DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0677-22**	**Applicant:**	**Mr & Mrs D Blackshaw**
Proposal:	Proposed extensions & alterations		
Location:	6 Helmsley Way Spalding		
Terminal Date:	2nd September 2022		

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 2021

12 - Achieving well-designed places.

Representations:

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application for proposed extensions and alterations at 6 Helmsley Way, Spalding. The proposal seeks to provide a two storey rear extension that contains a kitchen and study at ground floor level, as well as a bedroom and bathroom at first floor level. Brick and tile is to match that of the existing dwelling and would be conditioned as such.

SITE DESCRIPTION

The site is within defined settlement limits and the surrounding area is characterised by dwellings of a similar age and design. The site is within Environment Agency Flood Zone 3 and the site is in a "Danger for All" hazard area, with a maximum predicted flood depth of above 2 metres on the 2115 South Holland Strategic Flood Risk Mapping. Because the application is for a domestic extension there is not a requirement to raise finished floor levels to address flood risk.

RELEVANT HISTORY

H16-0087-91

Full - Extension to house - Approved - 21 March 1991.

CONSULTATION RESPONSES

None

PLANNING CONSIDERATIONS

Principle of development

This application 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

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

1. The size, scale and layout of the proposal is considered to be appropriate for the site. No trees are to be removed to facilitate this proposal. Due to the location and design there is not considered to be a material impact on the character and appearance of the area.

2. The design and orientation is considered to be acceptable for the site and surrounding area.

3. Brick and tile is to match that of the existing dwelling and would be conditioned as such.

4. The existing access is not being altered. The proposal will increase the number of bedrooms to 6. The site can afford four off road parking spaces which exceeds the minimum amount of three for dwellings with four bedrooms or greater under Appendix 6 of the SELLP.

5. The capacity of existing community services and infrastructure is not impacted by this proposal.

6. There is not considered to be a noise, odour or disturbance impact from the extension. With regard to visual intrusion the following can be observed:

Overdevelopment - The proposed extension is not considered to constitute overdevelopment. The site retains ample amenity space to the front and rear of the dwelling.

Overlooking - There is not considered to be a material overlooking aspect from the new fenestration. There are no ground or first floor side windows and the windows to the rear are on the same orientation as those of the existing rear windows. The new windows will be located 23.427 metres from the rear boundary.

Overshadowing - There is not considered to be a material overshadowing impact from the extension. When right to light 45 degree lines are drawn from the new roof edges none of lines hit above halfway on any windows of the neighbouring properties. The proposal benefits from the extension being single storey closest to the northern boundary with 4 Helmsley Way and being located to the north of 8 Helmsley Way so no light loss will occur to this neighbouring property.

7. The site is within Environment Agency Flood Zone 3 and the site is in a "Danger for All" hazard area, with a maximum predicted flood depth of above 2 metres on the 2115 South Holland Strategic Flood Risk Mapping. Because the application is for a domestic extension there is not a requirement to raise finished floor levels to address flood risk.

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 relevant criteria the following can be observed:

1. The size, scale and layout of the proposal is considered to be appropriate for the site. No trees are to be removed to facilitate this proposal. Due to the location and design there is not considered to be a material impact on the character and appearance of the area, nor a sense of place.

5. Ample space remains for cycle and bin storage. The existing access is not being altered. The proposal will increase the number of bedrooms to 6. The site can afford four off road parking spaces which exceeds the minimum amount of three for dwellings with four bedrooms or greater under Appendix 6 of the SELLP.

11. There is not considered to be a noise, odour or disturbance impact from the extension. With regard to visual intrusion the following can be observed:

Overdevelopment - The proposed extension is not considered to constitute overdevelopment. The site retains ample amenity space to the front and rear of the dwelling.

Overlooking - There is not considered to be a material overlooking aspect from the new fenestration. There are no ground or first floor side windows and the windows to the rear are on the same orientation as those of the existing rear windows. The new windows will be located 23.427 metres from the rear boundary.

Overshadowing - There is not considered to be a material overshadowing impact from the extension. When right to light 45 degree lines are drawn from the new roof edges none of lines hit above halfway on any windows of the neighbouring properties. The proposal benefits from the extension being single storey closest to the northern boundary with 4 Helmsley Way and being located to the north of 8 Helmsley Way so no light loss will occur to this neighbouring property.

12. The site is within Environment Agency Flood Zone 3 and the site is in a "Danger for All" hazard area, with a maximum predicted flood depth of above 2 metres on the 2115 South Holland Strategic Flood Risk Mapping. Because the application is for a domestic extension there is not a requirement to raise finished floor levels to address flood risk.

This application accords with SELLP Policy 3.

PLANNING BALANCE

Due to the siting and design of the proposed extension there is not considered to be a material impact on the character and amenity of the surrounding area. Therefore, the application is considered to accord 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, 2021.

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.