DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-0785-22**	**Applicant:**	**Mr L Hogg**
Proposal:	Extension & Alterations		
Location:	Dolburn House Hurn Bank Holbeach Hurn		
Terminal Date:	3rd October 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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for a two storey rear extension to create a sunroom on the ground floor and a bedroom on the first floor. The extension would measure 3 metres (depth) x 3.5 metres (width). The external materials would match the existing dwelling.

It should be noted that the plans were amended with the ground floor side extension now omitted.

SITE DESCRIPTION

The application site is located on Hurn Bank in Holbeach Hurn. It comprises a two storey detached red brick built dwelling. A gravelled driveway runs to the front/side of the site. The front boundary is partially enclosed by a high level hedge and gates and the remaining boundaries are enclosed by a high level hedge. The immediate street scene is characterised by dwellings of varying designs, sizes and materials. The site backs onto open countryside.

RELEVANT PLANNING HISTORY

H09-1585-07 - Proposed 2 two-storey extensions - Refusal

REPRESENTATIONS

No representations received.

PLANNING CONSIDERATIONS

Principle of development

The site is within the Holbeach Hurn settlement boundary and the proposed extension 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.

There would not be any prominent views of the proposed two storey extension from the main public realm. There would be view from the open countryside to the rear, however, given the extension would be a relatively modest infill it would not appear overly prominent. The size of the extension is considered proportionate to the existing dwelling and the site. It is not considered to appear unduly incongruous within the rural street scene and would not materially harm the character/appearance of the locality. The proposed use of matching external materials would ensure the extension is in keeping with the existing dwelling.

As such, the proposed development is considered to 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 Phoenix House located to the north of the application site. The extension would be sited approximately 4 metres from the shared boundary with this neighbour and some 11 metres from its nearest elevation. Given this and the relationship with this neighbour no unacceptable overshadowing or overbearing impact would result. No windows are proposed in the side elevation facing this neighbour therefore there are no overlooking

or loss of privacy concerns.

With regards to the neighbour to the west at Field View the proposed extension would not be visible to this neighbour as it would be blocked by the applicants existing two storey house.

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 3 to 4 therefore the parking requirement for the site would also increase to 3no spaces. The site benefits from a large driveway to the front providing off-street parking provision for at least 3no spaces. 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, amenity of nearby residents or result in parking 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.