

Officer's Report

Planning Application No: 138618

PROPOSAL: Planning application for a single storey rear extension

LOCATION: 11 Dawnhill Lane Hemswell Gainsborough DN21 5UH

WARD: Hemswell

WARD MEMBER(S): Cllr P. Howitt-Cowan

APPLICANT NAME: Mrs Claire Cocks

TARGET DECISION DATE: 14/01/2019

DEVELOPMENT TYPE: Householder Development

CASE OFFICER: Daniel Evans

RECOMMENDED DECISION: Grant permission subject to conditions.

Description:
<p>The application is presented to the planning committee as the applicant is related to a member of staff within the council.</p> <p>The application site comprises of a two-storey end terraced property located within the defined settlement of Hemswell.</p> <p>The property is set back from the highway allowing the provision of off-street parking and there is a detached garage located to the north-east of the dwelling. The property is located on the northern end of a row of six dwellings, the terraced dwellings are symmetrical in form. The site is adjoined by residential properties to the south and west and the highway runs along the eastern boundary. A private access runs along the northern boundary which serves the property of 'The Old Vicarage'. The site is bounded by close boarded fencing to the north and south and landscaping to the west.</p> <p>The application site lies within a Limestone Minerals Safeguarding Area and Hemswell Conservation Area. The All Saints' Church, a Grade II* Listed Building, is located approximately 85m to the south-west of the application site. The site lies within an Area of Great Landscape Value.</p> <p>The application seeks permission for a single storey rear extension.</p>

Relevant history:
W47/925/93 - Planning application to extend existing domestic garage and form new vehicular access. Granted 07/01/94

Representations:	
Chairman/Ward member(s):	No representations received to date.
Parish/Town Council/Meeting:	No representations received to date.
Local residents:	No representations received to date.

LCC Highways:	No representations received to date.
Archaeology:	No archaeological impact.
Conservation Officer:	This proposal will not impact harmfully on either the setting of the Church of All Saints (grade II*) or the conservation area.

Relevant Planning Policies:	
National guidance	<p>National Planning Policy Framework https://www.gov.uk/government/publications/national-planningpolicy-framework--2</p> <p>National Planning Practice Guidance https://www.gov.uk/government/collections/planning-practice-guidance</p>
Local Guidance	<p><u>Central Lincolnshire Local Plan (2012 -2036):</u> LP1: A Presumption in Favour of Sustainable Development LP17: Landscape, Townscape and Views LP25: The Historic Environment LP26: Design and Amenity https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan/</p> <p><u>Lincolnshire Minerals and Waste Local Plan (Core Strategy and Development Management Policies) 2016</u> Policy M11 Safeguarding of Mineral Resources. https://www.lincolnshire.gov.uk/residents/environment-and-planning/planning-and-development/minerals-and-waste/minerals-and-waste/88170.article</p> <p><u>Hemswell Conservation Area Appraisal.</u> https://www.west-lindsey.gov.uk/my-services/planning-and-building/conservation-and-environment/conservation-areas/</p>
Neighbourhood Plan:	The Hemswell and Harpswell Neighbourhood Development Plan is not at a stage where it can be afforded any weight in this decision.

POLICY LP26 – Design and Amenity	
Is the proposal well designed in relation to its siting, height, scale, massing and form?	Yes, the proposal is modest in scale and would form a feature which would be visually and functionally subservient to the main dwelling. Overall, the proposed extension will not change the nature of the dwelling detrimentally.
Does the proposal respect the existing topography, landscape character, street scene and local distinctiveness of the surrounding area?	The proposal forms a modest rear extension. By virtue of the existing layout of the dwelling, the proposal will be located between an existing single storey rear element and the southern boundary. This area of the site currently hosts a decking area. As a result of the site layout, the proposal will not be visible from any public vantage point and will not impact the character of the area or the street scene.
Does the proposal harm any important local views into, out of or through the site?	No important local views will be impacted by this proposal.

Does the proposal use appropriate materials which reinforce or enhance local distinctiveness?

Yes. The materials are considered acceptable.

Does the proposal adversely affect the residential amenity of neighbouring properties by virtue of overlooking, overshadowing, loss of light or over dominance?

Given the positioning of the site and the siting of the proposed extension, the only potential residential amenity impacts are likely to be upon the property and garden of No.9 Dawnhill Lane, to the immediate south of the application site.

Overlooking

The proposal contains a high level window facing towards No.9. The lowest part of the window will be approximately 1.6m from internal floor level. The applicant intends for this window to be obscure glazed which will eliminate any outlook into the conservatory of No.9. Furthermore, the fencing along the shared boundary screens any overlooking issues into the garden space of No.9 from the windows and doors located on the western elevation.

Dominance

The proposal is located approximately 0.4m from the shared boundary with No.9 and is single storey in scale. No.9 contains a rear conservatory which is located a similar proximity from the boundary. The natural direction of outlook from the neighbouring conservatory is in a westerly direction (towards the garden). Additionally, a close boarded fence is located along the shared boundary, approximately 1.8m in height. As a result, the proposal will not overly dominate the neighbouring property to the south.

Loss of Light/Overshadowing

Given the proposal is located on the northern side of the only impacted neighbouring property (No.9), the proposal will not cause any loss of light or overshadowing issues.

To conclude, the proposal is small scale in nature and would not cause any residential amenity issues which would warrant a refusal of the application.

Does the proposal adversely impact any existing natural or historic features?

Conservation Area

The site is located within Hemswell Conservation Area. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of the conservation area and paragraph 192 of the National Planning Policy Framework sets out the desirability for new development to make a positive contribution to local character and distinctiveness. As a result, all development should preserve or enhance the character and appearance of the conservation area through careful design considering the scale, height, massing, alignment, and use of appropriate materials. The proposed extension is positioned behind the dwelling and not readily visible in the street scene or wider conservation area. The materials used in the development are also key in retaining the character of the conservation area. The applicant has outlined their desire to seek brickwork to match the existing and the roofing will be dark grey EPDM (ethylene propylene diene terpolymer) membrane. All other materials will match the existing dwelling. These are considered acceptable and a condition will be attached to the decision of the scheme to secure such details. Overall, the proposal would respect the character and setting of the conservation area.

Setting of Listed Building

The All Saints' Church, a Grade II* Listed Building, is located approximately 85m to the south-west of the application site. Under Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990 the local planning authority is required to have 'special regard' for the preservation of the setting of a listed building. Setting is more than views, it is how the building is experienced.

Policy LP25 states that development proposals should protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire. It goes on to advise that unless it is explicitly demonstrated that the proposal meets the tests set out in the NPPF, permission will only be granted for development affecting designated or non-designated heritage assets where the impact of the proposals do not harm the significance of the asset and or its setting.

Proposals will be supported where they:

- Protect the significance of designated heritage assets (including their setting) by protecting and enhancing architectural and historic character, historical associations, landscape and townscape features and through consideration of scale, design, materials siting, layout, mass, use and views and vistas both from and towards the asset;
- Promote opportunities to better reveal significance of heritage assets, where possible;
- Take into account the desirability of sustaining and enhancing non-designated heritage assets and their setting.

Due to the proposals proximity from the site and the level of screening in the immediate vicinity of the area, between the proposal and the heritage asset, the proposal would not impact the significance of the Listed Building or the setting thereof.

Other considerations:

Does the proposal enable an adequate amount of private garden space to remain?

A suitable amount of garden space will still remain on the application site.

Does the proposal enable an adequate level of off street parking to remain?

There will be no change to the parking arrangements on site.

Minerals Safeguarding Area

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 the requirement to supply a minerals assessment as part of the proposal. Overall, it is considered that the development is of a minor nature which will have a negligible impact with respect to sterilising the mineral resource and therefore would not warrant a reason for refusal.

Area of Great Landscape Value

The site is located within an Area of Great Landscape Value. However, because the dwelling is located within the urban footprint of Hemswell, surrounded by development on all sides, the proposal is unlikely to impact the special characteristics of the landscape.

Conclusion and reasons for decision:

The decision has been considered against the policies LP17: Landscape, Townscape and Views, LP25: The Historic Environment and LP26: Design and Amenity of the Central Lincolnshire Local Plan, Section 72 Planning (Listed Building & Conservation Areas) act 1990 and Section 66 of the Planning (Listed Building & Conservation Areas) act 1990 in the first instance and guidance contained within the National Planning Policy Framework and the National Planning Practice Guidance. 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. No harm would arise to residential amenity. The proposal will preserve the setting and character of the Hemswell Conservation Area and the nearby Grade II* Listed Building. The proposal will not result in an adverse impact on the sterilisation of a minerals resource of the Area of Great Landscape Value. The proposal is therefore considered to be acceptable.

It is recommended that the application be delegated back to Officers, to determine the application in accordance with the given resolution, following the expiry of the publicity period (21st December). Should any new material considerations arise within the intervening period, then the application may be referred back to the Committee for further consideration.

RECOMMENDATION: Grant 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. The materials used in the development shall match those stated on the application form and the following drawing(s): EXISTING & PROPOSED PLANS and ELEVATION_SOUTH_002 dated 17.11.18 and WEST_ELEV_01 dated 02.11.18.

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.

3. 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: Proposed Site Block Plan dated 04.11.18, EXISTING_ & PROPOSED_PLANS and ELEVATION_SOUTH_002 dated 17.11.18 and WEST_ELEV_01 dated 02.11.18. 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.

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

None.

Human Rights Implications:

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

Legal Implications:

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report.