DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0235-21**	**Applicant:**	**Mr D Elsey**
Proposal:	Two storey extension to rear and alterations		
Location:	16 Northons Lane Holbeach Spalding		
Terminal Date:	30th April 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

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 a two storey extension to the rear and alterations to the property at 16 Northons Lane, Holbeach.

Site Description

The site is within the built-up area of Holbeach and in close proximity to the Conservation Area. The area is purely residential.

The property is a two-storey detached dwellinghouse that adjoins No. 18. The plot as well as the adjoining curtilages forming the frontage development are oriented south-westwards. There is a long driveway to the front/side of the property. Externally, the building has facing brickwork on the ground level and untreated render on the first floor level. To the rear, there is a flat roofed outhouse with a canopy and doors that serve as a link. The land is mostly grassed in the rear garden.

History

None.

Consultation Responses

None.

Planning Considerations

Principle of development

The site is within the settlement boundaries for Holbeach as set out in the South East Lincolnshire Local Plan (SELLP), 2019. Irrespective of spatial planning considerations, the principle of developing a house that is incidental to the enjoyment of a dwelling is acceptable subject to further material planning considerations.

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 proposal entails the demolition of the existing outhouse to the rear of the dwelling and erection of two-storey extension.

The proposed extension would protrude 4 metres from the original rear wall, it would be 4.70 metres wide from the south-eastern elevation and 7 metres high to the apex. The eaves would be as much as those in the dwelling. Having regard to the dimensions of the house, it is concluded that the development would appear subservient to the host property in terms of scale, mass and bulk.

The plot is long and narrow and any proposal should respond to the physical boundaries of the site and the floorspace available within it. The resulting footprint of the house extension would sit well within the rear garden.

Internally, the extension would accommodate a family room, utility, toilet and study room on the ground floor level; and one ensuite master bedroom on the first floor level.

The north-western part of the extension would be dropped to the ground level to prevent any harm upon the amenity of adjacent residents at No. 18. A lean-to roof would be formed on the ground floor level whereas the highest bulk of the extension would have a gable pitched roof merging with the rear roof slope of the house.

The material schedule is such that the external fabric of the development would be tantamount to the house. Some detailing would be provided including brick lintels which somewhat enhance the design standards of the proposal.

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.

Under case officer's request, it has been demonstrated that the rear extension would not undermine the enjoyment of daylight through the first-floor bedroom windows of No. 18. A drawing demonstrated that the protrusion of the development is such that a 45 degree sightline would be respected.

No first-floor openings are proposed on the side walls of the two-storey extension. The separation distance between the development and No. 14 to the south-east is sufficient to prevent that the development appears overbearing to these residents.

Car parking provision

In conjunction with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum standards for parking provision upon the use class.

After carrying out the proposal, the total number of bedrooms would be 4. For dwellings with 4 or more bedrooms, three car spaces should be provided within the curtilage. The existing drive area of the property would be able to accommodate such number of car spaces.

Planning Balance

The principle of developing an extension that is incidental to the enjoyment of a dwelling is acceptable subject to further material planning considerations.

The proposed extension would be subservient to the host property in terms of scale, mass and bulk. The footprint of the development would sit well within the plot. The external appearance would be tantamount to the house. No harm is anticipated upon the amenity standards of the adjacent residents by reason of overlooking and overbearing impacts. The house enlargement would not lead to on-street parking in light of the parking facilities within the plot.

On balance, any adverse impact of granting permission would not 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 contravenes Policies 1, 2, 3, 36 and Appendix 6 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.