DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-0500-22**	**Applicant:**	**A Kelsey & K McKenzie**
Proposal:	Extension & Alterations		
Location:	3 College Close Holbeach Spalding		
Terminal Date:	8th July 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	0	0
WARD MEMBER	0	0	0	0
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for a two storey front/side extension. It would

create a kitchen and utility room on the ground floor and a mater bedroom with an en-suite bathroom and a dressing room. The extension would have a side projection of 3.1 metres and a front projection of 1.4 metres. The scheme would also replace the flat roof on the front porch element. The external materials would match the existing dwelling.

SITE DESCRIPTION

The application site is located on College Close in Holbeach. It comprises a two storey detached dwelling of red brick construction, sitting under a concrete tiled roof. It has a single attached flat roofed roof garage to the side and a flat roof porch to the front. To the front there is a gravelled driveway providing off-street parking provision for several vehicles. The immediate area is primarily residential comprising a mixture of dwellings of varying designs and sizes.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

Local Resident

One letter of representation has been received from the neighbour at no.2 College Close requesting no trellis/climbing plants or hanging baskets are attached to the fence and that their driveway is not blocked by construction vehicles.

PLANNING CONSIDERATIONS

Principle of development

The site is within the Holbeach settlement boundary 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 extension is considered to be sympathetic in design and proportionate to the existing dwelling. Whilst it is accepted side extensions are usually required to have a lowered roof ridge than the existing, in this instance a flush finish can be accepted given the detached character of the dwelling and the relationship with the adjoining neighbouring property. As such it would not result in a terracing effect. The proposed use of matching external materials would ensure the extension is in keeping with the existing dwelling.

As such the extension would 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.2 College Close located to the south of the application site. The proposed extension would be sited close to the shared boundary with this neighbour. However, it would not extend beyond the front/rear elevations of this neighbour therefore no overbearing impact would result. This neighbour does not have any primary windows in its side elevation facing the application site therefore no unacceptable overshadowing would result. Furthermore the proposed extension does not propose any first floor windows in its side elevation facing this neighbour therefore there are no overlooking or loss of privacy concerns.

With regards to the neighbour to the east at no.4 College Close the majority of the proposed extension would not be visible to this neighbour as it would be blocked by the applicants existing two storey house. Only the small front projecting element would be visible to this neighbour which would be sited at least 13 metres from the shared boundary with this neighbour. Given the minor front projection, the relationship with this neighbour and the separation distance no unacceptable impact is considered to result.

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 4 to 5, however the parking requirement for the site would not increase. A maximum 3no parking spaces are required for the site. The loss of the garage can also be accepted given the driveway can accommodate at least 3no vehicles. As such the scheme is considered to comply with the current parking standards.

Other matters

One letter of representation has been received from the neighbour at no.2 College Close requesting no trellis/climbing plants or hanging baskets are attached to the fence and that their driveway is not blocked by construction vehicles. The concerns are noted, however, these are civil matters and should be agreed with the applicant outside of planning.

Planning Balance

The proposal will not materially harm the character or appearance of the locality, the amenity of nearby residents or result in parking or biodiversity issues. 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.