DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0288-20**	**Applicant:**	**Mr A Cook**
Proposal:	Extension and alterations to dwelling		
Location:	7 North Parade Holbeach Spalding		
Terminal Date:	1st July 2020		

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

Section 12. Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application for extension and alterations to dwelling at 7 North Parade, Holbeach.

Site Description

The site is a corner plot abutting the highway junction between North Parade (east) and Creewood Close (south). The property is a two-storey semi-detached cottage which is confined to the northern

part of the plot. The domestic garden laid in lawn extends to the south onto both roads. To the rear, there is a back yard. An at least 1.5 metre high conifer hedge is onto Creewood Close whereas a lower hedge adjoins North Parade. The boundaries with the curtilages of No. 12 Creewood Close (west) and No. 9 (north) are treated by a nearly 2 metre high timber closeboard fence.

History

H09-0307-17 - Demolish rear single-storey and replace with two-storey rear extension - Approved

Consultation Responses

Members of the public

One resident has made a representation to request obscure glazing in the first-floor windows of the southern elevation of the extension.

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 a dwelling house 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.

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; 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 extension would protrude approximately 4.91 metres from the original rear wall and also 1.22 metre from the southern side wall. The width will be 4.50 metres. The maximum height will be 5.50 metres and the eaves as much as those of the host property. In view of these dimensions, it is concluded that the proposed extension would not adversely dominate the host property in terms of scale, mass and bulk.

There will be a separation distance of 88 centimetres (minimum) between the extension and the northern boundary with No. 9. The outdoor space will be used as a store. Taking also into consideration the distances with the boundaries enclosing the rear yard, the development will sit acceptably on the site by reason of its footprint and scale.

Internally, the extension will provide further internal floorspace to accommodate a kitchen, utility room and toilet on the ground floor level and two bedrooms on the first floor level. The use of the extension will be clearly in connection with the residential of the building.

The roof will be flat the first 1.50 metre from the edge of the southern elevation and then it will raise to form a pitch adjoining the northern elevation. The roof will be made of dark grey fibreglass. Dark vertical timber cladding or fake timber will coat most of the external walls of the extension, excepting the ground floor walls on the rear elevation which will match the new stone coloured render applied across the gable wall of the house facing south.

The roof area covered by fibreglass will be fairly substantial. Given the views on the extension from the road, further consideration might be ideally about the roof material. Roof tiles will be preferred matching those existing in the property and adjacent semi-detached cottage. They will be further in keeping with the rustic character of both buildings. However, on balance, the appearance will

contribute to upgrade the entire property with a more contemporary style. The proposed features will be generally sympathetic with the property and varied appearances in the locality.

In summary, the design and layout of the development will meet functional needs of the current occupiers of the cottage. The resulting appearance of the full property will provide somewhat an improvement of the external design, especially with the roof layout and external materials which will deliver a more contemporary upgrade to the original fabrics. Overall, the proposal will accord with the aforementioned policies concerned on design, layout and impact upon the local character of the area.

Residential amenity

The height and depth of the development will be similar to the rear extension of No. 9. Both will be located side by side. Therefore, no overbearing neither overshadowing will take place in the curtilage of No. 9.

Two first-floor windows will be opened on the southern side elevation. A representation has been made raising the potential overlooking and consequently obscure glazing has been requested should permission be given.

After assessing in detail such potential overlooking effect, it is concluded that no significant loss of privacy will occur from these opening to the adjacent properties. The direct views from the window will be straight to the domestic garden of the application property. The rear elevation of the nearest property (No. 12 Creewood Close) will have a separation distance of approximately 5.60 metres with the proposed extension. The angle between both windows and the rear part of this property to the right will barely reach 90 degrees neither exceeding that. At such oblique angle, the probability of the development to create an overlooking effect will very minimal from these windows onto the rear part of No. 12 Creewood Close. Therefore, no it is not considered necessary to condition permission for installing obscure glazing.

For these reasons, the amenity of residents of the applicant's property as well as adjacent dwellings will be not significantly undermined in account of the proposed works. The development therefore complies with residential amenity which is one of the key principles of design and development management as set out in Policies 2 and 3 of SELLP (2019).

Conclusion

The principle of a house extension is acceptable because of the ancillary nature of the development. The scale and height are acceptable in relation to the host property and site constraints. The proposed design and layout will make the development sympathetic with the appearance and character of the area.

Although some concerns of potential overlooking from first-floor windows on the southern elevation, careful consideration has been made and the conclusions is that views from such angle will not lead to loss of privacy of the nearest dwelling.

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan (SELLP), 2019 as well as Section 12 of the National Planning Policy Framework (NPFF), 2019.

It is accordingly recommended to approve this planning 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.