SOUTH HOLLAND DISTRICT COUNCIL

Report of: **Development Manager**

To: **Planning Committee - 09 October 2019**

(Author: **Joan Isus - Planning Officer)**

Purpose: **To consider Planning Application H09-0824-19**

Application Number:	H09-0824-19	**Date Received:**	17 August 2019
Application Type:	FULL		
Description:	Rear first floor extension		
Location:	Willow Cottage Dam Gate Holbeach		
Applicant:	Mrs S Sayers	**Agent:**	JC Architectural Consultant
Ward:	Whaplode and Holbeach St Johns	**Ward Councillors:**	Cllr A C Beal Cllr P A Redgate

You can view this application on the Council's web site at
http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H09-0824-19

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The applicant is an employee of South Holland District Council.

2.0 PROPOSAL

2.1 The proposal is for a rear first-floor extension to Willow Cottage, Dam Gate, Holbeach.

2.2 The extension would project approximately 5.5 metres from the existing rear elevation of the dwelling and would, therefore, not project as far out as the existing ground floor rear projection. It would be the same width as the present ground floor. The extension would have a pitched roof (tiles to match existing) with a south-eastern facing gable. The dwelling and extension would be rendered and painted cream.

3.0 SITE DESCRIPTION

3.1 The site currently accommodates a two-storey two-bedroomed dwelling which is surrounded by a large curtilage. The dwelling is within a countryside setting with fields and drains surrounding the site on all sides. Residential development in this area is relatively sparse with the nearest property being approximately 60 metres away to the south.

3.2 The property is a two-storey dwelling of no particular architectural or historic merit with single-storey elements projecting to the rear and side. A stable block is adjacent to the northern boundary and paddock land extends to the rear of the site.

3.3 The site is not within any settlement boundary as set out in the South East Lincolnshire Local Plan, 2019.

4.0 RELEVANT PLANNING POLICIES

4.1 **The Development Plan**

South East Lincolnshire Local Plan, March 2019

Policy 2 - Development Management
Policy 3 - Design of New Development.

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

National Guidance

National Planning Policy Framework (NPPF), 2019

Section 12 - Achieving well-designed places.

Planning Practice Guidance (PPG)

5.0 RELEVANT PLANNING HISTORY

5.1 None.

6.0 REPRESENTATIONS

6.1 **Cllr Allan Beal**

No objection.

6.2 No other representations had been received at the time of writing the report.

7.0 CONSIDERATIONS

7.1 **Planning Considerations**

7.2 Design and Layout

7.3 The footprint of the dwelling would not be altered as a result of the proposed development, which would be confined to being solely above the existing kitchen and bathroom. Furthermore, it would not extend out as far as the existing ground floor rear projection. The roof of the proposed extension would be approximately 80 centimetres below the ridgeline of the original dwelling. Taking this into account, the proposed extension is considered to be subservient to the host property in terms of scale, mass and bulk.

7.4 With regard to external materials, the brickwork would be rendered and painted in cream to match the existing rear element. The plans show that the existing dwelling would also be rendered cream so the proposed extension would not be out of keeping. Given the sparse and rural nature of development in the area, this is considered acceptable.The roof tiles and windows would match existing. Given the above, the appearance of the proposed development would be satisfactory.

7.5 Residential Amenity

7.6 The separation distances between the dwelling and adjacent properties (the nearest being approximately 60 metres away) are considerable. No external amenity space would be lost as a result of the extension. As such, it is not considered that the proposed development would have a material adverse impact on residential amenity.

7.7 Conclusion

7.8 No objections have been received and, in light of the considerations above, the proposed development is considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and Section 12 of the National Planning Policy Framework, 2019.

7.9 **Additional Considerations**

7.10 Public Sector Equality Duty

7.11 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.

7.12 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.13 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.

7.14 It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

7.15 Human Rights

7.16 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).

7.17 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.

8.0 RECOMMENDATIONS

8.1 **Grant permission subject to those conditions listed at Section 9.0 of this report.**

9.0 CONDITIONS

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

   Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

   0166-19-01A

   Reason: For the avoidance of doubt and in the interests of proper planning.

3. The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and subsequently determining to grant planning permission.

   This decision notice, the relevant accompanying report and the determined plans can be viewed online at http://planning.sholland.gov.uk/OcellaWeb/planningSearch

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Background papers:- Planning Application Working File

Lead Contact Officer

Name and Post:	Richard Fidler , Development Manager
Telephone Number:	01775 764428
Email	rfidler@sholland.gov.uk

Appendices attached to this report: Appendix A - Plan A

MapThat Scale Print Title



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