

Officer's Report

Planning Application No: 143333

PROPOSAL: Planning application for ground floor extension to form garage, together with first floor extension.

LOCATION: 43 Pingle Close Gainsborough Lincolnshire DN21 1XR

WARD: Gainsborough East

WARD MEMBER(S): Cllrs D Dobbie, T Davies and M Devine.

APPLICANT NAME: Mr and Mrs Redwood

TARGET DECISION DATE: 31/08/2021

DEVELOPMENT TYPE: Householder Development

CASE OFFICER: Mike Halsall

RECOMMENDED DECISION: Grant permission subject to conditions.

Description:

The application is presented to the planning committee as one of the applicants is a member of staff within the council.

The application site consists of a detached two storey 'L' shaped dwelling located on Pingle Close, within the defined settlement of Gainsborough. The site is adjoined by residential properties to the east and south. The highway adjoins the south eastern site boundary with additional residential properties beyond. There are fences to the rear and side boundaries with a Public Right of Way running parallel with the northern site boundary, beyond which are industrial buildings. The street is characterised by similar style detached two-storey dwellings with bungalows further to the east. The site lies within a minerals safeguarding area.

The application is a resubmission of a proposed extension refused by the planning committee in May 2021, in-line with the officer's recommendation, due to having an unacceptably adverse impact upon the amenity of neighbouring occupiers in terms of loss of light, overshadowing and dominance.

The current application seeks planning permission for a first floor extension over an existing single storey side projection (previously a garage, converted to living accommodation) and a single storey side extension attached to this. The current proposal represents a reduced scheme compared to that previously refused which proposed a two-storey side extension with gable wall to the side, rather than a single-storey extension with a hipped roof, as now proposed.

The first floor extension would continue the ridge line of the main dwelling and that of the single storey side extension would sit approximately 2m lower, at approximately 4.8m in height. The single storey side extension would sit approximately 2m forward of the existing side projection due to a manhole located to the north east of the existing dwelling.

| Relevant history: | |
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| 142495 - Planning application for ground floor extension to form garage, together with first floor extension above – refused May 2021 | |

| Representations: | |
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| Chairman/Ward member(s): | No representations received to date. |
| Gainsborough Town Council: | Responded to state they have no comments to make in relation to this application. |
| Local residents: | 41 Pingle Close – responded to the consultation to state: <i>“I wish to support the proposal as the neighbouring property. We have reviewed the documents and are in full support of the application”.</i> |
| LCC Highways: | Have responded with no objection to the proposed development. |
| Archaeology: | No representations received to date. |
| IDOX: | Checked 18/08/2021 |

| Relevant Planning Policies: | |
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| National guidance | National Planning Policy Framework National Planning Policy Framework - GOV.UK (www.gov.uk) National Planning Practice Guidance https://www.gov.uk/government/collections/planning-practice-guidance |
| Local Guidance | <u>Central Lincolnshire Local Plan (2012 -2036):</u> LP1: A Presumption in Favour of Sustainable Development LP17: Landscape, Townscape and Views LP26: Design and Amenity https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan/ <i>With consideration to paragraph 219 of the National Planning Policy Framework (July 2021) the above policies are consistent with the NPPF.</i> <u>Lincolnshire Minerals and Waste Local Plan (Core Strategy and Development Management Policies) 2016</u> Policy M11 Safeguarding of Mineral Resources. Minerals and waste – Lincolnshire County Council |
| Neighbourhood Plan: | Following a successful examination and referendum, Gainsborough Neighbourhood Plan was formally adopted by West Lindsey District Council at its Full Council committee meeting on the 28th June 2021. The Plan now forms part of the development plan and should be given full weight in helping determine planning applications within |

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| | <p>the Plan area. https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/all-neighbourhood-plans-in-west-lindsey/gainsborough-town-neighbourhood-plan/</p> <p>Relevant policies of the GNP are: NPP1: Sustainable Development NPP6: Ensuring High Quality Design NPP7: Ensuring High Quality Design in each Character Area</p> |
| <p>Central Lincolnshire Local Plan 2021 Consultation Draft:</p> | <p>The consultation on the draft Central Lincolnshire Local Plan took place between 30th June and 24th August 2021.</p> <p>Policies of the Draft Plan which are considered relevant to this application are: Policy S12: Reducing Energy Consumption in Existing Buildings Policy S52: Design and Amenity</p> <p>In line with paragraph 48 of the NPPF weight may now be given to any relevant policies in the emerging plan according to the criteria set out below:</p> <p>(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);</p> <p>(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and</p> <p>(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)</p> <p>As the draft CLLP is at its first stage of consultation, and the extent to which there may be any unresolved objections is yet to be established, the policies at this time carry very limited weight in the determination of this application.</p> |

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| <p>Main Issues</p> <ul style="list-style-type: none"> • Design • Residential Amenity • Other Considerations |
| <p><u>Design</u></p> <p>Policy LP17 of the Central Lincolnshire Local Plan (CLLP) seeks to protect and enhance the intrinsic value of our landscape and townscape. The National Planning Policy Framework (NPPF) in Chapter 12. Achieving Well-designed Places states that the “creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve”. Paragraph 130 goes on to state that planning decisions should ensure that developments are visually attractive as a</p> |

result of good architecture, layout and effective landscaping.

Policy NPP6 of the GNP outlines, amongst other things, that development proposals should respond to the local character of both the surrounding area and the immediate neighbouring properties. Policy NPP7 of the GNP identifies that; as appropriate to their scale and nature, development proposals should be designed to take account of the Character Area within which they are located. The application site is located within the TCA03 Middlefield Character Area within the GNP which outlines that development proposals should maintain the loose urban grain and existing range of built form including short terraces, detached and semi-detached houses and bungalows; and maintain the high proportion of two-storey, brick buildings seen through the TCA.

The existing dwelling is a two storey family home and sits within a reasonably sized plot. This end of Pingle Close is characterised by similarly sized two storey dwellings, with bungalows further along the road to the east. The proposed extension would be visible in the streetscene, albeit not highly prominent as it is somewhat tucked in the corner at the end of the Close. Whilst the single storey side extension would sit slightly forward of the existing side projection, as this is an L shaped dwelling, it would not unbalance the property. The proposed extension would be read as subservient to the existing dwelling and would not dominate nor change the nature of the host property or harm the character of the area. The proposed externally facing materials would match those of the existing dwelling. It is considered therefore that the proposal complies with policy LP17 of the CLLP and policies NPP6 and NPP7 of the Gainsborough Neighbourhood Plan with regards to its design.

Residential Amenity

Local Plan Policy LP26 states that planning permission will be granted for new development provided the proposal will not adversely affect the residential amenity of neighbouring properties by virtue of overlooking, overshadowing, loss of light or over dominance.

Policy NPP6 of the GNP outlines, amongst other things, that development proposals should demonstrate sensitive positioning within plots and be of such scale and form as to not dominate neighbouring properties or the streetscape.

Given the orientation of the site and positioning of the proposed extension the only potential residential amenity impacts are in relation to the property to the east, no.41 Pingle Close.

Overlooking

There are no side windows proposed in the end elevation that would face no.41 Pingle Close and so there would be no amenity issues from loss of privacy from overlooking as a result of the proposed development.

Loss of Light, Overshadowing and Dominance

The previous proposal was refused due to the scale and close proximity of the two storey side extension to the rear garden of no.41 Pingle Close, introducing a 6m high gable wall approximately 1.4m from the shared boundary. The revised proposal, whilst still located in close proximity to the shared boundary with no.41 at approximately 1.2m, the lower eaves height by virtue of being single storey (2.6m) rather than two storey, and the hipped roof, significantly improves the relationship between the two properties.

The planning application is supported by a sun study that simulates the shadow cast by the existing dwelling, compared to the dwelling of the proposed extension was to be built, at various times of the day and months of the year. The study has been undertaken in accordance with best practice which outlines that such assessments should be undertaken at the equinox dates of 21st March and 21st September when the sun is lower in the sky and so overshadowing is more prominent. The study shows that the proposed extension would make very little difference to the overshadowing experienced by the occupiers of no.41 Pingle Close. The only real difference being at mid-afternoon when the proposed extension would cast a shadow in the north western corner of no.41's garden. This impact is slight and not of such a magnitude as to warrant the refusal of the application.

It is worth noting that no objections have been received to the proposal and one response in support from the occupant of no.41 Pingle Close.

It is considered that the proposal is acceptable in terms of overshadowing, overbearing, overlooking and dominance and would comply with Policy LP26 of the CLLP and NPP6 of the GNP in relation to amenity.

Other considerations

Minerals

The Lincolnshire Minerals and Waste Local Plan (Core Strategy & Development Management policies) were adopted in June 2016 and form part of the Development Plan. The application site is within a Mineral Safeguarding Area. The site is not within an allocated Minerals Site or Waste Site/Area. Policy M11 of the Minerals and Waste Local Plan seeks to ensure that developments do not prevent the exploitation of mineral deposits as an economic resource within identified Minerals Safeguarding Areas (MSAs) without adequate justification. Within MSAs proposals for non-minerals development should be accompanied by a Minerals Assessment, unless the development falls within one of the exemptions to the Policy.

In accordance with policy M11, a householder development is exempt from being applied to the policy therefore there is no requirement to supply a minerals assessment or assess the developments impact on mineral resources.

Parking

The proposal includes for a garage and so would not reduce the level of off-street parking provision and is considered acceptable in this regard.

Conclusion and reasons for decision:

The decision has been considered against policies LP17: Landscape, Townscape and Views and LP26: Design and Amenity of the Central Lincolnshire Local Plan, policy M11: Safeguarding Mineral Resources of the Lincolnshire Minerals and Waste Local Plan (Core Strategy and Development Management Policies) 2016 and policies NPP6: Ensuring High Quality Design and NPP7: Ensuring High Quality Design in each Character Area of the Gainsborough Neighbourhood Development Plan in the first instance and guidance contained within the National Planning Policy Framework, National Planning Practice Guidance and Central Lincolnshire Local Plan 2021 Consultation Draft.

In light of this assessment it is considered that the proposal will not harm the character and appearance of the street-scene or the dwelling. The proposal will not result in an adverse impact on the living conditions of the residents of neighbouring properties and will not result in an adverse impact on the sterilisation of a minerals resource. The proposal is therefore acceptable.

RECOMMENDATION: Grant planning permission, subject to conditions.

Conditions stating the time by which the development must be commenced:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

Conditions which apply or require matters to be agreed before the development commenced:

None.

Conditions which apply or are to be observed during the course of the development:

2. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings:

Site Location & Block Plan ref. D04 Rev P01
Proposed First Floor & Garage Extension ref. D02 Rev P10

The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and policy LP17 and LP26 of the Central Lincolnshire Local Plan.

3. The materials used in the development shall match those stated on the application form.

Reason: To ensure the use of appropriate materials to accord with the National Planning Policy Framework and Policy LP26 of the Central Lincolnshire Local Plan.

Conditions which apply or relate to matters which are to be observed following completion of the development:

None.