DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0506-20**	**Applicant:**	**Mr A Melisi**
Proposal:	Proposed two storey side extension and front extension (including porch)		
Location:	19 Wignals Gate Holbeach Spalding		
Terminal Date:	28th August 2020		

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	1	0
WARD MEMBER	0	0	0	1
RESIDENTS	1	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application that seeks permission for proposed two storey side extension and front extension (including porch) to the property at 19 Wignals Gate, Holbeach, Spalding.

Site Description

The site lies on the western suburbs of Holbeach. It is within the built-up area of the town. The area is purely residential.

This part of Wignals Gate is heavily characterised by semi-detached pairs of two-storey houses, formerly council housing back to 1930s. The uniformity of the form of development is in contrast with a variety of external elements. Some of them remain in brickwork whereas other have been rendered or painted. Subsequent extensions and alteration have been carried out in most of them so far as observed throughout the site visit.

The site benefits from spacious drive area to the front and southern side of the plot. There is a fence between the southern elevation of the house and the adjacent boundary.

History

H09-0580-14 - (Prior Approval) - Proposed conservatory to rear of dwelling - Approved

Consultation Responses

Members of the public

Two representation have been raised objecting to the proposals in the following terms:

- The front porch/extension will overshadow / reduce the light into the front living room of adjoining semi-detached house.
-The size of the front extension is not in keeping with the street scene
-The front porch is in fact an enlargement of the living area
- The front element blocks daylight to the properties nearby

Cllr F Biggadike

No objection.

Reminds that the house and other neighbouring properties were formerly council houses built around 1930s. A variety of alterations has been undertaken to the original buildings in the locality. The proposed works will not be incongruous with the street scene.

Holbeach Parish Council

No objection.

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. However, the principle of developing extensions that are 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 front extension will extend nearly the full width of the property. It will protrude 1.50 metres from the elevation. The apex height will be 3.40 metres whereas the eaves will be 2.30 metres high. The side extension will raise upwards as high as the existing ridgeline. The maximum protrusion will measure 3.70 metres from the wall adjoining the staircase to the south. The existing rear conservatory will be accordingly extended to join the side extension. The depth of the resulting side elevation will be as much as the current distance between the front elevation and the furthest point of the conservatory. Having regard to the dimensions of the semi-detached property, it is concluded that the development will be subservient to the host property in terms of scale, mass and bulk.

Internally, the floor space gained will be used to create a new dining room and increase the remainder of communal spaces on the ground floor level. One additional bedroom and one bathroom will be created on the first floor level.

The main hip pitched roof will be extended to cover the two-storey side extension. Identical roof layout will be provided for the front extension of the house in addition to one further pitch on top of the porch. The material schedule reveals that the appearance of the development will match the existing in the property, thereby the proposal will blend with the existing fabric of the building.

The front extension will be modest in scale. The properties in the area have had subsequent alterations since their construction back to 1930s which are visible from the road. Thus, the front extension will not appear disruptive onto the wider street scene on this part of Wignals Gate.

In summary, the scale and height of the extension will be proportionate to the remainder of the host property. The proposed internal layout will be appropriate for the functional needs of the house occupiers and in keeping with the residential use of the site. The external design and appearance will be coherent with the building as it currently stands. The development therefore is deemed acceptable on the grounds of design, layout and complies with the aforementioned policies.

Residential amenity

The separation distance between the proposed side extension and the southern boundary will be approximately 1.6 metre. The nearest elevation of the adjacent property behind the fence (No. 21) is further away. There is no evidence that this extension will create an overbearing impact upon the residents of No. 21.

There is a first-floor slot window on the opposing elevation which apparently lighten a bathroom. The side extension will have no opening on the elevation facing No. 21. Thus, no overlooking will occur.

With regards to the front extension, the adjacent semi-detached house (No. 17) has a window for a habitable space in close proximity to the development. To ascertain whether this frontal addition will harm or not the amenity standards of residents at No. 17, the '45 Degree rule' is applied from the centre of the adjoining window to the footprint of the proposed protrusion. After doing so, it is concluded that there will no significant adverse impact on daylight at an angle of 45 degree from the nearest window by reason of the intended extension. Thus, no overbearing neither unacceptable decrease of daylight will occur for the residents of the adjoining semi-detached house.

Therefore, the development 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).

Highway safety and parking provision

The proposals will entail the net increase of 1 no. bedroom. The total number of bedrooms will be 4. In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. 3 no. car spaces must be provided within the curtilage for dwellings with 4 or more bedrooms.

The resulting space on the drive after developing the proposed extension will be sufficient to accommodate such minimum number of cars. Therefore, the development will comply with Appendix 6 of SELLP 2019.

Conclusion

The representations made against the proposals have been taken into consideration when assessing this application. There is no evidence that the front extension will appear at odds with the features of the wider street scene neither dramatically undermine the daylight enjoyment for the residents of the adjoining semi-detached house.

On balance, the proposal is considered to comply with Policies 1, 2, 3, 36 and Appendix 6 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.