DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0381-21**	**Applicant:**	**Mr & Mrs Rains**
Proposal:	Part single storey and part two storey extensions to the rear of the dwelling - creating a master bedroom and garden room and forming a larger kitchen and extension to bedroom 4		
Location:	14 Saxon Close Spalding		
Terminal Date:	8th June 2021		

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 of the National Planning Policy Framework, 2019.

12 - Achieving well-designed places.

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application at 14 Saxon Close, Spalding for part single storey and part two storey extensions to the rear of the dwelling - creating a master bedroom and garden room and forming a larger kitchen and extension to bedroom 4. At ground floor level, the extension will project a maximum of 5.85 metres from the original rear wall and will contain a kitchen / dining area and a garden room. At first floor level a bedroom and en-suite will be sited. The first floor side elevation en-suite window will be obscure glazed, the rear elevation windows serving bedrooms 1 and 4 are

considered to represent a standard rear / frontage orientation. Brick and tile would be to match that of the existing dwelling.

SITE DESCRIPTION

The proposal is within defined settlements and the surrounding area is characterised by dwellings of a similar age and design. The site is in Environment Agency Flood Zone 3, and is in a "Danger for All" hazard area, with a maximum flood depth above 2 metres on the 1% 2115 South Holland Strategic Flood Risk Mapping.

HISTORY

H16-0789-02

Full - Conservatory to existing house - Approved - 28 August 2002.

H16-0701-05

Full - Single-storey extension to front of dwelling - Refused - 29 June 2005.

H16-1339-05

Full - Single-storey extension to front of dwelling - Refused - 24 November 2005. Appeal allowed - 05 April 2005.

CONSULTATION RESPONSES

Members of the public (1 no. comment)

Requests the installation of three swift nest bricks.

PLANNING CONSIDERATIONS

Principle of development

The proposal is for residential development on residential land within defined settlement limits. The principle of development in this location is considered to be acceptable.

Assessment against SELLP Policy 2 - Development Management

This proposal is assessed against SELLP Policy 2 titled - Development Management. This policy states:

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:
1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets;
9. impact on the potential loss of sand and gravel mineral resources."

When assessed against the above relevant criteria the following can be observed:

1. The size, scale and layout is considered to be acceptable for the site. The development is to the rear of the dwelling and is not considered to impact the character and appearance of the surrounding area.

2. The design is to facilitate a new bedroom and an en-suite at first floor level. It is not considered that the extension could be substantially reduced and still allow adequate room for the occupant(s)

of the bedroom.

3. The proposed materials are to match those of the existing dwelling and this is considered to benefit the final design.

4. The proposed access and parking provision is not impacted by this proposal. Three off road parking places can be accommodated on site which meets the minimum requested amount for a four bedroom dwelling under Appendix 6 of the SELLP.

5. Existing community services and infrastructure will not be impacted by this proposal.

6. There is not considered to be a noise, odour or disturbance impact to neighbouring properties. With regard to visual impact, when a 45 degree angle is drawn upward from the centre of the neighbouring window at 16 Saxon Close and 12 Saxon Close this does not create a material overshadowing impact. With regard to the 5.85 metre projection from the original rear wall, there is not considered to be a material impact from overbearing or overshadowing. This is because the extension faces in a northern direction so there would not be a material loss of light. Additionally, drawing a 45 degree line from the end of the building would not project materially beyond the halfway line of the adjacent windows at 16 Saxon Close. The first floor side elevation en-suite window will be obscure glazed, the rear elevation windows serving bedrooms 1 and 4 are considered to represent a standard rear / frontage orientation. The proposed rear windows are 11.24 metres from the rear northern boundary and 10.76 metres to 21 Woodfield Close to the north, which is a combined distance of 22 metres. This is an acceptable separation distance.

7. The site is in Environment Agency Flood Zone 3, and is in a "Danger for All" hazard area, with a maximum flood depth above 2 metres on the 1% 2115 South Holland Strategic Flood Risk Mapping. As the proposal is attached to the existing dwelling, there is not a need to raise finished floor levels.

The proposal accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

This proposal is assessed against SELLP Policy 3 titled - Design of New Development. This policy states:

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. 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.
Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:
1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
2. distinguishing between private and public space;
3. the landscape character of the location;
4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;
5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;
8. crime prevention and community safety;
9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;
10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);
13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;
14. the incorporation of existing hedgerows and trees and the provision of appropriate new

landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;
15. the appropriate use or reuse of historic buildings.

When assessed against the above relevant criteria the following can be observed:

1. A sense of place is not considered to be impacted by this proposal. The size, scale and layout is considered to be acceptable for the site. The development is to the rear of the dwelling and is not considered to impact the character and appearance of the surrounding area.

5. Bin storage and cycle storage can be easily accommodated on site without impacting the amenity of the occupants. The proposed access and parking provision is not impacted by this proposal. Three off road parking places can accommodated on site which meets the minimum requested amount for a four bedroom dwelling under Appendix 6 of the SELLP.

11. There is not considered to be a noise, odour or disturbance impact to neighbouring properties. With regard to visual impact, when a 45 degree angle is drawn upward from the centre of the neighbouring window at 16 Saxon Close and 12 Saxon Close this does not create a material overshadowing impact. With regard to the 5.85 metre projection from the original rear wall, there is not considered to be a material impact from overbearing or overshadowing. This is because the extension faces in a northern direction so there would not be a material loss of light. Additionally, drawing a 45 degree line from the end of the building would not project materially beyond the halfway line of the adjacent windows at 16 Saxon Close. The first floor side elevation en-suite window will be obscure glazed, the rear elevation windows serving bedrooms 1 and 4 are considered to represent a standard rear / frontage orientation. The proposed rear windows are 11.24 metres from the rear northern boundary and 10.76 metres to 21 Woodfield Close to the north, which is a combined distance of 22 metres. This is an acceptable separation distance.

12. The site is in Environment Agency Flood Zone 3, and is in a "Danger for All" hazard area, with a maximum flood depth above 2 metres on the 1% 2115 South Holland Strategic Flood Risk Mapping. As the proposal is attached to the existing dwelling, there is not a need to raise finished floor levels.

The proposal accords with SELLP Policy 3.

PLANNING BALANCE

The proposed extension can be accommodated on site without materially impacting the character or amenity of the surrounding area. The application accords with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2019.

CONCLUSION

This application is recommended for approval.

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.