

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H09-0175-22 **Applicant:** Mr & Mrs S Hill
Proposal: Proposed two storey side extension
Location: 5 Huntingdon Close Holbeach Spalding
Terminal Date: 12th April 2022

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
28	The Natural Environment
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	1	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission to demolish the existing garage to the side and create a two storey side extension to create a kitchen/dining room on the ground floor and a bedroom on the first floor. the extension would measure 3 metres (width) x 5.7 metres (depth). The external materials would match the existing dwelling.

It should be noted that the plans have been amended with the hard surfaced area to the front extended to allow additional parking.

SITE DESCRIPTION

The application site comprises a two storey semi-detached dwelling located on Huntingdon Close in Holbeach. The site is within the Holbeach settlement boundary. The dwelling is buff brick built and has white door/window frames. It has a single attached garage to the side and a paved driveway to the front. The immediate area is primarily residential, comprising a mixture of detached, semi-detached and terraced dwellings of a similar age.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

Holbeach Parish Council

No objections.

PLANNING CONSIDERATIONS

Principle of development

The site is within the Holbeach settlement boundary and the proposed extension would be sited within the residential curtilage of the existing dwelling therefore the principle of extending the existing dwellinghouse 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.

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 two storey side extension is considered to be proportionate to the existing dwelling and the plot. Its design with the roof following the shape of the existing roofline would respect the design of the existing dwelling. Although a lowered roof ridge is usually required for side extensions, in this instance a flush finish can be accepted given it would not result in a terracing effect. The extension is not considered to appear unduly incongruous within the rural street scene and would not materially harm the character/appearance of the locality. The extension would not extend beyond the front/rear elevations of the existing dwelling therefore there would be an element of subservience. The proposed use of matching external materials would ensure the extension is in keeping with the existing dwelling.

As such on balance, the proposed development is considered to 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 is the attached neighbour at no.4 Huntingdon Close. The proposed extension would not be visible to this neighbour as it would not extend beyond the front/rear elevations of the applicants existing two storey dwelling and would therefore be blocked by this. As such no unacceptable impact would result on this neighbour.

The only other immediate neighbour is no.6 Huntingdon Close located to the north-east of the application site. The proposed extension would be sited some 11 metres from this neighbours boundary and approximately 15 metres from its nearest elevation. Given the relationship with this neighbour this separation distance is considered sufficient as to not result in any overbearing impact, overlooking or unacceptable overshadowing.

As such 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

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed scheme would increase the number of bedrooms in the property from 3 to 4 therefore the parking requirement would increase from 2 to 2. The proposal also results in the loss of the garage.

The initial scheme was not considered acceptable as it resulted in reduced parking for the site. The scheme has since been amended to increased in the hard surfacing to the front of the property to allow 3no vehicles to be parked within the site boundary. As such the scheme is considered to comply with the current parking standards.

Planning Balance

The proposal will not materially harm the character or appearance of the locality, amenity of nearby residents or result in parking/highway implications. 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, 28 and 36 of the South East Lincolnshire Local Plan (2019) and Sections 12 and 15 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.