

## SUMMARY OF APPLICATION

<b>Application Reference</b>	B/20/0440		
<b>Application Type</b>	Full Planning Permission		
<b>Proposal</b>	Replacement of rear flat roof with pitched to match existing, and erection of detached games room		
<b>Location</b>	45, Tarry Hill, Swineshead, Boston, PE20 3LW		
<b>Applicant</b>	Mr A Newton		
<b>Agent</b>	Mr J Wilson, Remway Design Ltd		
<b>Received Date:</b>	05-Nov-2020	<b>Consultation Expiry Date:</b>	15-Dec-2020
<b>Valid Date:</b>	17-Nov-2020	<b>Statutory Expiry Date:</b>	12-Jan-2021
<b>Date of Site Visit:</b>	31-Dec-2020	<b>Extension of Time Date:</b>	
<b>Objections received?</b>	None		
<b>5 day notification record:</b>	Not applicable		
<b>Councillors notified</b>	<b>Date</b>	<b>Response received – date</b>	<b>Ok to continue</b>
<b>Recommendation</b>	GRANT Planning Permission		
<b>Report by:</b>	Simon Eldred		
<b>Date:</b>	4 <sup>th</sup> January 2021		

## OFFICER REPORT

### SITE AND SURROUNDINGS:

The application site is located on the north-eastern side of Tarry Hill, Swineshead, and contains:

- a two-storey, detached dwelling with a two-storey flat-roofed extension at the rear to which two single-storey lean-to elements are attached;
- a detached garage; and
- domestic gardens to the front and rear.

The site is located in a predominantly residential area, with dwellings to its north-west and south-east and further dwellings on the opposite side of Tarry Hill, but with agricultural land to its north-east.

### DETAILS OF PROPOSAL:

It is proposed to:



- replace the flat roof on the existing rear extension with a pitched roof, finished in tiles to match the existing roof. This will increase the height of the extension by approximately 1.1m; and
- erect a detached games room in the rear garden. The new building will measure 5m x 5.8m in plan, and 4m in height (2.8m at eaves level). It will provide an 18.8m<sup>2</sup> games room and a 3m<sup>2</sup> W.C., and will have:
  - an entrance door and window in its front (southern) elevation;
  - glazed french-doors in its western elevation; and
  - a window in its rear (northern) elevation.

The proposed games room is located approximately 65cm from the property's eastern boundary (with the dwelling at 43 Tarry Hill). No details are provided of the materials in which the games room is proposed to be built.

### **RELEVANT HISTORY:**

B/19/0405 – Full planning permission was granted for the replacement of a rear flat roof with a pitched roof to match the existing roof.

### **RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:**

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

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

### **OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:**

#### **National Planning Policy Framework (2019)**

At the heart of the 2019 Framework 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:**

Swineshead Parish Council indicates that it has no comments.

### **THIRD PARTY REPRESENTATIONS RECEIVED:**

At the time of writing, 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: impacts on the character and appearance of the area; impacts on 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.

The existing flat-roofed extension can be seen from Tarry Hill in the gap between nos. 45 and 47. The proposed replacement roof will therefore have impacts upon the street scene, but it is considered that these impacts will be modest (because the works are relatively small in scale) and will not be harmful (because the character of the building will not be undermined in the least). The pitched roof will increase the height of the extension by 1.1m, but the extension will remain lower than, and subordinate to, the original house. Matching tiles are proposed to be used.

The proposed games room will be visible from Tarry Hill in the gap between no. 45's existing garage and no. 43 and over the top of no. 45's garage. These views however will be fleeting, largely obscured, and relatively distant. As a consequence, the games room's impacts upon the street scene will be limited and these impacts are unlikely to be harmful because its scale and design are appropriate to its location. However, neither the application form nor the drawings specify the materials specified in which the games room will be constructed. In these circumstances, it is considered necessary to impose a condition to require details of the materials to be used in its external surfaces to be submitted to and approved by the Local Planning Authority.

Subject to the above condition, it is considered that the proposals will not harm the character or appearance of the area, and will meet these requirements of Policy 2.

### ***Neighbours' amenity***

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

The existing flat-roofed extension is located within 30cm of the boundary with 47 Tarry Hill, and that dwelling is itself within 1.5m of the shared boundary. However, 47 Tarry Hill has no windows in its elevation which looks towards the extension. As such it is considered that the replacement of the flat roof with a pitched roof (which will increase the extension's overall height by 1.1m) will have no adverse impacts in terms of overlooking/privacy, overshadowing, or outlook.

The games room is proposed to be located approximately 65cm from the property's boundary with the rear garden to the neighbouring dwelling, 43 Tarry Hill. The games room will have no window openings in its eastern elevation, and the windows in its northern and southern elevations will provide no views into the neighbouring property thanks to the 1.8m-high privet hedge which defines the common boundary, and the existing outbuildings within no. 43's garden – thus, it is considered that there will be no harmful impacts in terms of overlooking or privacy loss. Given the relatively modest size of the games room, it is also considered that it

will have no harmful impacts in terms of overshadowing, loss of light or loss of outlook (given that neither of the outbuildings within no. 43's rear garden appear to have windows looking towards the games room).

In all, therefore, it is considered that the proposals will not have unacceptably severe adverse impacts upon neighbours' amenities and that they therefore meet these requirements of Policies 2 and 3.

### ***Flood risk***

Policy 4 of the Local Plan 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 completed 'Householder and other minor extensions in Flood Zones 2 and 3' form which indicates that: floor levels within the proposed extension will be no lower than existing levels; and flood proofing has been incorporated where appropriate.

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

### **CONCLUSION:**

Subject to conditions, the proposal:

- will have no unacceptably adverse impacts on the character and appearance of the area;
- will have no unacceptably adverse impacts on neighbours' amenity;
- are acceptable in flood risk terms; and
- meet 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:-

<b>CONDITIONS / REASONS</b>	
Pre-commencement conditions?	Agreed with applicant/agent - Date:
1.	<p>The development hereby permitted shall be begun before the expiration of four years from the date of this permission.</p> <p><b>Reason:</b> 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 05-Nov-2020 and in accordance with the associated plans referenced:</p> <ul style="list-style-type: none"> <li>▪ Drawing Number 3025-04 rev B: Proposed Block Plan;</li> <li>▪ Drawing Number 3025-05 rev B: Proposed Elevations;</li> <li>▪ Drawing Number 3025-06 rev B: Proposed Ground Floor Layout;</li> </ul>

	<ul style="list-style-type: none"> <li>▪ Drawing Number 3025-07: Proposed First Floor Layout;</li> <li>▪ Drawing Number 3025-08 rev B: Proposed Visuals; and</li> <li>▪ Drawing Number 3025-14 rev A: Games Room Details.</li> </ul> <p><b>Reason:</b> 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 and 4 of the South East Lincolnshire Local Plan 2011-2036.</p>
3.	<p>The construction of the games room shall not take place until details of the materials proposed to be used in its external surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p> <p><b>Reason:</b> To ensure that the new building is in keeping with the character of the area in accordance with Policy 2 of the South East Lincolnshire Local Plan 2011-2036.</p>

INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE	
<p><u>STATEMENT OF PROACTIVE WORKING:</u></p> <p>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.</p>	