

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H09-1173-19 **Applicant:** Mr M Jackson
Proposal: Proposed single storey rear extension
Location: Applejack 1 Leadenhall Road Holbeach St Marks
Terminal Date: 12th February 2020

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

Section 12. Achieving well-designed places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application that seeks permission for proposed single storey rear extension to the property known as Applejack at 1 Leadenhall Road, Holbeach St Marks, Spalding.

Site Description

The site forms part of linear development on the northern side of Leadenhall Road. This frontage development comprises a mixture of semi-detached and detached houses fairly set back from the road. The properties stand up within long linear narrow plots. The dwellings were built in late 1980s. The surroundings of the site are characterised by open agricultural fields.

The residential property is a detached two-storey house. There is a patio bordering the side and rear elevations. A timber shed and a glasshouse, both small scale, are near the western side elevation. The rear garden is laid in lawn. A 2 metre high timber close board fence with concrete posts obscure views from adjacent land to the rear garden.

History

H09-0973-16 - Proposed first floor extension - Approved

H09-1632-06 - First floor extension - Approved

H09-0358-03 - Single storey rear extension - Approved

Consultation Responses

None.

Planning Considerations

Principle of development

The site is within the settlement boundaries of Holbeach St Marks as set out in South East Lincolnshire Local Plan (SELLP), 2019. Thus, the principle of development for the proposed site is acceptable unless other material considerations indicate otherwise.

Design and layout

The proposed development would represent an additional extension to both approved single-storey extension (H09-0358-03) and first floor extension (H09-0973-16). It would protrude 4.6 metres from the existing rear elevation. The width would be 4.2 metres and the pitch height 4 metres. The eaves would be 2.60 metres high. Having regard to the scale and height of the house, it is considered that the proposed development would be subservient to the host property. The footprint of the extension would sit well in the rear garden so the form of development would not appear cramped on the site layout.

The kitchen would back onto the proposed extension which would be developed for the purpose of creating a garden room. Internal alterations entail wall demolition of the existing kitchen rear wall to serve access from the house to the garden room and, in turn, the rear garden.

The gable pitch roof over the proposed rear extension would be in keeping with the design of the main roof of the property. The external materials would be facing brick work and concrete roof tiles matching with those existing in the host property. Therefore, the appearance of the house extension would not detract from the external fabric of the house neither the prevailing 'brick-and-tile' feature of the houses within the frontage development.

Overall, the proposed design and layout are deemed to make the house extension visually attractive as a result of good architecture as per Paragraph 127 of NPPF (2019). Policy 2 of 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". As demonstrated above, the proposal would not deliver poor design and layout at odds with the character and quality of the host property as well as the built environment in the surroundings.

Residential amenity

Any consideration of impact upon residential amenity is made in relation to the residents living in the nearest property known as The Horseshoes.

The separation distance is 4 metres with the eastern boundary bordering The Horseshoes whereas the separation amounts 12 metres with the rear boundary to the north. In conjunction with the single-nature of the development, such distances are sufficient to prevent any overbearing effect on the residents of The Horseshoes.

The mass of the extension would not significantly impede visibility, daylight or accessibility for the house occupiers on the openings of other parts of the dwelling (e.g, doors of family room, upper

floor rear windows) insofar as it has merit to warrant refusal to this application.

For these reasons, the development would be acceptable on the grounds of residential amenity which is one of the material considerations listed in Policy 2 and 3 of SELLP (2019).

Conclusion

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan (SELLP), 2019 and Section 12 of the National Planning Policy Framework (NPPF), 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.