

Application Number:	2024/0540/HOU
Site Address:	57 Newland Street West, Lincoln
Target Date:	15th November 2024
Agent Name:	None
Applicant Name:	Mr Tanzeel Rehman
Proposal:	Erection of single storey side and rear extension.

Background - Site Location and Description

The application property is 57 Newark Street West. The application property is a two storey mid-terrace dwelling with an existing offshoot to the rear. The property is located on the north side of the road.

The application proposes erection of a single storey, rear extension off the existing offshoot and widening to the existing offshoot at the rear of the dwelling.

The property is currently in use as C3 and C4 flexible use which was granted under application 2024/0371/C4.

The application has been called into Committee by Councillors.

Site History

Reference:	Description	Status	Decision Date:
2024/0371/C4	Change of use from existing HMO (Class C4) to flexible use between HMO (Class C4) and Dwelling (Class C3).	Granted Conditionally	22nd July 2024

Case Officer Site Visit

Undertaken on 16th September 2024.

Policies Referred to

- National Planning Policy Framework
- Policy S13 Reducing Energy Consumption in Existing Buildings
- Policy S53 Design and Amenity
- Policy S13 Reducing Energy Consumption in Existing Buildings
- Policy S53 Design and Amenity

Issues

The proposal has been assessed with regard to

- 1- Accordance with National and Local Planning Policy
- 2- Design and Impact on Visual Amenity
- 3- Impact on the Amenity of Nearby Properties
- 4- Highways Safety, Access and Parking
- 5- Reducing Energy Consumption

Consultations

Consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2023.

Statutory Consultation Responses

Consultee	Comment
West End Residents Association	No Response Received
Highways & Planning	Comments Received
Environmental Health	No Response Received
Contaminated Land Officer	No Response Received

Public Consultation Responses

No responses received.

Consideration

Accordance with National and Local Planning Policy and Principle of the Development

Paragraph 11 of the revised NPPF outlines that the decisions should apply a presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with an up to date development plan without delay.

Paragraph 130 states that planning decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or

community cohesion and resilience.

The application is for alterations to a residential dwelling and therefore Policy S53 - Design and Amenity and S13 - Reducing Energy Consumption within Lincoln of the Central Lincolnshire Local Plan are also relevant.

Policy S53 'Design and Amenity' covers all new development. The Policy is permissive of alterations to existing buildings providing they achieve a high-quality, sustainable design that contributes to local character, landscape and townscape, and supports diversity, equality and access for all.

Extensions should reflect or improve on the original architectural style of the local surroundings or embrace opportunities for innovative design and new technologies which sympathetically complement or contrast with the local architectural style and should not result in harm to people's amenity either within the proposed development or neighbouring through overlooking, overshadowing, loss of light or increase in artificial light or glare.

Policy S13 requires that for all development proposals which involve the change of use or redevelopment of an existing building, or an extension to an existing building, the applicant is encouraged to consider all opportunities to improve the energy efficiency of that building (including the original building, if it is being extended).

The proposal would create additional floorspace within the rear offshoot to provide additional space to the kitchen/utility and provide an additional shower room. The existing and proposed drawings show that the number of bedrooms remains the same.

The application proposes a single storey extension to the rear to accommodate expanded living space and officers may therefore principally consider the physical and visual impact of the extension upon the neighbouring properties.

Design and the Impact on Visual Amenity.

The application is for the existing offshoot to rear of the property to be widened, lengthened and redesigned to be all one height. This would be constructed from materials to match existing.

The design outlined in the proposal would be characteristic to the wider area and relate well to the existing dwelling. Similar sized single storey rear extensions are present on nearby dwellings from the existing offshoots of these properties. The design of the extension considers the subservient element with appropriate reference to the hierarchy of the building evolution, as such the design, scale and position of the proposed development is considered appropriate and proportionate to the host dwelling.

The new extension would be positioned to the rear of the existing dwelling, ensuring that the view of the structure would be hidden and not open to public view and therefore will not cause significant harm to visual amenity.

It is therefore considered that the proposal would not result in any significant impact to the appearance or design of the dwelling or wider area in accordance with Policy S53 of the CLLP.

Impact on the Amenity of Nearby Properties/Neighbours.

The proposal would see the erection of a single storey rear extension which would extend beyond the existing offshoot by approximately 2m. The existing offshoot would also be widened slightly by approximately 1m, the overall height of the offshoot will be uniform along the length of the offshoot to match the existing.

Nearby neighbouring properties have similar sized single storey rear extensions over and above the original offshoots, therefore this would not be out of character for the area.

The proposal will be limited to a single storey no higher than the highest part of the existing offshoot at 3.6m , as such Officers consider that this would have minimal impact towards the neighbouring properties, especially given that the proposal abuts the offshoot of the neighbour's property at number 55.

While the widened part of the offshoot will extend towards the boundary of the property to the West, number 59, the limited height of the extension coupled with the relative position of the property would result in any impact being limited. Number 59 currently benefits from a two storey rear offshoot extension. The boundary here is currently defined by a low level brick wall. The proposed extension would be situated so there would be a 1m gap between the proposed elevation and the boundary.

There is no exact rule as to how the impact of development on natural light and outlook should be considered, and each case should be weighted on its own merits. Nevertheless, when assessing planning applications, the 25 degree and 45 degree tools are available to assist in making a judgement.

In order to ensure that neighbouring properties benefit from adequate levels of natural light and outlook, the 25 degree test can be applied to the vertical layout. To pass this test, no facing building should break a 25 degree angle from a horizontal point two metres above ground level when on a level surface. In this case there is a clear unobstructed zone of daylight into the neighbouring property offshoot, therefore ensuring the proposal will allow adequate light into the neighbouring property.

The 45 degree test looks at the horizontal rather than the vertical layout to ensure adequate levels of natural light and outlook. Under this test, no part of a building should break an angle of 45 degree drawn from the centre of a window in a room of primary living accommodation. However, the 45 degree test is fairly basic and does not take into account the height of the proposed development and any assessment will also need to take into account the impact of existing buildings and boundary treatments. In the case of the proposed application, the extension does lie within the angle of 45 degrees of both neighbouring properties. However, the existing structure is also within this angle, therefore any impact would be minimal over and above the impact of the existing structure already on the site.

Careful consideration to window placement has been given to minimise overlooking, insofar as no additional windows will be placed, and two of the door openings will be removed to the side elevation. As such Officers consider that the proposal would not result in unduly harmful development or significantly impact the relationship currently enjoyed between the subject property and neighbouring dwellings.

The house to the East boundary of the site shares a rear offshoot along the boundary, where the proposal is to be extended beyond the offshoot, this may have a slight enclosing effected

on Number 55, however given that the structure would be single storey, and the existing boundary treatment, on balance, it is not considered this extension would be unduly overbearing or enclosing nor cause loss of light to warrant refusal of this application. The facing elevation of the extension is blank; therefore, the extension would not provide the opportunity to overlook and would appear similar to a walled boundary treatment. Officers also consider that the proposal would not appear overbearing nor have significant impact on light given the single storey nature of the proposed structure.

To the rear of the property is the Church, and the proposal would not have an overbearing impact on this.

The extension would offer an enhancement of the existing living space and does not propose to increase the number of bedrooms available; the proposal would not therefore be considered to result in any harmful level of noise or disturbance within an existing residential area. Whilst it is inevitable some level of noise and disturbance will likely be experienced when any building works are undertaken, this would only be for a limited period, and can be conditioned to daylight hours.

It is not considered there would be any other neighbouring properties unduly impacted upon by the proposal. It is considered that the proposed extension would not cause undue harm to the amenities which neighbouring occupiers may reasonably expect to enjoy, in accordance with CLLP Policy S53.

Highways, Safety, Access and Parking

Lincolnshire County Council as Highways and Flood Authority has assessed the application as part of the consultation process and confirmed that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network, and therefore have raised no objections to the proposal.

Whilst the extension would enhance the accommodation for the existing property it would not alter its existing permitted lawful C4/C3 flexible use. The proposal is a rear single storey extension, given that the proposal does not affect the parking at the dwelling and is to the rear of the existing property, therefore based on this and the Highways Authority advice Officers consider that the proposal would not be detrimental to highway safety or traffic capacity.

Reducing Energy Consumption

CLLP Policy S13 requires that "for all development proposals which involve the change of use or redevelopment of an existing building, or an extension to an existing building, the applicant is encouraged to consider all opportunities to improve the energy efficiency of that building (including the original building, if it is being extended)". The modern construction of the proposed extension, which will be built in accordance with Building Regulations, is likely to improve the energy efficiency of the property.

Other Matters

Bin Storage

An area for bin storage is not identified on the site plan, however, there is sufficient external

space within the site for this to be accommodated.

Neighbour and Consultee Comments

No Neighbour comments have been received.

Application Negotiated Either at Pre-Application or During Process of Application

None.

Financial Implications

None.

Legal Implications

None.

Equality Implications

None.

Conclusion

The proposal can be recommended for approval and would not have a significant detrimental impact on the residential and visual amenity of neighbouring properties in accordance with policies S53 and S13 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

Application Determined within Target Date

Yes.

Recommendation

That the application is Granted Conditionally

Standard Conditions

- 01) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990.

- 02) 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 drawings listed within Table A below.

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.

Conditions to be Discharged Before Commencement of Works

None.

Conditions to be Discharged Before Use is Implemented

None.

Conditions to be Adhered to At All Times

- 03) The use hereby approved shall only be operated between the hours of 08:00 and 18:00 Monday to Saturday and the use shall not be carried out on Sundays or Bank Holidays.

Reason: To protect the residential amenities of properties in the vicinity.

Table A

The above recommendation has been made in accordance with the submitted drawings identified below:

Drawing No.	Version	Drawing Type	Date Received
		Location Plan	20th August 2024
PP/24/0913-02		Elevations - Existing	20th August 2024
PP/24/0913-03		Plans - Existing	20th August 2024
PP/24/0913-01		Plans - Existing	11th September 2024
PP/24/0913-02		Block plans	11th September 2024
PP/24/0913-04		Floor Plans - Proposed	11th September 2024
PP/24/0913-05		Elevations - Proposed	11th September 2024