

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H23-0421-20 **Applicant:** Mr A Robinson
Proposal: Proposed flat roof single-storey rear extension with roof lantern
Location: Pink Cottage Drove Road Shepeau Stow
Terminal Date: 27th August 2020

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
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application for proposed flat roof single-storey rear extension with roof lantern to the property Pink Cottage at Drove Road, Shepeau Stow, Spalding.

Prior approval notification (H23-0243-20) was given to the principle of developing the extension. Horizontal black timber cladding was subsequently intended and such alteration contravenes planning permitted development rights.

Article A.3.(a) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) sets out that development is permitted by Class A (enlargement, improvement or other alteration of a dwellinghouse) subject to the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

The aim of this application is to obtain full planning permission for the rear extension as well as proposed external materials which have no similar appearance to the existing in the house. Pink render finish and Tudor features are currently the prevailing features of the house.

Site Description

The site is located within a small cluster of dwellings disconnected from the built-up area of Shepeau Stow. All the properties are dwellings of varied designs, appearances and ages.

The site is greatly set back from the frontage onto Drove Road. A track runs to the side of the adjoining property Summerlea and provides access to the application site.

The property is a two-storey detached cottage with pink coloured render finish on the external walls. The principal elevation faces Drove Road as the remainder properties of the southern frontage.

History

H23-0243-20 - (Prior Approval) Proposed flat roof single-storey rear extension with roof lantern - Approved

Consultation Responses

Whaplode Parish Council

Support the application.

Members of the public

One resident representation has been made raising the following issues:

- The proposed external materials appear very industrial and will harm the traditional Fenland cottage appearance.
- Recommendation of adding a condition to the permission to ensure the proposed materials are similar to the current appearance of the building.

Planning Considerations

Principle of development

The site is within the settlement boundaries of Shepeau Stow as set out in the South East Lincolnshire Local Plan (SELLP), 2019. The principle of developing an extension that is incidental to the enjoyment of a dwelling house 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 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; 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 scale and height of the proposed extension are such that the development is deemed subservient to the host property. The footprint is adapted to the layout of the brick wall that separates the rear garden with the site access running to the north-west which serves the neighbouring property Gremora.

The external walls of the extension will be coated with horizontal black timber cladding. The openings and rainwater goods will be Anthracite grey and the roof will have a single ply membrane finish in lead colour.

The development will deliver a contemporary appearance in contrast with the rural character of the host property. Dark colours will match with the dark brown Tudor features on the front elevation of the cottage and will be also sympathetic with the prevailing pink render finish of the building. Furthermore, as the proposal is for a rear extension, views from public vantage points will be minimal.

A resident representation has been made with regards to the proposed materials. However, it carries little weight in this assessment as it was misunderstood that the new materials will be applied across the entire dwelling.

In summary, the form of development is subservient to the original building in terms of scale, mass and bulk. The external appearance of the extension will upgrade the property delivering a more contemporary aspect which is deemed to blend interestingly with the rural character of the property. It is therefore considered that the proposal comply with the aforementioned policies concerning design, layout and impact upon the character of the local area.

Residential amenity

The garden brick wall will remain. In addition to the roof lantern, bi fold doors and windows will face onto the rear garden away from the brick wall. In doing so, the position of the openings is such that it will enhance the enjoyment of daylight for the users of the proposed sun room.

A 6 metre separation distance is provided with the south-eastern boundary of the site. As the nature of the extension is single-storey, no overbearing effect will occur to the residents nearby. Likewise, no overlooking effect will take place onto the adjacent plots. The rear garden of the application site is appropriately fenced which obscure views.

Therefore, the development complies with residential amenity which is one of the key principles of design and development management as set out in Policies 2 and 3 of SELLP (2019).

Conclusion

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan (SELLP), 2019 as well as Section 12 of the National Planning Policy Framework (NPPF), 2019.

It is accordingly recommended to approve this planning 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.