

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Development Manager

To: Planning Committee - 29 May 2019

(Author: Joan Isus - Planning Officer)

Purpose: To consider Planning Application H09-0367-19

Application Number: H09-0367-19

Date Received: 03 April 2019

Application Type: FULL

Description: Rear single-storey extension

Location: 97 SPALDING ROAD HOLBEACH SPALDING

Applicant: Mr N Abrams

Agent: South Holland Building Consultancy

Ward: Holbeach Town

Ward Councillors: Cllr F Biggadike
Cllr T Carter
Cllr G Rudkin

You can view this application on the Council's web site at

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H09-0367-19>

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The agent is South Holland Building Consultancy.

2.0 PROPOSAL

2.1 This householder application seeks planning permission for a rear single-storey extension at 97 Spalding Road, Holbeach, Spalding.

3.0 SITE DESCRIPTION

3.1 The site is part of a short row of semi-detached dwellings fairly set back from the edge of the highway. The site context is predominantly residential and is within the settlement boundary of Holbeach as per Inset Map 5 of the South East Lincolnshire Local Plan, 2019. The location is near the roundabout junction between the A151 and Spalding Road.

3.2 The property is a two-storey semi-detached house within a long narrow site. The rear garden angles to the south-west a few metres south of the rear elevation of the building. There is currently a log cabin and a timber garden shed beyond the rear elevation and one further garden shed to the side of the house, all of them adjacent to the western boundary. These outbuildings would be removed or relocated at the rear of the garden in order to free space for the construction of the intended extension.

4.0 RELEVANT PLANNING POLICIES

4.1 **The Development Plan**

South East Lincolnshire Local Plan, March 2019

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Policy 2 - Development Management

Policy 3 - Design of New Development

National Guidance

National Planning Policy Framework (NPPF), 2019

Section 12 - Achieving well-designed places

4.2 **Planning Practice Guidance (PPG)**

5.0 **RELEVANT PLANNING HISTORY**

5.1 None.

6.0 **REPRESENTATIONS**

6.1 **Ward Councillor**

Cllr Biggadike comments that there is ample room for the proposed extension.

7.0 **CONSIDERATIONS**

7.1 **Planning Considerations**

7.2 **Design and Layout**

7.3 The proposed extension would protrude 7.55 metres from the main rear wall and 1.12 metres from the existing western side elevation. The width would be 4.71 metres. The maximum height would be 3 metres. Having regard to the dimensions of the dwelling, the proposed development would be subservient to the host property in terms of scale, massing and bulking.

7.4 The extension would be a reverse 'L' shape. The roof would be nearly flat with a minor roof pitch with slope downwards to the south-east. A toilet window and door with ramp access would be on the rear elevation of the extension.

7.5 The facing brickwork is confirmed to match that of the existing rear extension. White UPVC would be used for new fenestration. The flat roof would be made of felt fibreglass which is a characteristic material of domestic flat roofs. The appearance would be acceptable as the external materials would not alter significantly the visual amenity of the property and surroundings.

7.6 **Residential amenity**

7.7 The separation distances between the extension and site boundaries are sufficient to avoid any overbearing impact to adjacent neighbours given the scale of the development.

7.8 A 2 metre high timber close boarded fence is on the western side boundary with the adjacent property, 99 Spalding Road. In addition to the single-storey nature of the extension, such means of enclosure would avoid any overlooking effect to the residents of both the applicant's

property and the adjacent house. The existing rear extension to 95 Spalding Road would mitigate the visual impact of the extension towards the residents of that property.

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 to grant permission 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).

You are referred specifically to Article 8 (right to respect for private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation to grant permission 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 to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

7.9 Conclusion

7.10 No objections have been registered and, in light of the considerations above, the proposed development is in accordance with Policies 1, 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and Section 12 of the National Planning Policy Framework, 2019.

8.0 RECOMMENDATIONS

8.1 Grant permission subject to those conditions listed at Section 9.0 of this report.

9.0 CONDITIONS

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

1032 01;
1032 04;
1032 08;
1032 09;
1032 10;
1032 11; and
1032 12.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and subsequently determining to grant planning permission.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at <http://planning.sholland.gov.uk/OcellaWeb/planningSearch>

Background papers:- Planning Application Working File

Lead Contact Officer

Name and Post:	Richard Fidler , Development Manager
Telephone Number:	01775 764428
Email	rfidler@sholland.gov.uk

Appendices attached to this report: Appendix A - Plan A