

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H09-0022-21 **Applicant:** Mr & Mrs Clarke
Proposal: Single storey rear extension
Location: 19 Langwith Gardens Holbeach Spalding
Terminal Date: 5th March 2021

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 (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 single storey rear extension to the dwelling at 19 Langwith Gardens, Holbeach, Spalding.

Site Description

The area is the suburbs of the historic core of Holbeach. There is a mixture of housing types, designs, and appearances. From detached two-storey houses to hip roofed and high gable pitched bungalows.

The property is a bungalow built circa 1980s. The adjacent dwellings are also bungalows. The

application site benefits from spacious drive to the front and decently sized garden to the rear. The trapezoidal shape of the site provides a rear garden that is longer in width and shorter in depth. A 2 metre high timber closeboard fence enclose the site from neighbouring plots.

There is a lean-to conservatory to the rear. A small timber shed is between the bungalow and the eastern boundary with No. 21.

History

None.

Consultation Responses

None.

Planning Considerations

Principle of development

The site is within the settlement boundaries of Holbeach as set out in the South East Lincolnshire Local Plan (SELLP), 2019. The principle of an extension that is incidental to the enjoyment of the dwelling is acceptable.

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. Policies 2 and 3 of SELLP 2019 amongst other matters seek to ensure that development respects the character and appearance of the area and the relationship to existing development and land uses.

The proposed extension would protrude 4.70 metres and 1.50 metre from the rear and western side walls respectively. The width would be approximately 5.18 metres and the apex height, 3.95 metres. Having regard to the visual scale of the bungalow, it is considered that the development would appear subservient to the host property in terms of scale, mass and bulk.

The development would be beside the existing rear conservatory which would remain. The separation distance between both elements would be in the region of 2.20 metres. Overall, the development footprint would sit well within the rear garden.

The purpose of the extension is to gain further floorspace to create a dinner room and toilet. The aim of the development would be in keeping with the residential use.

The roof layout would be varied. A gable pitch would be formed on the rear wall of the extension whereas the remainder of the roof would be hip pitched merging with the main roof. With regards to fenestration, the dining room would benefit from French doors opposite to the conservatory which allow the enjoyment of further daylight and ensure relationship between the new room and the garden.

The material schedule is such that the development would blend with the external fabric of the property as it stands.

Residential amenity

Paragraph 127 of National Planning Policy Framework (2019) 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 nearest element of the adjacent property No. 17 is a single-storey gable pitched extension to the original bungalow. The footprint of the proposed extension would not exceed the furthest point of the neighbouring element. Both of the enlargements would be single storey and there is boundary treatment screening views between plots at such location. Therefore, no overbearing nor

overlooking impact would occur by reason of the proposals.

Planning balance

The principle of development is acceptable given the ancillary use of the extension to the dwellinghouse. The form of development is proportionate with the host property. The fenestration would enhance the design standards of the development. The external appearance would blend appropriately with the external fabric of the dwellinghouse.

On balance, no adverse impact of granting permission would significantly and demonstrably outweigh the benefits of doing so, when assessed against the planning policies taken as a whole.

Conclusion

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.

Taking into account the above, this application accords with Policies 1, 2, 3 of South East Lincolnshire Local Plan (2019) as well as Section 12 of National Planning Policy Framework (2019).

Accordingly, it is recommended to approve this 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.