DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-1236-21**	**Applicant:**	**Mr A Bell**
Proposal:	Proposed extension & alterations		
Location:	10 Netherfield Holbeach Spalding		
Terminal Date:	24th January 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 12. Achieving well-designed places.
Section 15 - Conserving and enhancing the natural environment

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is an application seeking planning permission for a first floor side and single storey rear extensions. The ground floor rear extension would measure 3.6 metres (depth) x 9 metres (width) and stand at 2.6 metres (3.3 metres including roof lantern). The first floor extension would measure 2.6 metres (width) x 8.3 metres (depth). On the ground floor a kitchen/diner and playroom would be

created and on the first floor one existing bedroom would be extended and one additional bedroom created. The external materials would match the existing dwelling.

Site Description

The site comprises a detached dwelling located on Netherfield in Holbeach. The dwelling is red brick built with white window frames. It has a single integrated garage and a gravelled driveway to the front providing off-street parking provision for 2-3 vehicles. It has an open frontage and the rear garden is enclosed by a close boarded fence. The immediate area is primarily residential with similar size and style dwellings.

History

No relevant planning history.

Consultation Responses

Holbeach Parish Council

No objections.

Principle of development

The site is within the Holbeach settlement boundary and the proposed extensions would be sited within the residential curtilage of the existing dwelling therefore the principle of extending the existing dwellinghouse is 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.

Design and layout

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. 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 l and uses.

The proposed rear extension would not be visible from the public realm as it would be blocked by the applicants existing two storey house. The extension is considered proportionate to the existing dwelling and the plot. Sufficient outdoor amenity space would be retained and it would not result in overdevelopment of the site. Its design is considered sympathetic to the existing dwelling.

The first floor side extension is also considered sympathetic in design and size. Given its modest side projection and set-back from the front boundary it would not appear overly prominent in the street scene. Whilst side extensions are usually required to have a lowered roof ridge, in this instance a flush finish can be accepted given the detached character of the property therefore it would not result in a terracing effect. Furthermore the use of matching external materials would further ensure the extension is in keeping with the existing dwelling.

As such the development is considered acceptable in terms of its impact on the character of the existing dwelling and the wider area therefore it accords with Policies 2 and 3 of the SELLP and the NPPF.

Residential amenity

Paragraph 130 of 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.

The closest neighbour to the proposed development is to the south-west of the application site at

no. 12 Netherfield. The proposed side extension would bring the application dwelling 2.6 metres closer to this neighbour at first floor level. However, given the fact this neighbour does not have any windows in its side elevation facing the application site it is not considered to result in any overbearing impact or unacceptable overshadowing. No first floor windows are proposed in the side elevation facing this neighbour therefore there are no overlooking or loss of privacy concerns. The proposed ground floor rear extension would extend approximately 3.6 metres from this neighbours rear elevation. Given its modest height it is not considered to result in any unacceptable impact on this neighbour. In addition. This element falls within the permitted development criteria therefore it does not need planning permission.

With regards to the neighbour to the north-east at no.12 Netherfield the proposed first floor side extension would not be visible to this neighbour as it would not extend beyond the existing front and rear elevations therefore they would be blocked by the applicants existing house. The rear extension would not extend beyond this neighbours rear projecting element therefore it would not appear overbearing or result in nay overbearing impact.

As such the proposals are not considered to unacceptably harm the residential amenity of adjacent neighbours by reason of unacceptable overshadowing or overlooking.

Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed scheme would create 1 additional bedroom on the site and the parking requirement for the site would increase from 2no spaces to 3no spaces. There would be sufficient space in the driveway to the front for 2-3 off-street parking spaces and an additional space would be retained in the garage. As such the scheme is considered to comply with the current parking standards.

Planning Balance

The proposal will not materially harm the character or appearance of the locality, amenity of nearby residents or result in highway implications. On balance, no adverse impact of granting permission would significantly and demonstrably outweigh the benefits of doing so, when assessed against the planning policies taken as a whole.

Conclusion

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.

Taking into account the above, this application accords with Policies 1, 2, 3, 28, 36 and Appendix 6 of South East Lincolnshire Local Plan (2019) as well as Sections 12 and 15 of National Planning Policy Framework (2021).

Accordingly, it is recommended to approve this application via delegated powers.

Additional Considerations

None.

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.