

Development Management Delegated Decision Report

B/20/0354



SUMMARY OF APPLICATION

Application Reference	B/20/0354		
Application Type	Full Planning Permission		
Proposal	Single storey rear extension and erection of a detached garage following demolition of existing rear projection, garage and car port		
Location	32, Horseshoe Lane, Kirton, Boston, PE20 1LJ		
Applicant	L Elvin		
Agent	Mrs Jenny McIntee, JMAD Architecture		
Received Date:	25-Sep-2020	Consultation Expiry Date:	19-Oct-2020
Valid Date:	25-Sep-2020	Statutory Expiry Date:	20-Nov-2020
Date of Site Visit:	21-Oct-2020	Extension of Time Date:	
Objections received?	None		
5 day notification record:	Not applicable		
Councillors notified	Date	Response received – date	Ok to continue
Recommendation	GRANT Planning Permission		
Report by:	Simon Eldred		
Date:	21 st October 2020		

OFFICER REPORT

SITE AND SURROUNDINGS:

The application site is located on the western side of Horseshoe Lane, Kirton and is occupied by a detached, hipped-roof bungalow with a single-storey rear element (largely demolished at the time of the site visit) and an attached car port; a detached garage; and gardens to front and rear. Although it has agricultural land to its west and a field access to its north, the site is located in a predominantly residential area.

DETAILS OF PROPOSAL:

It is proposed to demolish the rear element of the dwelling, the detached garage, and the car port; and seek planning permission for the erection of:

- a new pitched-roofed rear extension that will provide an open-plan dining room/living room/kitchen, a utility room, and a bathroom. The extension will measure approximately 8.2m x 8.0m in plan, and will stand approximately 4.5m high at ridge-level, and 2.3m at eaves-level. It will be built in brick and tile to match the existing dwelling as closely as possible, and will have pvc windows in both its side elevations, a partially-glazed door in its southern elevation, and glazed bi-fold doors in its rear (western) elevation; and



- a new detached, flat-roofed, single garage towards the south-western corner of the site. The garage will measure approximately 6m x 4m in plan and will stand approximately 2.75m high. It will be built in brick to match the dwelling as closely as possible and will have a dark grey fibreglass roof. It will have no windows, but will have a single, dark grey garage door in its front (eastern) elevation and an unglazed personnel access door in its northern elevation.

RELEVANT HISTORY:

No recent relevant history.

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

The **South East Lincolnshire Local Plan 2011-2036** shows the application site as being within Kirton's Settlement Boundary, but no allocations or designations apply. The following policies are relevant to this application:

- Policy 1: Spatial Strategy;
- Policy 2: Development Management;
- Policy 3: Design of New Development;
- Policy 4: Approach to Flood Risk; and
- Policy 30: Pollution.

OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:

At the heart of the **National Planning Policy Framework (2019)** is a presumption in favour of sustainable development. The following sections are relevant to this scheme:

- Section 4: Decision-making;
- Section 12: Achieving well-designed places; and
- Section 14: Meeting the challenge of climate change, flooding and coastal change.

CONSULTATION RESPONSES:

Kirton Parish Council indicates that it has no objections.

THIRD PARTY REPRESENTATIONS RECEIVED:

No third party representations have been received.

EVALUATION:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination must be made in accordance with the Plan unless material considerations indicate otherwise. The key considerations in regards to this application are: impact on the character and appearance of the area; impacts upon neighbours' amenity and flood risk.

Character of the area

Policy 2 of the Local Plan indicates that developments will be permitted which will not have harmful impacts upon the character and appearance of the area.

Given the location of the proposed extension and garage at the rear of the dwelling, impacts upon the streetscape will be limited – they will be visible from Horseshoe Lane only across the field access located to the application site's north. Such views will be oblique, substantially

obscured by the 1.8m-high close-boarded fence at the site's northern boundary, and will be distant (more than 25m). Both the extension and the garage are relatively modest in size, and are proposed to be constructed in materials to match the original dwelling. The extended dwelling will not appear out-of-character with the diverse range of building scales and types that the area currently contains. The great majority of the dwelling's curtilage will remain undeveloped and, in all, it is considered that the proposals will have no harmful impact upon the area's character or appearance. As such the proposed development will meet the requirements of SELLP Policy 2.

Neighbours' amenity

Policies 2, 3 and 30 of the Local Plan require the amenities of neighbouring land users to be protected.

The application site has agricultural land to its west, and it is considered that the proposal will have no adverse impact upon this neighbouring land user. Furthermore, given that the extension and garage are proposed to be built to the rear of the dwelling, it is considered that they will have no impact upon the dwellings to the east (on the opposite side of Horseshoe Lane). However, impacts upon the dwellings to the north and south require more detailed consideration.

34 Horseshoe Lane is located to the north of the application site, beyond an approximately 13m-wide field access. Although the proposed extension will approach slightly closer to no. 34 than the existing rear element, a separation distance of approximately 18m will be maintained. At this distance (and given the relatively modest scale of the extension), it is considered that no harm will be caused in terms of over-shadowing, loss of light or harm to outlook. The extension will have one window in its northern elevation but, given the separation distances involved, there will be no harmful issues of overlooking or loss of privacy. The proposed garage will be more than 30m from no. 34, is modest in scale, and will have no window openings looking towards the north. Consequently, it is considered that it will cause no harm to no. 34 in terms of over-shadowing, loss of light, harm to outlook, overlooking or loss of privacy.

Mayfield, 30 Horseshoe Lane is located immediately to the south of the application site, and has 2 ground-floor windows in its northern elevation which currently look towards the side-wall of no. 32's garage, approximately 2.5m distant. The proposal involves the demolition of this garage and, although the proposed extension will be located closer to Mayfield than the existing rear element (approximately 6.5m, as opposed to 9.75m), it is considered that the proposal will represent having a null effect for Mayfield in terms of over-shadowing, loss of light, and harm to outlook. The extension will have a partially-glazed door and 2 windows in its southern elevation, which will be more-or-less opposite Mayfield's north-facing windows, but it is considered that separation distances will be sufficient to prevent unacceptable impacts in terms of overlooking or loss of privacy. Furthermore the erection of a typical boundary treatment would obscure clear views between windows.

The proposed garage will be located approximately 1.6m from the boundary with Mayfield's rear garden but, given its modest scale and lack of window openings looking south, it is considered that it will cause no harm to Mayfield in terms of over-shadowing, loss of light, harm to outlook, overlooking or loss of privacy.

In all, it is considered that the proposals will not harm neighbours' amenity and will therefore meet these requirements of Policy 2, 3 and 30.

Flood risk

Policy 4 seeks to ensure that new development is not unnecessarily exposed to flood risk, and does not increase flood risk elsewhere.

The application is accompanied by a Flood Risk Assessment which identifies potential sources and likely severity of flooding, and indicates that:

- the floor level of the extension will be no lower than the dwelling's existing ground floor;
- the proposal does not increase flood risk on the site or elsewhere; and
- the property will be registered for flood warnings.

It is considered that the proposals meet the requirements of Policy 4.

CONCLUSION:

The proposal:

- will have no unacceptably adverse impacts on the character and appearance of the area;
- will have no unacceptably adverse impacts on neighbours' amenities;
- is acceptable in flood risk terms; and
- meets the requirements of the relevant Policies of the South East Lincolnshire Local Plan 2011-2036

RECOMMENDATION:

GRANT Planning Permission subject to the following conditions and reasons:-

CONDITIONS / REASONS	
Pre-commencement conditions?	No Agreed with applicant/agent - Date: N/A
1	<p>The development hereby permitted shall be begun before the expiration of four years from the date of this permission.</p> <p>Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby permitted shall be carried out in strict accordance with the application received 25-Sept-2020 and in accordance with the associated plans referenced:</p> <ul style="list-style-type: none">• Drawing Number 02A – Site Plan;• Drawing Number 04A – Proposed Plan;• Drawing Number 05A – Proposed Elevations; and• Drawing Number 07 – Proposed Garage Elevations <p>Reason: To ensure the development is undertaken in accordance with the approved details, in the interest of residential amenity and to comply with Policies 2, 3, 4 and 30 of the South East Lincolnshire Local Plan 2011-2036.</p>

INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE
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<u>STATEMENT OF PROACTIVE WORKING:</u>
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In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2019 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.
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