

Development Management Delegated Decision Report

B/24/0021



SUMMARY OF APPLICATION				
Application Reference	B/24/0021			
Application Type	Prior Notification Part 1 - Householder			
Proposal	Application for Prior Approval under Schedule 2, Part 1, Class A for a proposed rear extension projecting 5.7m from original rear wall and height not exceeding 3.3m			
Location	6, Walden Gardens, Boston PE21 8XG			
Applicant	Ms Gabriela Chotnicka			
Agent	Ms Katja Leszczynska, Add value Home			
Received Date:	16-Jan-2024	Consultation / Publicity Expiry Date:	06-Feb-2024	
Valid Date:	16-Jan-2024	Statutory Expiry Date:	27-Feb-2024	
Date of Site Visit:		Extension of Time Date:		
Objections received?	No			
5 day notification record:	N/A			
	Councillors notified	Date	Response received – date	Ok to continue
Recommendation (delete as appropriate)	Prior approval not required			
Report by:	Lewis Humphreys			
Date:	27/02/24			



OFFICER REPORT

SITE AND SURROUNDINGS:

The site is a semi-detached dwelling situated on a corner plot of Walden Gardens, within the town of Boston.

DETAILS OF PROPOSAL:

The proposal seeks a determination as to whether prior approval is required for a 5.7m rear extension to provide a gym/studio

RELEVANT HISTORY:

No recent history

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

South East Lincolnshire Local Plan (2011-2036)

The following policies contained within the South East Lincolnshire Local Plan (2011-2036) (i.e. SELLP) are relevant to this application:

- Policy 2 – Development m
- Policy 3 – Design of new development

OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:

National Planning Policy Framework (2023)

At the heart of the 2023 Framework is a presumption in favour of sustainable development. The following sections are relevant to this scheme.

National Planning Practice Guidance (PPG)

CONSULTATION RESPONSES:

N/A

THIRD PARTY REPRESENTATIONS RECEIVED:

None received

EVALUATION:

The key issues in the determination of this application is if the development permitted development within the terms of Part 1, Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, as amended.

Limitations of development permitted are set out within A.1

- a) Dwelling was not permitted by one of the listed classes
- b) <50% of curtilage covered

- c) Height proposed is less than height of existing roof
- d) Height of the eaves less than height of existing eaves
- e) i) not forward of a principal elevation
 - ii) not on a side elevation that fronts a highway
- f) extends beyond 3m and less than 4m high
- g) extends between 3 and 6m and is less than 4m high
- h) rear extension is not more than single storey
- i) is within 2m of a boundary but eaves details are lower than 3m
- j) would not extend beyond a side elevation
- k) would not include the works listed in i) – iv)
- l) was not a dwelling built under Part 20

The proposal therefore meets the limitations of A.1. The site is not on Article 2(3) land and therefore the provisions of A.2 do not apply.

A.3 has conditions on development, of relevance to this is:

- a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

A.4 sets out the prior approval process for development that fails A.1(f) but meets A.1(g) as this scheme does. A.4(7) sets out that where an adjoining neighbour objects to the proposal the LPA is required to assess the impact of the proposed development on the amenity of any adjoining premises. As no objections have been received no such assessment is necessary.

Prior approval is therefore not required.

RECOMMENDATION (delete as appropriate): Prior approval not required

<p>INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE</p>
<p><u>STATEMENT OF PROACTIVE WORKING:</u> In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2023 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.</p>