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.

RECOMMENDATION

The application can be approved under delegated powers.