

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H09-0518-23 **Applicant:** Mrs A Butcher
Proposal: Proposed Extension
Location: 25 Kensington Close Holbeach Spalding
Terminal Date: 2nd August 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development

National Guidance

National Planning Policy Framework 2021

Section 12 - Achieving well designed places

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 a proposed extension at the rear of 25 Kensington Close including some internal alterations. The development would measure at 4.45m wide and will project from the rear of the property by 3.3m.

Site Description

This is a semi-detached dwelling within the settlement boundary of Holbeach, as outlined within the South East Lincolnshire Local Plan, 2019 (SELLP). The property is made of red brick with a tiled roof and white uPVC doors and windows, adjacent to the house there is a small single garage also made of red bricks and a tiled roof. To the front there is a large gravel driveway. The property is identical to other dwellings within Kensington Close and is of a typical design for this area, some

houses are built in a different brick colour but are of similar design.

History

No relevant planning history.

Consultation Responses

Holbeach Parish Council

No objection.

Planning Considerations

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, that they are visually attractive, as a result of good architecture, and are sympathetic to local character. 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 proposal will protrude from the rear of 25 Kensington Close by 3.3m and will be 4.45m wide, the proposal will be a similar height to the existing garage on the eastern side of the property and will form a gable roof. The floor level of the development will be level with the existing to ensure there are no problems caused by it. These measurements are considered to be proportionate to the dwelling itself and therefore acceptable.

The materials being used will match the existing dwelling, the walls will be made of facing brickwork and the roof will be built out of the same tiles. This ensures that the proposed extension will be in keeping with the dwelling it is apart of and be similar to other dwellings within this area, the extension will not create any visual discrepancies and will blend in to the host dwelling.

Internally there will be some alterations taking place, an existing WC will be removed and replaced with a cupboard under the stairs which will be around 600mm wide. To replace this there will be the addition of a new shower room that includes a shower and a WC, to accommodate this they will be forming an opening in the existing external wall to allow access and space. They will be removing an existing rear kitchen door and window alongside the cat opening down to floor level as necessary. To allow natural light and easy access into the proposed sun room there will be a set of bi-fold doors going at the rear and two windows on the north east elevation that will face towards the existing garage. Overall, the development is aimed to create a large open space for accommodating a new sun room area as well as a new shower room.

The overall design of the extension is in keeping with the area, therefore this is considered to be appropriate in accordance to Policies 2 & 3 of the SELLP and Section 12 of the NPPF.

Impact upon Resident Amenity

Paragraph 130 of the NPPF amongst other matters, seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of the SELLP set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

The proposed extension will cause no real material overlooking concerns. The set of bi-fold doors on the southern elevation will be facing the rear, in this direction there is an existing fence. Based on the nature of the proposal and the height/size there will be no overlooking in this direction. On the east elevation there will be the addition of new windows, in the direction they are facing there is an existing garage which will block any overlooking that could occur towards the neighbouring property in this direction. Following a site visit it was noted that the existing fences surrounding the property do not appear to be the full 2m in height, as the single storey nature of the extension makes any overlooking very unlikely as windows are at ground floor and in any case concerned neighbours would be able to remedy any loss of privacy in the future as boundary treatments can be installed under permitted development to make these fences higher.

There is an adequate distance to the rear boundary of 8.5m and in total around 20m to No. 31, the distance from the proposal to the neighbour at the north east is around 8m in total which can also be considered as an adequate distance. Although there is a minimal distance between the proposal and the south west curtilage, the positioning of the extension means that no significant shadow would be cast onto the south west neighbour until the sun is at its lowest point. This would not lead to material or unacceptable overshadowing of the neighbouring property and there would therefore be no material loss of amenity.

Planning Balance

The proposed extension at the rear of the dwelling would not materially harm the character or appearance of the area. There could be some overshadowing due to the proximity however this would be very minimal. The overall design and materials being used are in keeping with the area and the property in which the application is going.

This proposal is therefore considered to be in accordance with Policies 2 & 3 of the SELLP and Section 12 of the NPPF.

Conclusion

The recommendation is therefore for a delegated approval.

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.