DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-1030-20**	**Applicant:**	**Mr P Woolsey**
Proposal:	Proposed first floor extension		
Location:	3 The Paddocks Holbeach Spalding		
Terminal Date:	15th February 2021		

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 (Section 12. Achieving well-designed places)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application that seeks permission for proposed first floor extension at 3 The Paddocks, Holbeach, Spalding.

Site Description

The street layout indicates the suburban character of the area. The area is purely residential. The plot is originally part of a major residential scheme built back to late 1990s.

The Paddocks is a cul-de-sac street with a rounded end. The application property is a two-storey semi-detached dwelling house adjoining No. 4. The pair of houses are oriented north-westwards.

The rear garden is fairly restricted in depth. The proposed extension would opposite slightly at an angle with the rear elevation of No. 9 Huntingdon Close to the north-east.

A nearly 2-metre-high timber mainly mostly enclose the plot and rear garden. The last metres of north-eastern boundary is bounded by a brick wall of a detached garage serving one of the terrace houses in Huntingdon Close.

History

H09-0679-14 - Proposed single-storey side extension - Approved

Consultation Responses

Holbeach Parish Council

No objection.

Planning Considerations

Principle of development

The site is within the settlement boundaries of Holbeach 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.

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.

Likewise, Policies 2 and 3 of SELLP 2019 amongst other matters seek to ensure that development respects the character and appearance of the area and the relationship to existing development and land uses.

The dwellinghouse is two-storey with a gable pitched single-storey element on the north-eastern side wall. The proposed extension would be above such subservient part of the residential property.

The height of the upwards extension would be approximately 70 centimetres below the apex height of the house. The footprint of the enlargement would be tantamount to the existing element below, thereby no footprint increase by reason of the proposals. The scale, mass and bulk would be such that the proposed extension would appears subservient to the host property.

Internally, the house enlargement would allow to gain further floorspace for an additional bedroom with ensuite and dressing room. Overall the reason of the proposals is to meet the living needs of the householders and the intended would be in keeping with the residential character of the building and its setting.

The proposals would form a two-storey side extension which would mirror the enlargement subsequently made to the adjoining semi-detached. The roof of the first-floor extension would be gable pitch replicating the existing in the ground floor element. It would contribute to merge the proposals sympathetic with the remainder of the fabric. The external materials of the development would match those existing in the property. The visual amenity would not result harmed in terms of external appearance.

Residential amenity

Paragraph 127 of National Planning Policy Framework (2019) 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 bulk of the first-floor extension physically relates especially with the adjacent property No. 9 Huntingdon Close to the north-east. The proposals do not intend to create any first-floor opening on the side elevation which otherwise might lead to overlooking to the garden and primary windows on the rear elevation of No. 9 Huntingdon Close.

The proposed first-floor rear windows would face north-east. Beyond the rear elevation, there is no primary windows of adjacent properties neither rear garden but the drive area of properties in Huntingdon Close.

The shortest separation between the development footprint and No. 9 Huntingdon Close is in the region of 11.80 metres. At such distance, and taking into consideration and the scale and height of the proposed enlargement, the development would not appear overbearing to the residents of this adjacent property.

Planning Balance

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 proposed extension is subservient to the host property in terms of scale and height. The external fabric of the development would match the existing in the property. The form of development is appropriate to the dwellinghouse. No harm upon the residential amenity of the nearest neighbours is anticipated.

On balance, no adverse impacts of granting permission to the proposals would significantly and demonstrably outweigh the benefits, when assessed against the planning policies taken as a whole.

Conclusion

Taking into account the considerations above, the proposed development complies with Policies 1, 2, 3 of the South East Lincolnshire Local Plan (SELLP), 2019; and 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.