

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Development Manager

To: Planning Committee - 08 February 2023

(Author: Catherine Sutton - Planning Officer)

Purpose: To consider Planning Application H09-1138-22

Application Number: H09-1138-22

Date Received: 25 November 2022

Application Type: FULL

Description: Proposed side extension & alterations

Location: PARTRIDGE GROVE 51 DOG DROVE NORTH HOLBEACH DROVE

Applicant: Mr R Mansfield

Agent: T A C Architects

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=H09-1138-22>

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The applicant is related to a South Holland District Councillor.

2.0 PROPOSAL

2.1 This is a householder application seeking planning permission for a proposed two storey side extension and alterations at Partridge Grove, 51 Dog Drove North in Holbeach Drove. The extension would be constructed of facing brickwork and roof tiles to match the existing dwelling.

3.0 SITE DESCRIPTION

3.1 The application site is located off a country road with the wider setting being agricultural in nature. There is open farm land opposite the property and to the north, east and west. The property is set within a large curtilage, with a large front garden. Hedging, trees and fencing surrounds the site.

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

South East Lincolnshire Local Plan, March 2019

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.

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 (NPPF), 2021

Section 12 - Achieving well-designed places

Planning Practice Guidance (PPG)

5.0 RELEVANT PLANNING HISTORY

5.1 There is no relevant planning history associated with the site.

6.0 REPRESENTATIONS

6.1 No representations have been received.

7.0 CONSIDERATIONS

7.1 Planning Considerations

7.2 Layout, Design, Size and Scale

7.3 Paragraph 130 of the National Planning Policy Framework, 2021 (NPPF) 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 South East Lincolnshire Local Plan, 2019 (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.

7.4 The proposed two storey extension would be located to the southern side of the host dwelling. The extension would protrude from the side elevation by 10.052 metres, measuring 11.765 metres in depth. Overall, having regard to the existing dimensions of the house and the plot, the proposed two storey rear extension is considered acceptable in terms of scale, mass and bulk.

7.5 The proposal also comprises materials that would match those of the host dwelling, or be similar in appearance, with it being outlined within the elevation drawings that the proposed extension would be constructed using facing brick and roof tiles to match existing. This would ensure that the extension, by way of materials, would be in keeping with the host dwelling.

7.6 The siting of the extension, when considered alongside the siting of the host dwelling, would be visible from the highway, and public vantage points along Dog Drove North. However, considering the design of the proposal coupled with the materials to match the existing, it is felt the proposal would not cause an adverse impact to the character or appearance of the area.

7.7 Overall, the proposals will ensure good living conditions for the house occupiers and are in keeping with the residential use of the property.

7.8 Taking the above into account, the proposed two storey extension, is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of layout, design, size and scale.

7.9 Residential Amenity

7.10 Paragraph 130 of the 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.

7.11 It is considered that there would not be a material adverse impact on residential amenity as a result of the proposed development. There is a large curtilage surrounding the property, so it would not cause a detrimental loss of any external amenity space for the occupiers of the dwelling. Furthermore, the development would be some distance from the nearest residential property so there would not be a material adverse impact on residential amenity of any neighbouring properties.

7.12 Taking the above into account, the proposal is considered to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of residential amenity.

7.13 Parking Provision

7.14 In connection with Policy 36 of the SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision.

7.15 3 car spaces must be provided within the curtilage for dwellings with more than 3 bedrooms. This dwelling does have more than 3 bedrooms, however the drive to the front and side is sufficient to accommodate three cars.

7.16 Therefore, the proposed parking provision complies with Policy 36 and Appendix 6 in the SELLP, 2019.

7.17 Planning Balance

7.18 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.

7.19 The proposed extension will not materially harm the character or appearance of the locality or amenity of nearby residents. It is therefore considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

7.20 Conclusion

7.21 In light of the considerations above, the proposal 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 (2021).

7.22 **Additional Considerations**

7.23 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.

7.24 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.

8.0 **RECOMMENDATIONS**

8.1 **That the application be approved 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 and/or documents:

Application Form
22/626/PA/003
22/626/PA/004

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

3. Three swift nest bricks shall be incorporated within the external walls of the extension hereby approved and shall be retained thereafter.

Reason: In the interests of biodiversity.

This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019.

4. 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>

Background papers:- Planning Application Working File

Lead Contact Officer

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Appendices attached to this report:

Appendix A Plan A

MapThat Scale Print Title

