DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0643-20**	**Applicant:**	**Mr M Sanderson**
Proposal:	Proposed extension and alterations		
Location:	Old Forge Cottage St Marks Road Holbeach St Marks		
Terminal Date:	2nd November 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2019

Paragraph 127 of Section 12. Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application for proposed extension and alterations to the property Old Forge Cottage at St Marks Road, Holbeach St Marks, Spalding.

Site Description

The site is within the built-up area of Holbeach St Marks. The site is a corner plot onto the highway curve between St Marks Road and Lapwater Lane.

The site currently accommodates a detached two-storey cottage built in late C19 - early C20 and a large modern garage. The western side elevation of the dwellinghouse is on the edge of the pathway insofar as the principal elevation faces south. The cottage benefits from a subsequent extension to the rear and extending in parallel with the northern rear boundary of the site. The garage is a detached long outbuilding that adjoins the eastern site boundary. It has a subservient pitched element used for storage and extends to the north side of the garage.

The remainder of the land is a gravelled yard for car parking. There is a nearly 2 metre high conifer hedge on the northern boundary and one further section adjoining the curve. A rail and post fence with a farm gate of similar appearance is on the front boundary onto St Marks Road.

History

None recent.

Consultation Responses

None.

Planning Considerations

Principle of development

The site is within the settlement boundaries of Holbeach St Marks as set out in the South East Lincolnshire Local Plan (SELLP), 2019. Irrespective of spatial strategy considerations, the principle of developing a house extension that is 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 proposed extension will be physically a link between the cottage and the outbuilding. The existing rear/side single-storey extension will be demolished.

The apex height of the development will be approx. 3.40 metres high and the eaves approx. 2.25 metres high. The maximum length will be approximately 17.30 which is considerable. On balance, having regard to the dimensions of the existing buildings and the size of the plot, the proposed extension is considered to be of an acceptable scale, mass and bulk.

The proposed rear/side extension to the house will be set back roughly 6.40 metres from the front elevation. The resulting space for the yard therefore will not be dramatically reduced.

The existing conifer hedgerow on the northern boundary will be replaced for a 2 metre high timber closeboard fence. From the adjoining footpath, the heights of the 4 first metres of the fencing will range between 1 metre and 2 metres in order to ensure appropriate visibility splays at the site access on No. 24 Lapwater Lane. The loss of soft landscaping will not be ideal although it cannot be either considered such an unacceptable impact to the setting of the house. Overall, the site layout will remain of residential use in keeping with the character of the area and with acceptable design

standards.

The aim of the development is to gain further floorspace to enlarge existing uses and create new spaces. From the cottage to the garage, there will be a utility room and bathroom to the rear of the house, a large combined dining/kitchen, a hobby room, a garden room, a study room and sauna/jacuzzi/wet room. The intended use of the development will be still in connection with the residential character of the property and the local area.

A gable pitch will be on top of the extension which is adequate given its footprint and scale. The proposed roof layout is tantamount to the roof of existing buildings. The external materials will match the existing in the current buildings of the site. Thus, no alteration will occur to the visual amenity of the site.

In summary, the development is of an acceptable scale and height. The external appearance will be sympathetic with the existing fabric of the bungalow. The aim of the proposals will meet the functional needs of the dwelling occupiers and the use of the development will be in keeping with the residential nature of the building and the character of the local area. Therefore, the development proposal comply with the policies mentioned at the top of this section concerning design, layout and impact upon the character of the local area.

Residential amenity

Once the hedgerow on the northern boundary has been removed, it is highly likely that the visual impact of the development might be significant. The proposed extension will be visible from the front and rear parts of the neighbouring property 24 Lapwater Lane. There might be also views onto the development from Lapwater Lane when approaching the highway curve from the north.

Notwithstanding this, further assessment has been carried to ascertain the degree of such impact in terms of residential amenity. There is 9.45 metres of separation distance between 24 Lapwater Lane and the development. Most of the bulk of the extension will run in parallel with the southern side elevation and part of the rear garden of this adjoining property, and it will be single storey in height. Furthermore, no first floor window has been observed on the opposing elevation to the intended development and the window at ground floor is obscure glazed. It has been accordingly concluded that the views are not direct onto the extension and the development will not appear prominent to the occupiers of 24 Lapwater Lane.

Having also regard to the relationship between the height and separation distance, the position and height of the development is such within the sun path that no overshadowing will be casted onto this adjoining plot.

In summary, 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).

Conclusion

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan (SELLP), 2019; and also Paragraph 127 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.