

**DECISION DELEGATED TO HEAD OF PLANNING**

**Application No:** H05-0102-23      **Applicant:** Mr & Mrs J Mitchell  
**Proposal:** Extension & Alterations  
**Location:** 14 Albion Street Holbeach Spalding  
**Terminal Date:** 30th March 2023

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**Planning Policies**

**South East Lincolnshire Local Plan - Adopted: March 2019**

01                      Spatial Strategy  
02                      Development Management  
03                      Design of New Development  
04                      Approach to Flood Risk  
36                      Vehicle and Cycle Parking  
APPENDIX 6                      Parking Standards

**National Guidance**

**National Planning Policy Framework 2021**

Section 12 - Achieving well-designed places

**Representations:**

|                                             | Object | Support | No Obj. | Comments |
|---------------------------------------------|--------|---------|---------|----------|
| PARISH COUNCIL                              | 0      | 0       | 0       | 0        |
| WARD MEMBER                                 | 0      | 0       | 0       | 0        |
| SOUTH HOLLAND<br>INTERNAL DRAINAGE<br>BOARD | 0      | 0       | 0       | 1        |

**CASE OFFICER ASSESSMENT**

**PROPOSAL**

This is a householder application seeking permission for the demolition of the existing garage/shed,

kitchen/breakfast area and conservatory to the side/rear and erection of single storey front/side and rear extension to create an open plan kitchen/dining/family area, bathroom, utility and garage. The extension would have a side projection of 7.8 metres, a rear projection of 4 metres and a front projection of 6.6 metres.

The proposal also involves various internal/external alterations to include moving the entrance doors from the side to front, convert the lounge into a bedroom, convert dining room into a lounge and clad existing bungalow in grey marley eternity cedar cladding. The extension would have smooth light grey rendered walls sitting under a grey slate tiled roof with grey upvc doors/windows, black rainwater goods and grey anthracite fascia's.

## **SITE DESCRIPTION**

The application site is located on Albion Street in Holbeach. It comprises a detached bungalow located on a residential street with a mixture of single and two storey properties of varying designs and materials. The application property is yellow brick built with part render on the front elevation. There is a single attached garage to the side and the front garden is part tarmacked and part gravelled, providing off-street parking provision for several vehicles.

## **RELEVANT PLANNING HISTORY**

No relevant planning history.

## **REPRESENTATIONS**

### South Holland Internal Drainage Board

No objections subject to compliance with the Board's Bylaws and provided a drainage strategy is provided for the site to show how surface water will be disposed of from the proposed additional impermeable area. If the applicant proposes to discharge surface water to a watercourse, consent would be required under Byelaw 3.

## **PLANNING CONSIDERATIONS**

### Principle of development

The site is within the Holbeach settlement boundary as set out in the South East Lincolnshire Local Plan (SELLP), 2019. The extensions would be sited within the existing residential curtilage therefore the principle of a development associated with an existing dwelling is considered acceptable.

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise. The key material considerations are addressed below.

### Layout, Design, Size and Scale

Paragraph 130 of the National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting; and 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, among other considerations. Likewise, Policy 2 of the SELLP states that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

The proposed extension would be clearly visible from the public realm given its prominent location and the open frontage of the site. It is accepted that the proposed scheme would significantly increase the overall footprint of the bungalow and change its appearance. However, given the generous width of the plot and its overall size, it is not considered that the proposed scheme would result in overdevelopment of the site. Sufficient outdoor amenity space would be retained to the rear as well as a large driveway to the front/side. The proposed extension does somewhat dominate the existing bungalow, however, it is considered proportionate to the overall site. The extension would bring the bungalow 6.6 metres closer to the front boundary, making it appear more prominent in the street scene, however, it would still be sited approximately 2.2 metres away and given there is no

strong building line on this side of the street the development is not considered to be out of character. As such it can on balance be accepted.

The proposal to clad the existing bungalow and render the extension is acceptable given the wide variety of materials in the street scene.

As such the extension would on balance comply with the aforementioned policies on design, layout and impact upon the character of the local area.

#### Impacts upon Residential Amenity

Paragraph 130 of National Planning Policy Framework (2021) amongst other matters seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of South East Lincolnshire Local Plan (2019) set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

The closest neighbour to the proposed development is no.12 Albion Street located to the north of the application site. The proposed extension would bring the application dwelling approximately 7.8 metres closer to this neighbour. However, given this neighbour does not have any windows in its side elevation facing the application site no overbearing impact or unacceptable overshadowing is considered to result. The extension would project forward of this neighbour's front elevation, however, given the separation distance to this neighbour's closest elevation and the fact the front projecting element would sit adjacent to this neighbour's front driveway it is not considered to result in any overbearing impact or unacceptable overshadowing. Furthermore no windows are proposed in the side elevation facing this neighbour therefore there are no overlooking or loss of privacy concerns.

With regards to the neighbour to the south at no.16 Albion Street the front and rear projecting elements would be visible to this neighbour. These elements would be sited at least 12 metres from the shared boundary with this neighbour. Given the single storey nature of the proposed scheme this separation distance is considered sufficient as to not result in any overbearing impact or unacceptable overshadowing. One new window opening is proposed in the side elevation of the existing part of the house, however, this would serve a bathroom and would be obscure glazed therefore there would not be any overlooking concerns.

Given the above the proposal would accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

#### Parking

The proposal would increase the number of bedrooms within the property from 2 to 3, however, the parking requirement for the site would not change and 2 no off-street parking spaces would be required. The proposed garage length is slightly short of an enclosed parking space as set under Appendix 6 of the SELLP, however, there would be sufficient space for up to 4 no vehicles in the remaining driveway. As such the site exceeds the current parking standards.

#### Drainage

Policy 4 of the SELLP relates to flood risk management and states that new development will be permitted if appropriate flood resistance and resilience measures are proposed (criterion c); it incorporates the use of Sustainable Drainage Systems (SuDS) (criterion e); and demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development (criterion g).

South Holland Internal Drainage Board has recommended that a drainage strategy is provided for the site to show how surface water will be disposed of from the proposed additional impermeable area. If the applicant proposes to discharge surface water to a watercourse, consent would be required under Byelaw 3. Please note that any discharge should be in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), therefore the Board is unlikely to grant consent for discharges in excess of greenfield rate. It is noted that the applicant has not indicated how treated foul water from their site will be disposed of, however it is unlikely that any additional foul water will be created from the extension. If the applicant proposes to discharge any treated foul water to a watercourse, consent would be required under Byelaw 3. There is a Board Maintained watercourse (DRN199G5004 - H50 Torringtons Drain - West) adjacent to the western

site boundary. Whilst not currently proposed, should the applicant's proposals change to include works to alter the watercourse, or if works are proposed to alter the watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4). Whilst not currently proposed, should the applicant's proposals change to include works within 9 metres of the aforementioned Board Maintained watercourse, or if works within 9 metres of the watercourse are proposed at any time in the future, consent would be required under Byelaw 10. An informative has been attached advising the applicant of this.

Subject to the above the proposal is considered to be in accordance with Policies 2, 3 and 4 of the Local Plan and Section 14 of the National Planning Policy Framework (2021) with regard to their provisions on drainage.

### Planning Balance

The proposal will not materially harm the character or appearance of the locality, the amenity of nearby residents or result in parking/drainage issues. The planning balance is therefore considered to be in favour of the proposal.

## **CONCLUSION**

In light of the considerations above, the proposal is considered to be in accordance with Policies 1, 2, 3, 4, 36 and Appendix 6 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2021).

## **Additional Considerations**

### Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

### Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based

on the considerations set out in this report.

**RECOMMENDATION**

The application can be approved under delegated powers.