DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H21-0914-21**	**Applicant:**	**Mr S Ball**
Proposal:	Proposed two storey rear extension & garage		
Location:	Rectory Cottage Rectory Road Tydd St Mary		
Terminal Date:	1st November 2021		

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	1	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for a two storey rear extension and a detached single garage to the north-east. The extension would measure 2.6 metres (depth) x 5.8

metres (width). The roof would be pitched with a gable end to the rear. The garage would measure 4.4 metres (width) x 6.9 metres (depth) and stand at 4.7 metres in height (2.3 metres to the eaves). All external materials are proposed to match the existing dwelling.

SITE DESCRIPTION

The application site comprises a detached two storey dwelling located on Rectory Road within the Tydd St Mary Conservation Area. The dwelling is brick built with white door/window frames. 5no pillars and a low level metal fence form the front boundary. To the side is large gravelled driveway. To the north-east is a two storey dwelling and to the south-west a new two storey dwelling is being built.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

Tydd St Mary Parish Council

No comments or objections.

PLANNING CONSIDERATIONS

Principle of development

The site is within the Tydd St Mary settlement boundary and the proposed extension 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.

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. Likewise, Policy 2 of the South East Lincolnshire Local Plan 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.

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. 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.

It is considered that the proposed detached garage would not appear unduly incongruous within the rural street scene and would not materially harm the character/appearance of the rural locality taking into consideration the varied nature of existing development nearby. The materials would match the existing house on the site therefore the garage would be in keeping with the site.

The proposed two storey rear extension is modest in size and considered to be proportionate to the existing dwelling and the plot. The site is big enough to comfortably accommodate the proposed extension without resulting in overdevelopment of the site and would also retain an adequate amount of outdoor amenity space. The ridge of the roof sitting lower than the existing roofline would create an element of subservience. Its design is also considered in keeping with the existing dwelling. The proposed use of matching external materials to match the existing dwelling would ensure the extension is in keeping with the existing dwelling.

As such the proposed development would comply with the aforementioned policies on design and impact upon the character of the local area and would preserve the character and appearance of

the conservation area.

Impacts upon Residential Amenity

The closest neighbour to the proposed development is Grace Cottage located to the south-west of the application site. The proposed house extension would be located close to the shared boundary with this neighbour, however, given the small rear projection no overbearing impact or unacceptable overshowing would result on this neighbour. The majority of the proposed garage would be blocked by the applicants existing two storey house. The remaining part visible to this neighbour would be located some 13 metres from the shared boundary with this neighbour. This distance is considered sufficient as to not result in any overbearing impact or unacceptable overshadowing.

The proposed house extension would be located approximately 2.5 metres from the shared boundary with this neighbour. Although this is rather close, given the fact this neighbour does not have any primary windows in its side elevation the proposed extension is on balance acceptable. In addition, the pitch of the roof would face away from this neighbour thereby further lowering the impact on this neighbour. Furthermore, no windows are proposed in the side elevation facing this neighbour, therefore there are no overlooking or loss of privacy concerns. The proposed garage would be located approximately 23 metres from this neighbour which is considered sufficient as to not result in nay overbearing impact or unacceptable overshadowing.

With regards to the north-east at Lanesra House the proposed garage would be located close to the shared boundary with this neighbour, however, given the relationship with this neighbour with the application site abutting this neighbour's rear garden, the proposed garage would not be overbearing or result in any unacceptable overshadowing. In addition, the pitched roof would face away from this neighbour, thereby further lowering the impact. The proposed house extension would be located a significant distance from this neighbour's boundary (approximately 11 metres) therefore no overbearing impact or unacceptable overshadowing would result. No first floor windows are proposed in the side elevation facing this neighbour therefore there are no overlooking or loss of privacy concerns.

As such the proposal would accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed scheme would not increase the number of bedrooms on the site and a maximum of 3no off-street parking spaces would be required. At least 2no parking spaces would be retained in the driveway and additional parking would be created in the proposed garage. As such the scheme is considered to comply with the current parking standards.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 2, 3, 4 and 29 of the South East Lincolnshire Local Plan (2019) and Sections 12, 15 and 16 of the National Planning Policy Framework (2021).

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.

RECOMMENDATION

The application can be approved under delegated powers.