

Development Management Delegated Decision Report

B/22/0177



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SUMMARY OF APPLICATION

Application Reference	B/22/0177			
Application Type	Full Planning Permission			
Proposal	Single storey rear extension			
Location	45, Tarry Hill, Swineshead, Boston PE20 3LW			
Applicant	Mrs A Porter			
Agent	Mr Chris Lilley, Chris Lilley Architectural Services			
Received Date:	27-Apr-2022	Consultation Expiry Date:	21-May-2022	
Valid Date:	27-Apr-2022	Statutory Expiry Date:	22-Jun-2022	
Date of Site Visit:	09-Jun-2022	Extension of Time Date:	Not applicable	
Objections received?	None			
5 day notification record: Not applicable				
	Councillors notified	Date	Response received – date	Ok to continue
Recommendation	Approve with conditions.			
Report by:	Simon Eldred			
Date:	9 th June 2022			

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 a grass paddock to its north-east.



DETAILS OF PROPOSAL:

It is proposed to erect a single-storey, pitched-roof extension onto the dwelling's rear elevation. The extension will:

- be built in red facing bricks to match the existing single-storey extension, red plain tiles, and white pvc-u doors and windows;
- provide a games room, shower room, hall and cupboard;
- have doors and windows in its south-eastern elevation, windows in its north-eastern elevation, and a window in its north-western elevation;
- measure approximately 4m x 8.5m in plan, and 4m in height at ridge level (2.4m at eaves level); and
- be located approximately 75cm from the property's eastern boundary (with the dwelling at 47 Tarry Hill).

RELEVANT HISTORY:

- B/19/0405 – full planning permission was granted on 21st November 2019 for replacement of rear flat roof with pitched roof to match existing roof.
- B/20/0440 – full planning permission was granted on 6th January 2021 for replacement of rear flat roof with pitched roof to match existing and erection of detached games room.

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; and
- Policy 3: Design of New Development.

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; and
- Section 12: Achieving well-designed places.

CONSULTATION RESPONSES:

Lincolnshire County Council (the Local Highway and Lead Local Flood Authority) identifies that the proposal does not have an impact on the public highway or surface water flood risk. It therefore concludes that the proposed development is acceptable, and 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:

- impacts on the character and appearance of the area; and

- impacts on neighbours' amenity.

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 extension will be visible from Tarry Hill in the narrow gap between no. 45 and no. 47, but these views will be fleeting, largely obscured, and relatively distant. As a consequence, the extension's impacts upon the street scene will be very limited and these impacts are unlikely to be harmful because its scale, materials, and design are appropriate to its location.

In all, it is considered that the proposal 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.

Impacts upon no. 47

The extension is proposed to be located approximately 75cm from the property's boundary (currently defined by a 1.8m-high privet hedge) with the rear garden to the neighbouring dwelling to the north-west, 47 Tarry Hill. Despite its proximity to the boundary, it is considered that the extension will not have harmful impacts in terms of overshadowing, loss of light, or harm to outlook, given its modest height. The extension will have one window opening in its north-western elevation, serving the shower room. This window could potentially provide close-up views into no. 47's rear garden with harmful impacts upon privacy/overlooking, and consequently it is considered necessary to attach a condition to require this window to be obscure-glazed, and non-opening. It is not considered that the windows in the extension's north-eastern elevation will have harmful impacts, given that any views will be slightly more distant and oblique.

Impacts upon no. 43

The extension is more distant (approximately 13m) from the property's boundary (currently defined by a 1.8m-high privet hedge) with the rear garden to the neighbouring dwelling to the south-east, 43 Tarry Hill. At this distance and given its relatively small size, it is not considered that the extension will have any harmful impacts in terms of overshadowing, loss of light, or harm to outlook. Similarly, any potential views from the doors and windows in the extension's south-eastern elevation are not expected to have harmful impacts in terms of privacy or overlooking, given the separation distances involved.

Amenity conclusions

Subject to the above condition, it is considered that the proposal will not have unacceptably severe adverse impacts upon neighbours' amenities and that it therefore meets these requirements of Policies 2 and 3.

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; 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?	N/A	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.			
Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.			
2. The development hereby permitted shall be carried out in strict accordance with the application received 27-Apr-2022 and in accordance with the associated plans referenced:			
<ul style="list-style-type: none"> ▪ Drawing Number 22032 01A – Proposed Site Plan and OS Location Plan; ▪ Drawing Number 22032 03B – Proposed Part Ground Floor Plan and Section; ▪ Drawing Number 22032 05 – Proposed Elevations and External View. 			
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 and 3 of the South East Lincolnshire Local Plan 2011-2036.			
3. The shower-room window in the north-western elevation of the extension hereby approved shall be non-opening and obscure-glazed, and shall be fitted before the extension is first occupied and thereafter shall be retained in that form.			
Reason: To avoid overlooking of the neighbouring property (47 Tarry Hill) in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2011-2036			

INFORMATIVES / NOTES

TO BE INCLUDED ON/WITH DECISION NOTICE

STATEMENT OF PROACTIVE WORKING:

In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2021 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.