

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H05-0845-23 **Applicant:** Mr & Mrs R Limb
Proposal: Proposed single storey extension to rear & side of existing house
Location: Dane House 52 Fleet Road Fleet
Terminal Date: 21st November 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development

National Guidance

National Planning Policy Framework 2023

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 INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a proposed single storey extension to the rear and side of the existing property.

Site Description

The site lies within the defined settlement boundary of Holbeach as outlined within the South East Lincolnshire Local Plan, 2019 (SELLP). Dane House is situated on the main road, Fleet Road, and is made of red bricks with a tiled roof and white uPVC windows with a red door. To the side there is a small garage which is slightly set back from the principle elevation of the dwelling. Behind the site there are plans for a new housing development to be carried out.

History

H05-1257-01 - Change of use from veg packing business to warehouse storage and distribution use and change of use of offices to dwelling - Approved

H05-1274-02 - Change of use from office into domestic dwelling - Withdrawn

H05-0234-03 - Residential development of 6 dwellings - Approved

H05-1523-03 - Details of external materials (Condition 8 of H05-0234-03) - Approved

H05-0023-04 - Details of landscaping, driveway lighting, main road footway and fencing (Conditions 3, 4, 5 & 6 of H05/0234/03) - Approved

H05-0034-04 - Details of Contamination Survey (Condition 2 of H05/0234/03) - Approved

Consultation Responses

South Holland Internal Drainage Board

No comments.

South Holland Environmental Protection Officer

No comments.

Public Representation

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

Evaluation

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

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms 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 (updated 2023) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Planning Considerations

Layout, Design and Consideration of the Character and Appearance of the Area

Paragraph 130 of the National Planning Policy Framework (NPPF), 2023 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, that they are visually attractive, as a result of good architecture, and are sympathetic to local character. 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. Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework, 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 materials being used on the extension will match the existing dwelling for the most part. The walls will be made of facing brickwork, the roof will feature concrete interlocking roof tiles and the windows will be white uPVC. These will all be in keeping with the dwelling and therefore ensure that there are no visual discrepancies. The doors on the extension will be the only feature to not match what is already there, these will be white powder coat aluminium. It is considered that the doors are a very minute detail on the extension and therefore will not harm the locality.

It will protrude from the rear by around 4175mm and project from the side by 2138mm. The extension will have a total length of 7303mm and a width of 5840mm. The height to the eaves will be 2600mm, these will sit level with the existing eaves on the garage on the opposite side of the dwelling with the ridge height being 4600mm which is a similar height to the ridges of the garage also. These measurements are considered to be acceptable and proportionate when compared to the house and will provide adequate extra floor space for the residents.

The design of the extension features a gable roof which matches the main dwelling and the other properties along Fleet Road, this therefore ensure it is in keeping and blends in well. To make way for the extension the existing conservatory at the rear will be demolished, the development will act as a dining room at the rear and a study in the smaller side section. There will be two rooflights and a set of bi-fold doors to allow natural light into the room and direct access into the rear garden.

The proposal is therefore considered to be acceptable and proportionate and is therefore in accordance with Policies 2 & 3 of the SELLP and Section 12 of the NPPF.

Impact on Residential Amenity/Land Users

Paragraph 130 of the National Planning Policy Framework (2023) 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.

There will be no overlooking concerns following the development being carried out, there are proposed windows within the extension however these will all be on the ground floor and therefore should not offer any views over existing boundary treatments surrounding the site.

Due to the positioning of the site and the adequate separation distances to neighbouring properties there are no concerns that overshadowing will arise. There is a gap of more than five metres to the neighbour on the side of the development and therefore this would help reduce the potential plus the positioning would further result in no overshadowing taking place.

The proposal is therefore in accordance with Policies 2 & 3 of the SELLP in relation to overlooking and overshadowing, naturally, after the initial construction, which itself would take place over a short period, minimal additional noise pollution would be caused as a result of the development.

Planning Balance

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

The proposal represents appropriate development inside the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, whilst conforming with the South East Lincolnshire Local Plan and the provisions of the National Planning policy Framework when viewed as a whole.

Conclusion

Taking the above considerations into account, the proposal is considered to be in accordance with Policies 2 & 3 of the SELLP, 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.

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

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