DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H23-0573-21**	**Applicant:**	**Mr & Mrs P Walton**
Proposal:	Proposed ground floor rear extension - re-submission of H23-0842-20		
Location:	Dale Cottage 9 Mill Lane Whaplode		
Terminal Date:	14th July 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Paragraph 127 (Section 12. Achieving well-designed places)

Representations:

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for a single storey rear extension to create a garden room. The extension would measure 3 metres (width) x 5.4 metres (depth). The external material would match the existing dwelling.

It should be noted that the application is a re-submission of a previously refused scheme which now

omits the first floor element previously proposed.

SITE DESCRIPTION

The site is within the built-up area of Whaplode. A range of house types, ages, design and appearances has been observed on the street scene.

Dale Cottage is a semi-detached two-storey dwellinghouse paired with Oak Cottage (No. 7) immediately to the west. Both buildings were likely built late C19 - early C20 and might be formerly one single building. Subsequent alterations have made over the years per each dwellinghouse. The application property was significantly extended to the side and in a smaller extent to the rear (H23-0869-13).

The patter of development is linear development although it is highly varied with regards to boundary lines and site accesses. Each site has been individually designed in the vicinity. Dale Cottage and the adjacent Oak Cottage are accessed from Mill Lane and their footprints are in very close proximity to this highway. The rear garden extends to the north and the garages/parking area is made on Middle Road.

The boundary lines of Dale Cottage shape an irregular curtilage. The boundaries at the core of the plot are visibly set at an angle towards north-west. No. 6 Middle Road is the other adjacent property immediately adjacent to the east. It is accessed from Middle Road and the nearest wall of the building to Dale Cottage is the rear elevation.

RELEVANT PLANNING HISTORY

H23-0869-13 - Proposed side and rear extensions - Approved

H23-0842-20 - Proposed single storey/first floor extensions to dwelling - Refused - Appeal dismissed

REPRESENTATIONS

Members of the public

One adjacent neighbour at Oak Cottage, 7 Middle Lane has commented siting the following concerns:

-Further details should be provided to clarify how structural works and drainage would have impact onto one of the adjacent plots.

PLANNING CONSIDERATIONS

Principle of development

The site is within the settlement boundaries of Whaplode as set out in the South East Lincolnshire Local Plan (SELLP), 2019. Irrespective of spatial strategy considerations, the principle of developing a house extension that is incidental to the enjoyment of a dwelling house is acceptable.

Layout, Design, Size and Scale

Paragraph 127 of the 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 current rear extension hosting the kitchen would remain. The proposals would represent a 3-metre single-storey enlargement to this existing element. The extension would be subservient in terms of height to the bulk which they are protruding from. The footprint of the proposed extension would, on balance, commensurate with the scale, mass and bulk of the host property.

The extension would be flat roofed which would relate well with the low pitched lean-to rear element. The external elevational materials would match the existing dwelling therefore it would be in keeping with the character of the existing dwelling.

As such the extension would comply with the aforementioned policies on design, layout and impact upon the character of the local area.

Impacts upon Residential Amenity

The previous scheme was refused as it obstructed daylight on the rear garden of the adjoining dwelling of Oak Cottage (7 Mill Lane). The two-storey element were considered to exacerbate a sense of enclosure especially when occupiers of No. 6 Middle Road enjoyed the rear garden where the proposed extension is adjoining.

The amended scheme omits the first floor element therefore the neighbouring amenity concerns previously raised are ow considered to be resolved.

The ground floor element remans the same as previously proposed. This is not considered to result in any significant impact upon neighbouring amenity given its modest rear projection and limited height.

As such the proposal would accord with Paragraph 127 of National Planning Policy Framework (2019) 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 previous scheme included an additional bedroom which increased the parking required for the site. The revised scheme omits the bedroom therefore the parking requirement for the site would remain the same. As such the scheme complies with the current parking standards.

Other matters

One adjacent neighbour at Oak Cottage, 7 Middle Lane has commented requesting further details to clarify how structural works and drainage would impact their property. The concerns are noted however, these details are not required at the planning stage and any party wall agreements required would need to be sought outside of planning.

Planning Balance

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

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2019).

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.