DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-1040-22**	**Applicant:**	**Mrs Anaman & Mr Smith**
Proposal:	Proposed extension and alterations		
Location:	The Old Vicarage St Marks Road Holbeach St Marks		
Terminal Date:	20th December 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
29	The Historic Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 12. Achieving well-designed places
Section 16. Conserving and enhancing the historic environment

Representations:

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for a single storey rear extension to create a living area, pantry, utility room, and a log store/boot room. The extension would be linked to the detached garage. One new rooflight is proposed in the western elevation of the rear part of the

existing building to create an office in the loft space.

The external materials would match the existing dwelling.

SITE DESCRIPTION

The application site is located on St Marks Road in Holbeach St Marks. It comprises a large detached dwelling located in the middle of a generous sized plot. The property is accesses via a long gravelled driveway which leads to a garage/outbuilding. The site is surrounded by trees/vegetation. St Marks' Church (Grade II listed) is located to the east of the site, residential dwellings to the west and Holbeach St Marks Primary School to the south-west.

RELEVANT PLANNING HISTORY

H09-0040-13 - Erection of timber and double glazed conservatory - Approved

REPRESENTATIONS

Cllr C N Worth

Supports the application.

PLANNING CONSIDERATIONS

Principle of development

Policy 1 of the South East Lincolnshire Local Plan, 2019 indicates that new development will be permitted in the countryside where it is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits. Explanatory text indicates that there are certain types of use that need to function in the countryside, such as agriculture and forestry.

The site is outside any defined settlement boundary and within the open countryside as set out in the South East Lincolnshire Local Plan (SELLP), 2019. However, as the proposed works would be within the residential curtilage of the existing dwelling and no new unit would be created in the open countryside therefore the principle of extensions/alterations to an existing dwelling are considered 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 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. 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.

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. 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 proposed extension/alterations would be towards the rear of the site therefore there would not be any prominent views from the public realm. The size and design of the extension is considered proportionate and sympathetic to the existing building and the generous sized plot. In addition, the use of matching external materials would ensure the extension/alterations are not at odds with the existing dwelling.

The neighbouring Church is Listed and has very little outlook to the application site due to window style and the presence of mature trees and hedgerows along the application site boundaries. The extensions themselves would also be shielded from view by the existing building and the elements that are visible are considered to be of a sympathetic nature and wouldn't be noticeable or detract from the adjacent listed building.

As such the development is considered acceptable in terms of its impact on the character of the area and the adjacent listed building therefore it accords with Policies 2, 3 and 29 of the SELLP and the Sections 12 and 16 of the NPPF.

Impacts upon Residential Amenity

Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) set out residential amenity and the relationship to existing development and land uses as main considerations when making planning decisions. They are consistent with advice within the National Planning Policy Framework (2021). Paragraph 130, amongst other matters, seeks places with a high standard of amenity for existing and future users.

The extensions/alterations would be sited well within the site therefore it is not considered that any unacceptable impact would result on neighbouring amenity in terms of overbearing impact, unacceptable overshadowing or overlooking. In addition, the site is surrounded by high level trees therefore there are limited views of it from surrounding properties.

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).

Highway safety and car parking provision

In conjunction with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum standards for parking provision upon the use class. It is not clear how many bedrooms the property has and the total number of bedrooms it would result in. However, a maximum of 3no off-street parking spaces are required for the site. The property benefits from a large driveway which can accommodate in excess of 3no vehicles. As such the proposal accords with the current parking standards and can therefore be accepted.

Planning Balance

The proposal will not materially harm the character or appearance of the locality, including the adjacent listed building, the 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, 29, 36 and Appendix 6 of the South East Lincolnshire Local Plan (2019) and Sections 12 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.