DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-0444-22**	**Applicant:**	**Mr K Baxter**
Proposal:	Proposed extension & alterations		
Location:	7 Wheatsheaf Close Holbeach Spalding		
Terminal Date:	29th June 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
Section 15 - Conserving and enhancing the natural environment

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 for first floor front, side and rear extensions and a ground floor rear extension. On the ground floor a dining room and snug would be created. On the first floor an en-suite shower room to one existing bedroom and a master bedroom with an en-suite bathroom and dressing area would be created. The first floor element would measure 5

metres (width) x 9.7 metres (depth). The ground floor rear extension would measure 4 metres (depth) x 9.7 metres (with) and stand at 3.2 metres in height. The extension would have part cladding and part matching brickwork.

SITE DESCRIPTION

The application site is located on Wheatsheaf Close, within the Holbeach settlement boundary. It comprises a two storey detached dwelling of red brick construction. There is a double attached garage to the side and a gravelled driveway to the front providing off-street parking provision for several vehicles. The immediate area is primarily residential comprising dwellings of varying styles and sizes.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

Holbeach Parish Council

No objections.

PLANNING CONSIDERATIONS

Principle of development

The site is within the defined settlement boundary of Holbeach and the proposed extensions 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 development would be modern in appearance however, it is not considered to result in any unacceptable impact on the existing dwelling and the character of the area.

The proposed first floor front/side/rear extension is considered to be proportionate to the existing dwelling and the plot. Its design with a gable end on the front elevation would not detract from the character of the existing dwelling. The extension is not considered to appear unduly incongruous within the street scene and would not materially harm the character/appearance of the locality.

The ground floor rear extension is also considered proportionate to the existing dwelling and the site. It would retain not result in overdevelopment of the site and would retain a sufficient amount of outdoor amenity space.

The proposed use part timber cladding is not considered to be at odds with the site or the immediate area given the presence of various materials in the immediate vicinity.

As such the proposal would on balance 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 to the proposed development is no.5 Wheatsheaf Close located to the west of the application site. The first floor element would sit close to the shared boundary with this neighbour, however, given this neighbour does not have any primary windows in the side elevation facing this neighbour no unacceptable impact would result. Furthermore no first floor windows are proposed in the side elevation facing this neighbour therefore there are no overlooking or loss of privacy issues. The ground floor rear extension would be sited some 6.1 metres from the shared boundary with this neighbour. Given the single storey nature of the extension this separation distance is considered sufficient as to not result in any overbearing impact or unacceptable overshadowing.

With regards to the neighbour to the east at no.9 Wheatsheaf Close the majority of the first floor extension would not be visible to this neighbour as it would be blocked by the applicants existing two storey house. Only a small section of the rear projecting element would be visible to this neighbour. Given the very minor rear projection and distance from this neighbour no unacceptable impact would result from this. The ground floor rear extension would be sited close to shared boundary with this neighbour, however given its limited height and the fact it would not extend beyond the rear elevation of this neighbour, no unacceptable impact is considered to result.

With regards to the neighbour to the rear at no.10 Holland Way it is not considered that the proposed extensions would result in any overbearing impact or unacceptable overshadowing given the separation distance.

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 within the property from 4 to 5, however, the parking requirement for the site would not increase. A maximum of 3no parking spaces are required for the site. There would be sufficient space retained in the driveway to the front of the site to accommodate these. 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, the amenity of nearby residents or result in parking/highway/biodiversity 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.