DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-0832-21**	**Applicant:**	**Mr & Mrs Griffiths**
Proposal:	Proposed Single Storey Rear Extension		
Location:	28 Park Road Holbeach Spalding		
Terminal Date:	14th October 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
04	Approach to Flood Risk
29	The Historic Environment

National Guidance

National Planning Policy Framework 2021

Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 16 - Conserving and enhancing the historic environment

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 application seeking planning permission for a single storey rear extension to create a kitchen/dining area. It would measure 6 metres (depth) x 9 metres (width) and stand at 5.6

metres in height (2.4 metres to the eave). The external materials would match the existing dwelling.

SITE DESCRIPTION

The application site comprises a large detached dwelling located on Park Road, within the Holbeach Conservation Area. The house is red brick built with large bay windows to the front. There is a detached garage to the side and a paved driveway to the front providing off-street parking provision for several vehicles. Trees and planting form the rear boundary and the side boundary is enclosed by a boundary fence. A small outbuilding is located in the rear garden.

RELEVANT PLANNING HISTORY

H09-1065-02 - Alteration to front fence - Approved

H09-0942-99 - Erect detached garage - Approved

REPRESENTATIONS

South Holland Internal Drainage Board

If the applicant intends to dispose of surface water via infiltration ground investigation and infiltration testing is recommended to be carried out in order to ensure the proposed drainage strategy is suitable. If (following testing) a strategy wholly reliant on infiltration is not viable and a surface water discharge is proposed to a watercourse, then the proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3). Any alterations to a watercourse will require consent from the Board Byelaw 4).

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; are visually attractive as a result of good architecture and sympathetic to local character and history. Likewise, Policy 2 of the South East Lincolnshire Local Plan 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.

Paragraph 197 of the NPPF states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Policy 29 of the SELLP states that development proposals will conserve and enhance the character and appearance of designated and non-designated heritage assets including conservation areas.

The Council Conservation Officer has not commented on the application and it is not considered that any unacceptable impact would result on the character of the Conservation Area.

The proposed extension would be located to the rear of the site and there would not be any views from the public realm as the extension would be blocked from the front by the applicants existing two storey house and from the rear it would be blocked by the high level trees/foliage. The extension is not considered to result in overdevelopment of the site and sufficient outdoor amenity space would be retained. The design of the extension with a hipped roof is considered sympathetic and the use of matching external materials would ensure the extension is in keeping with the existing dwelling.

As such the proposed development would comply with the aforementioned policies on design and impact upon the character of the local area and would preserves the character and appearance of the conservation area.

Impacts upon Residential Amenity

The closest neighbour to the proposed development is 30 Park Road and the detached annex to the rear located to the north of the application site. The proposed house extension would be located approximately 3.1 metres from the shared boundary with this nieghbour. Given this separation

distance and the fact the pitch of the roof would face away from this nieghbour the proposed extension can on balance be accepted as it would not be significantly overbearing and any overshadowing would be within acceptable tolerances.

With regards to the neighbour to the south at no.26 Park Road the proposed extension would be located approximately 9.1 metres from the shared boundary with this neighbour. Given the single storey nature of the extension this separation distance is considered to be sufficient as to not result in any overbearing impact or unacceptable overshadowing.

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).

Drainage

Policy 4 of SELLP is concerned on flood risk management and states that new development will be permitted if appropriate flood resistance and resilience measures are proposed (criterion c); incorporates the use of Sustainable Drainage Systems (SuDS) (criterion e); and demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development (criterion g).

South Holland Internal Drainage Board has not raised any objections to the scheme but has requested ground investigation and infiltration testing to be carried out in order to ensure the proposed drainage strategy is suitable. If (following testing) a strategy wholly reliant on infiltration is not viable and a surface water discharge is proposed to a watercourse, then the proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3). Any alterations to a watercourse will require consent from the Board Byelaw 4). An informative has been added to this effect advising the applicant of the Boards Byelaws.

Subject to the above advice the proposal is considered to be in accordance with Policies 2, 3 and 4 of the Local Plan with regard to their provisions on flood risk and drainage.

Planning Balance

The proposal will not materially harm the character or appearance of the locality or neighbouring amenity. 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 2, 3, 4 and 29 of the South East Lincolnshire Local Plan (2019) and Sections 12, 14 and 16 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.