

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H05-0680-20 **Applicant:** Mr R Hole
Proposal: Extension to rear of house
Location: 28 Hocklesgate Fleet Hargate Spalding
Terminal Date: 16th October 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

- 01 Spatial Strategy
- 02 Development Management
- 03 Design of New Development

National Guidance

National Planning Policy Framework 2019

Paragraph 127 of Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application that seeks permission for extension to rear of house at 28 Hocklesgate, Fleet Hargate, Spalding.

The existing conservatory will be removed to enable the construction of the proposed development.

Site Description

The area is purely characterised by residential development. It was originally the suburbs of the historic core of Fleet Hargate. A wide range of housing types, designs and appearances has been observed along the wider street scene.

The property is a semi-detached two-storey dwellinghouse which was built in late 1980s in conjunction with other pairs of semi-detached on the northern frontage of this part of Hocklesgate.

There is an independent garden access running to the south-western side wall of the house. The garden is fairly deep but restricted in width. There is a dark brown faux timber conservatory with a mono pitch roof. To the north-east, the adjacent semi-detached property No. 26 also benefits from a tantamount conservatory albeit white UPVC.

Slabbed patio adjoins the footprint of the house to the rear elevation. A low picket fence split this area with a large area laid in lawn beyond this mean of enclosure. A 2 metre high timber closeboard fence enclose the full garden and obscure views from the adjoining plots.

History

H05-0572-84 - Outline - Residential development (six plots) - Approved

H05-0916-85 - Full - Residential development (10 no. semi-detached houses) - Approved

Consultation Responses

None.

Planning Considerations

Principle of development

The site is within the settlement boundaries of Holbeach St Marks as set out in the South East Lincolnshire Local Plan (SELLP), 2019. Irrespective of spatial strategy considerations, the principle of developing a house extension that is incidental to the enjoyment of a dwelling house is 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.

Design and layout

Paragraph 127 of National Planning Policy Framework (NPPF), 2019 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 will protrude approx. 4.05 metres from the original wall of the dwellinghouse. It will extend nearly the full width of this wall. The maximum height will be 3.40 metres and the eaves 2.55 metres high. Having regard to the dimensions of the house, it is concluded that the proposed development will clearly appear subservient to the host property in terms of scale, mass and bulk.

The current conservatory will be removed to accommodate the proposed extension. The single panel door on the rear elevation will be removed and the opening bricked up. The rear wall and openings adjoining the kitchen will be mostly demolished to ensure access between the new extension and the remainder of the house.

A 12.5 degree mono pitch roof will be on top of the extension which will be slightly higher than the existing on the conservatory. Facing brickwork, roof tiles and white UPVC rainwater goods will be provided for the development matching those existing in the property, thereby the proposals will result blended with the existing fabric of the property.

3 no. Velux windows will be opened on the roof and bi-fold doors will face onto the garden. There will be a single window and a single panel door on the south-western side of the extension. The fenestration will contribute further the enjoyment of daylight by the house occupiers.

No use has been specified for the extension. However, it is clear by reason of the fenestration and adjacent location to the kitchen that it will be used as a dining room, living room, snug room or storage. No additional bedroom will be formed.

In summary, the development is of an acceptable scale and height. The external appearance will be tantamount to the existing fabric of the bungalow. The aim of the proposals will meet the functional needs of the dwelling occupiers and the use of the development will be in keeping with the residential nature of the building and the character of the local area. Therefore, the development proposal comply with the policies mentioned at the top of this section concerning design, layout and impact upon the character of the local area.

Residential amenity

Proposals for rear extensions in semi-detached properties have potential impact upon the adjacent properties. It is a matter hereby to ascertain whether the height and scale of the intended extension will create an unacceptable impact upon the amenity of residents nearby or not.

There is a 2 metre high timber closeboard fence between the proposed extension and existing conservatory in No. 26. Both rear extension will be positioned side by side. The proposed extension will double the depth of the existing conservatory. Although the apex height will raise nearly 1 metre, the eave height will be marginally increased of 15 centimetres. On balance, it is considered that the proposed extension will not be overbearing to the residents of No. 26. Furthermore, the position of the extensions and dwellinghouses within the sun path is such that no overshadowing will be casted onto No. 26.

The side facing window and door on the extension would face towards a blank elevation of the property next door, thus there should be no issues of overlooking.

In summary, the development complies with residential amenity which is one of the key principles of design and development management as set out in Policies 2 and 3 of SELLP (2019).

Conclusion

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan (SELLP), 2019; and also Paragraph 127 of the National Planning Policy Framework (NPPF), 2019.

It is accordingly recommended to approve this planning application via delegated powers.

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.