DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H05-0786-24**	**Applicant:**	**Mrs G Heanes**
Proposal:	Single storey side extension & alterations to existing dwelling, detached ancillary annexe		
Location:	20 Fleet Road Holbeach Spalding		
Terminal Date:	29th November 2024		

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
28	The Natural Environment
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2023

National Planning Policy Framework December 2023

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 6 - Building a strong, competitive economy
Section 12 - Achieving well-designed and beautiful places

National Guidance

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND	0	0	0	1

INTERNAL DRAINAGE BOARD				
SHDC INTERNAL	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

The application seeks full planning permission for the erection of a single storey side extension and external alterations to the existing dwelling within the site. A detached annexe building is also proposed to the rear of the dwelling.

The application also initially sought consent a replacement garage / workshop within the rear garden next to the eastern boundary. A detached ancillary annexe was also initially proposed towards the end of the rear garden and would have featured two bedrooms. The proposals were discussed with the applicant's agent and the concerns of the local planning authority were shared with the agent. This included the scale of the proposed annexe and the proposed siting and external materials of the proposed garage building. The applicant's agent subsequently amended the proposed development by removing the proposed garage, as the applicant decided this was no longer necessary. The proposals were also amended by reducing the scale of the proposed annexe and moving the proposed annexe building closer to the main dwelling. A period of re-consultation subsequently took place to re-advertise the proposals and allow members of the public the opportunity to comment on the amended proposals.

Site Description

The application site comprises land at 20 Fleet Road, Holbeach which features a two-storey detached house with a hipped roof line and its associated garden. The site is located on the corner of Fleet Road and Albion Street. The site is within the settlement boundary of Holbeach.

Relevant Planning History

No applications have previously been submitted within the site.

Consultation Responses

Fleet Parish Council: The proposed alterations to 20 Fleet Road - FPC have no objections to. The annexe and replacement garages plus workshop raise concern. Since Albion Street is un-adopted presumably the new "occupants" would be liable for its maintenance and Council tax on the new property. Something SHDC would be aware of if so, then no objection from FPC as regards this. The only other concerns are that of congestion in that two properties on a site where there is already one. Congestion / nuisance from more vehicles and people on a site i.e. Albion Street which could cause nuisance or noise issues to existing residents. There is also the materials proposed for use of the garages and workshop are they within keeping for the locality. SHDC to clarify.

Cllr P S Barnes: No overall objection to application but some considerations 1. Is the applicant aware that Council Tax may be payable on the proposed annexe? 2. The applicant states they pay toward the upkeep of Albion Road - can they clarify who to please - as maintenance of the road is poor and additional vehicles coming onto it will not improve its status 3. The workshop/garage seems large - and without the hedgerow may not be in keeping -especially in the chosen colour? Could the colour be considered 5. Is the workshop for private use? As its construction may amplify noise and cause a problem for adjacent houses.

South Holland Internal Drainage Board: The proposed application does not meet our threshold for commenting as per our Planning and Byelaw Strategy. Therefore, the Board has no comments to

make.

Highways and SUDS Support: The access points are from Albion Street which is a private road. The Highways and Lead Local Flood Authority response is in relation to the impact the proposed development would be expected to have on the operation of the Public Highway. Albion Street is a private road, and the highway authority has no jurisdiction over the use of this road. With regard to this application, we have considered the safety and impact of these proposals on Adopted Fleet Road and its junction with Albion Street. It is for the Local Planning Authority to determine whether the access provided by the private road is safe and suitable for all users.

Environmental Protection: No comments.

Tree Officer: It is a shame that the holly could not be retained in some form as they take years to grow. Similarly the privet hedge is in a good condition.

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Key Planning Considerations

Development Plan

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, December 2023 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

There are no adopted Neighbourhood Plans for the area within which the site is located.

The main issues and considerations in this case include the following:

-Principle of Development;
-Design and Visual Impact;
-Impact on Amenity;
-Highway Safety and Parking; and
-Flood Risk.

These matters are assessed in turn below.

Principle of Development

Policy 1 of the Local Plan sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

The site is within the defined settlement of Holbeach which is a Main Service Centre. Furthermore, the proposal solely relates to the extension of an existing dwelling and a proposed annexe. Therefore, the principle of such development is appropriate, comprising an appropriate form of development for the location. As such, the principle of development is acceptable subject to the assessment of the proposed development against site specific criteria.

Design and Visual Impact

Section 12 of the NPPF specifically relates to 'Achieving well-designed and beautiful places' and details that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135 of the NPPF states that new development should function well and add to the overall quality of the area and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing.

Similarly, Policy 2 of the Local Plan outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 accords with the provisions of Section 12 of the NPPF, in that it requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

The application seeks consent for a single storey side extension, a front porch, and a detached annexe building.

The single storey side extension is proposed on the front north-eastern corner of the dwelling. The extension would continue the roofline of an existing extension that is located towards the rear of the dwelling. The extension will therefore feature a sloped roofline, which is acceptable as it matches the existing extension roofline. Red brickwork is proposed on the extension to match the existing dwelling, and this is also considered to be appropriate. A window is proposed on the side elevation of the extension. The visual impact of the window is acceptable. The amenity impact is assessed within the following section.

A front porch is proposed which would feature a gable end roof form. The porch is proposed to be constructed from brickwork and roof tiles which would match the existing dwelling. The porch is relatively small compared to the main dwelling and is therefore proportionate. The visual impact is therefore acceptable.

The only other external change to the main dwelling is the proposed insertion of a door on the rear elevation. The door would not be highly visible from the street scene and the visual impact is acceptable.

A detached annexe is proposed approximately 2.5m to the rear of the main dwelling. The proposed annexe would feature a bedroom, bathroom and a living room / kitchen. Windows are proposed on the southern, eastern and western elevations of the proposed building. The annexe would be located approximately 1m from the proposed timber fence along the eastern boundary of the site. In terms of its scale, the annexe would feature a hipped roof line, measuring 3.7m up to the ridgeline and 2.2m up to the eaves.

The proposed annexe would be partially screened by the existing hedgerows along the eastern and northern boundaries, and by the side extension. The extension would however still be partly visible from the street scene. The scale and design of the extension, including its low roof pitch and hipped roof line is acceptable in terms of the impact on the character of the area. 18a Fleet Road, which is located to the west of the site, features a single storey front extension with a similarly low roof pitch. As such, the proposed development would be in keeping with the character of the area.

The annexe building is proposed to be constructed using facing brickwork, roof tiles and window

and door frames to match the main dwelling. The proposed materials are therefore acceptable.

Along the eastern boundary, there is currently a 1.8m high hedge, behind which is a 1.5m high timber fence and two trees. The proposed development seeks to remove the 1.5m fence and move the fence line further to the east by removing most of the existing hedgerow. A 1.8m timber fence is proposed in place of the hedge and the two trees would be removed. The trees and the hedgerow are not protected by a Tree Preservation Order, and as such they could be removed without planning permission. There is a mixture of boundary treatments along Albion Street and as such the proposed timber fence would not be unduly out of character. There is already a timber fence along the south-eastern edge of the site and as such the proposed new fence line is acceptable in visual terms.

The visual impact of the proposed development is acceptable. The proposed development would therefore not cause an adverse impact to the character or appearance of the area and would therefore accord with Policies 2 and 3 of the Local Plan and Section 12 of the NPPF.

Impact on Amenity

Paragraph 135 of the NPPF states that development should 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.

Policies 2 and 3 of Local Plan set out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The proposed side extension would not result in an unacceptable degree of overshadowing or neighbouring properties due to its scale and positioning. A new window is proposed on the side elevation which would connect to the kitchen area. There is approximately 20m between the proposed side elevation where the window is located and the side elevation of 22 Fleet Road, to the east of the site. This is considered to be a sufficient separation distance to prevent an unacceptable degree of overlooking.

The proposed annexe would also not result in an unacceptable degree of overshadowing. The annexe building for example features a hipped roof form with a low roof pitch.

The proposed annexe building features windows on the southern, eastern and western elevations. The eastern elevation windows would face onto the proposed 1.8m high boundary fence. This would reduce the outlook from the rooms on the western side of the annexe, however, there are additional windows in the living room / kitchen area which would provide a better outlook for future occupants.

There would be approximately 15m between the proposed southern elevation window and the northern elevation of 4 Albion Street, which is the nearest dwelling to the south of the site. There are no windows on the northern elevation of No.4 and there is a garage between the proposed annexe and No. 4. The proposed annexe would therefore not result in an unacceptable degree of overlooking with No. 4.

18a Fleet Road is the other nearest dwelling to the site and No. 18 is located to the west of the site. There are windows on the side elevation of No.18 that look onto the rear garden within the application site. These windows would therefore look onto the western elevation windows of the proposed annexe. There would be approximately 17m between the western elevation of the annexe and the side elevation of No. 18a. There is a boundary fence between the properties which provides screening between the ground floor windows. It is not known whether the first-floor window on the side elevation of No. 18a connects to a bedroom, however, it is considered likely that it is a bedroom. The first-floor window would not face directly onto the living room window of the proposed annexe, and as such the separation distance is considered to be suitable in this case.

Therefore, the impact of the proposed development on the amenity of neighbouring properties and future occupants would be acceptable. As such, the proposed development accords with Policies 2 and 3 of the Local Plan and Section 12 of the NPPF.

Highway Safety and Parking

Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this section, Paragraph 115 advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal. Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the SELLP, in conjunction with Appendix 6, sets out minimum vehicle parking standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

There is room for four vehicles to park within the site. This is considered to be sufficient for the dwelling and the proposed annexe.

The proposed development would therefore be acceptable in terms of highway safety and would therefore accord with Policies 2, 3, 33 and 36 of the SELLP, as well as Section 9 of the NPPF.

Flood Risk

Section 14 of the NPPF sets out guidance relating to how local authorities should assess and determine applications which are subject to flood risk concerns.

The South East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how flood risk has been considered in shaping the proposals of the Local Plan; including the spatial strategy and the assessment of housing and employment sites. Policy 4 of the Local Plan is clear in that "Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted" in instances where specific criteria is met.

The application is a householder application and Paragraph 174 of the NPPF sets out that householder applications should not be subject to the sequential or exception tests. Developments should however still meet the requirements for site-specific flood risk assessments, as set out in footnote 59.

The site is within Flood Zone 3, however, it is within an area of "low hazard" and "Danger to SOME" within the South East Lincolnshire SFRA. Moreover, the proposal constitutes a small scale householder development. Consequently, there are no significant flood risk issues. The development therefore satisfactorily accords with Policy 4 in the SELLP, 2019.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise. The proposed development represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents. The proposed development therefore accords with the Local Plan and the NPPF. In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

Conclusion

Taking the above considerations into account, the proposal is considered to accord with Policies 1, 2, 3, 4 and 36 (including Appendix 6) of the Local Plan, along with the identified sections contained within the NPPF. There are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.

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.