DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H12-0632-23**	**Applicant:**	**Mr & Mrs R Robinson**
Proposal:	Two storey rear extension, front porch & internal alterations		
Location:	14 Barholme Avenue Lutton Spalding		
Terminal Date:	8th September 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

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 14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
OTHER STATUTORY BODIES	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

Proposal is for a two-storey rear extension and a front porch at 14 Barholme Avenue. A conservatory would be demolished to make way for the rear extension. The extensions would result in the creation of two new bedrooms on the first floor and the relocation of the existing ground floor bedroom.

The porch would measure 1691mm (at its deepest) and 2690mm (width). The porch would feature a flat roof of an approximate height of 2750mm. This height is in keeping with an existing flat roof side extension. A white UPVC door, to match the existing front door, is proposed.

The rear-extension is comprised of two sections: a wider ground floor section of width 7865mm, and a first-floor section of width 6740mm. The first-floor section would be a greater distance from the border. The depth of the extension would measure 4715mm. The extension would feature an uneven dual-pitched roof, with a ridge height of approximately 8000mm.

All materials would match the host.

Site Description

The site is within the settlement boundaries of Lutton, as outlined within the South-East Lincolnshire Local Plan, 2019. It is located on the north-western side of the Barholme Avenue, a cul-de-sac on the eastern edge of Lutton.

Barholme Avenue is comprised of semi-detached, two-storey houses. There is a general consistency in size and design on the avenue, with a preference for three/ four-bedroom houses. 14 Barholme Avenue is typical of this, currently being a two-storey dwelling, constructed of red brick with a strip of grey render.

Relevant History

No relevant planning history.

Consultation Responses

South Holland Internal Drainage Board

Does not meet the threshold for comment

Planning Considerations

Evaluation

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.
The adopted South-East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, 2021 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Layout, Design, Size and Scale

Section 12 of the NPPF, "Achieving well-designed places", states that " creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 130, contained within Section 12 of the NPPF, states that new development should function well and add to the overall quality of the area (including beyond the short term) and should

be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality, to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing. Developments 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 SELLP outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 of the SELLP requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the NPPF and require 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. Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design, and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

All materials would match the host, ensuring the extension appears well blended into the host dwelling. The rear extension would largely not be visible from the street, being screened by the dwelling.

No porches are present within Barholme Avenue. As such the proposed porch would be unique within the immediate locale. Despite this, porches are typical enough within the wider area and comparable cul-de-sacs as to not appear incongruous.

The size of the dwellings along Barholme Avenue are of a fairly consistent size. The addition of a large extension, but more importantly the addition of two bedrooms, would result in a significant variation from the established built form in the area. The substantial size of the would result in a dwelling at odds with the established character of the area. This would result in the property becoming an outlier in the locale.

Paragraph 56 of the National Design Guide, to be read in conjunction with the relevant section of the Planning Practice Guidance, states that well-designed places should contribute to local distinctiveness by "adopting typical building forms" and "drawing upon the architectural precedents that are prevalent in the local area, including the proportions of buildings". It is considered that the proposal fails to conform to these two points as the extension would create a dwelling significantly larger than any comparable houses in the immediate area. Policy 2 of the SELLP also states the importance of preserving an established character and design pattern.

As such, it is considered that the proposal would result in a form of development at odds with the established character and built form of Barholme Avenue. The proposal therefore fails to conform to Policy 2 and 3 of the SELLP in terms of design and scale.

Impacts Upon Resident Amenity

Paragraph 130 of the NPPF states that development should 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.

Policies 2 and 3 of SELLP sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The proposed extension on the first floor is angled away from the adjoining property. Despite this, due to the substantial size of the extension, the proposal would impact upon the amenity of the adjoining property via the loss of outlook and light. While there is no right to a view within planning, outlook is still an important factor, and the reduction of outlook may result in the proposal appearing overbearing.

The proposed extension would severely reduce the light reaching Bedroom 2. The reduction in the size of windows, coupled with the proximity to the extension, would result in an unacceptable loss of light. This would result in unfavourable living conditions within this portion of the house.

The proposed rear windows will face onto the rear garden. There is the potential that these windows would offer some views of the garden of 13 Barholme Avenue. However, due to the positioning of the extension, any views would be at an oblique angle. This would reduce the potential for overlooking.

Furthermore, as there are already windows within the rear elevation, it is considered that the proposed extension would not offer increased views into the garden of 13 Barholme Avenue. There is a significant enough distance between 14 Barholme and 8 Richard Busby Way as to ensure this dwelling is not overlooked.

The proposed porch would have little to no amenity impact.

While the proposal would not result in additional overlooking, it is considered that due to the scale and positioning of the extension, the proposal would result in an unacceptable amenity impact both upon the host property and the adjoining dwelling.

Highways and Parking

Policy 36 and Appendix 6 of the SELLP relate to parking provisions. In line with this policy, 3 parking spaces are required for developments with more than three bedrooms. It is considered that there is adequate space within the property's driveway as to accommodate this volume of vehicles. The proposal therefore conforms to Policy 36 and Appendix 6 of the SELLP.

Flood Risk

Policy 4 of the SELLP relates to flood risk management. The site is within flood zone 3 of the environment agency maps. Within the local Strategic Flood Risk Assessment (SFRA), the site is classed as "danger for most", with expected flood depths of up to 1 metre.

While ground floor accommodation within these parameters without sufficient mitigation would be unacceptable under normal circumstances, as there is already a ground floor bedroom, it is considered that it is unreasonable to resist the application on flood risk grounds. Residents would have access to the first floor in the event of flooding to use as a refuge.

That being said, it is still advised that the occupants consider the adaptation of the dwelling moving forward to reduce the potential impacts of flooding.

Planning Balance

While the proposed rear extension would largely be hidden from view and would be constructed from materials matching the host, it would represent an incongruous form of development, at odds with the established built form, by virtue of an overly large development. There is no precedent in the immediate area for such large dwellings, and therefore, the dwelling would by out of keeping with the established character of Barholme Avenue. The NPPF and the National Design Guide outline that good design takes account of the established proportions of building and as such, a development which is severely at odds with the established scale of dwellings in the area should be resisted.

The potential for overlooking is limited. The windows would offer only oblique views of the neighbour's garden. However, the proposal, by virtue of its substantial size and positioning, would impact upon the outlook and light achieved by both the host dwelling and the adjacent property. As such, it is considered that the proposal would have an unacceptable amenity impact.

The proposal would not significantly increase the impacts of flooding. There is already a bedroom on the ground floor, and therefore, Bedroom 6 would not be at greater flood risk.

The site has sufficient room as to provide the necessary three parking spaces.

It is therefore considered that the proposal fails to conform to Policies 2 and 3 of the SELLP. The development therefore represents an unsuitable and unsustainable form of development, at odds with the local development plan. The planning balance is against the proposal.

Conclusion

The recommendation is for delegated refusal.

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.