

# Development Management Delegated Decision Report

B/21/0328



## SUMMARY OF APPLICATION

Application Reference	B/21/0328		
Application Type	Full Planning Permission		
Proposal	Proposed two storey side & rear extension including alterations		
Location	Ascalon, Drainside South, Kirton, Boston, PE20 1PZ		
Applicant	K Gatenby		
Agent	Adrian Fox, AF Architecture		
Received Date:	08-Jul-2021	Consultation Expiry Date:	30-Jul-2021
Valid Date:	08-Jul-2021	Statutory Expiry Date:	02-Sep-2021
Date of Site Visit:	13-Sept-2021	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:	13 <sup>th</sup> September 2021		

## OFFICER REPORT

### SITE AND SURROUNDINGS:

The application site is located immediately to the east of Drainside South, Kirton, and approximately 50m to the west of the A16. At its northern end, the site contains a two-storey, semi-detached rendered and painted house with a lean-to conservatory, and a single-storey garden building towards the site's southern end. It is located at the edge of the village, with existing dwellings to the north and east, and agricultural land to the west and south.

### DETAILS OF PROPOSAL:

It is proposed to:

- demolish the existing conservatory;
- erect extensions on both the dwelling's rear (eastern) and side (southern) elevations. The proposed extensions will be principally two-storeys in height, and the side extension will be set back approximately 40cm behind the dwelling's existing front elevation. The extensions will have windows in their front, side and rear elevations ( in the rear elevation, however, the only window proposed at first-floor level will be obscure-glazed) and will be constructed in red/orange brick and concrete tiles; and
- make alterations to the existing dwelling, including changes to fenestration.



The extensions and alterations will provide (on the ground-floor) a lobby, cloaks/utility, an enlarged kitchen/dining/living area, and a new bedroom/ensuite and a bedroom extension on the first-floor.

### **RELEVANT HISTORY:**

In 2001, two planning permissions were granted:

- B/01/0251 – for the erection of a 1.8m high boundary fence and the re-siting of a shed; and
- B/01/0386 – for the construction of a two-storey extension and an extension to a conservatory.

In 2020, full planning permission (B/19/0495) was granted for a two-storey rear extension with associated alterations.

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

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

- 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 (2021)**

At the heart of the 2021 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:**

The Black Sluice Internal Drainage Board indicates that the watercourse on the property's eastern boundary is Board-maintained but that the land within which this watercourse lies is not owned by the Board. The Board has a Byelaw prohibiting the siting of any obstructions within 9m of the lateral edge of the watercourse without the prior written consent of the Board. The Board has granted a relaxation of the Byelaw to permit the proposed extension, but wishes to remind the applicant that any other structures within the Byelaw distance are unconsented by the Board and, as such, the Board reserves the right to give notice under the Land Drainage Act 1991 for these structures to be removed should the Board require access to its asset for maintenance or replacement.

Lincolnshire County Council (the Local Highway and Lead Local Flood Authority) indicates that: the access and parking arrangements remain unchanged; the proposals will not result in an unacceptable impact on highway safety; and 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 regard to this application are: matters of principle; impact on the character and appearance of the area; impacts upon neighbours' amenity; and flood risk.

#### ***Principle***

Policy 1 of the Local Plan identifies that, within Kirton's Settlement Boundary, development will be permitted that supports its role as a service centre for the settlement itself, helps sustain existing facilities, or helps meet the service needs of other local communities. It is considered that extensions/alterations to an existing dwelling meet these requirements of Policy 1.

#### ***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 proposed extensions are: smaller in scale than the existing dwelling; set back behind the existing dwelling's front wall; and proposed to be built in red/orange facing brick which will contrast with the existing building's rendered walls. These measures will ensure that the extensions will appear subordinate to the host dwelling. The extended dwelling will occupy almost the entire northern end of the site, but an extensive undeveloped plot will remain to its south, and thus it is not considered that the proposal will appear as over-development that might conflict with the area's character.

In all, it is considered that the proposed extension will not have harmful impacts upon the character and appearance of the area, and that it will meet these requirements of Policy 2.

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

Policies 2 and 3 require neighbours' amenity to be protected. The application site has agricultural land to two sides (west and south), and it is not considered that the proposal will have any adverse impacts upon these neighbouring land users. However, there are dwellings to the north and east, and the proposal may impact upon these properties.

Ascalon's single-storey conservatory (2.1m high) approaches within approximately 2.5m of the site's eastern boundary, beyond which are two bungalows (33 and 35 Thorne Way). The proposed extensions will not approach this close – they will be approximately 3.7m from the boundary at their closest point. Although parts of the rear extension will be considerably taller than the conservatory (approximately 4.4m high at eaves level), it is considered that the separation distances will be sufficient to ensure that no unacceptably severe impacts will be caused in terms of over-shadowing, dominance, or loss of outlook. The eastern (rear) elevations of the extensions will have only one first-floor window (which will be obscure-glazed), and potential views from ground floor windows will be obscured by the existing 1.8m high close-

boarded fence that marks the boundary. Thus, it is also considered that the proposed extension will have no adverse impacts upon 33 and 35 Thorne Way in terms of overlooking or loss of privacy.

Ascalon adjoins a dwelling to its north, which is known as Parsley Cottage. The proposed extension will abut the boundary with this property, but the closest part will be single-storey only (standing approximately 2.3m high at eaves level). Two-storey elements (approximately 4.4m high at eaves level) will be set back a further 4.4m from the boundary. It is considered that these factors will mean that no unduly harmful impacts will be caused in terms of over-shadowing, dominance, or loss of outlook.

In all, it is considered that the proposals will not have unacceptable impacts on neighbours' amenity, and that they meet these requirements of Policies 2 and 3.

### ***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 identifies that:

- the finished floor level of the extensions will match those of the existing dwelling;
- no sleeping accommodation is proposed on the ground floor; and
- the occupants will sign up to the Environment Agency's Warnings Direct System.

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' 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:-

CONDITIONS / REASONS	
Pre-commencement conditions?	Agreed with applicant/agent - Date:
1.	The development hereby permitted shall be begun before the expiration of four years from the date of this permission.  <b>Reason:</b> Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

2.	<p>The development hereby permitted shall be carried out in strict accordance with the application received 08-Jul-2021 and in accordance with the associated plan referenced:</p> <ul style="list-style-type: none"> <li>• Drawing No. 19/183/Pr-01 Revision A – Proposed Plan &amp; Elevations.</li> </ul> <p><b>Reason:</b> To ensure that 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>
----	--

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>	
<p>The Black Sluice Internal Drainage Board indicates that the watercourse on the property's eastern boundary is Board-maintained but that the land within which this watercourse lies is not owned by the Board. The Board has a Byelaw prohibiting the siting of any obstructions within 9m of the lateral edge of the watercourse without the prior written consent of the Board. The Board has granted a relaxation of the Byelaw to permit the extension proposed under this planning application, but wishes to remind the applicant that any other structures within the Byelaw distance are unconsented by the Board and, as such, the Board reserves the right to give notice under the Land Drainage Act 1991 for these structures to be removed should the Board require access to its asset for maintenance or replacement.</p>	