

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H22-0200-24 **Applicant:** Mr & Mrs T Holden
Proposal: Single storey rear extension to allow for a DFG bedroom and wet room
Location: Gate Cottage Holbeach Road Spalding
Terminal Date: 2nd May 2024

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2023

Section 9 - Promoting Sustainable Transport
Section 12 - Achieving Well Designed and Beautiful Places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Reason for Panel Referral

The application has been submitted using grant money received by South Holland District Council.

Description of Proposal

The proposal seeks planning permission for the creation of a single-storey, flat roof, rear extension at Gate Cottage, Holbeach Road. The proposal also includes alterations, including the repositioning of a rear window, roof alterations and the creation of a ramp.

The proposed extension would project from the rear of the dwelling by 4260mm. It would have a width of 4000mm, with a maximum height of 3000mm. A single rear window is proposed, looking onto the property's rear garden. The extension would form a new bedroom.

In addition to the extension, it is proposed that the existing rear mono-pitched roof be altered to form a flat roof. This would create a continuation between the host and the proposed extension. In addition, it is proposed that the existing rear facing window is altered, becoming thinner and taller. An access ramp measuring 3200mm by 1350mm is proposed. Internal alterations are proposed in order to rearrange the floor layout. It is noted that this ramp and internal alterations would constitute permitted development.

Site Description

The site is outside of any of the settlement boundaries outlined within the South-East Lincolnshire Local Plan, 2019, being located approximately 1.3km east of Spalding. Holbeach Road, otherwise known as the A151, is the main road between Holbeach and Spalding. The rural location of the site results in an area characterised by agricultural and commercial properties, with residences interspersed between.

While the setting lacks a clearly defined character, Gate Cottage is largely typical of dwellings in the area. It is a two-storey property, rendered light brown. Brown UPVC windows and doorframes are present. The property fronts directly onto the path, making the principal and side elevations appear more imposing, but resulting in a largely obscured rear.

Relevant History

No relevant history.

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Highway and Local Lead Flood Authority

"The proposal is for a single storey rear extension to allow for a DFG bedroom and wet room. The proposals do not affect the parking or access to the site therefore it will not have an adverse impact on the public highway."

South Holland Internal Drainage Board

"the proposed application does not meet our threshold for commenting as per our Planning and Byelaw Strategy"

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Key Planning Considerations

Evaluation

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, 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, December 2023 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Principle of Development

Policy 1 of the SELLP sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

While the site is within the Countryside, an area of development control within Policy 1, all works would be within the residential curtilage of Gate Cottage and would not be tantamount to the creation of a new dwelling in an unfavourable location.

Therefore, the proposal is considered to be acceptable in principle. The principle of development on this site is considered acceptable subject to other material considerations being met.

Layout, Design, Scale and Consideration of the Character of the Area

Section 12 of the NPPF, "Achieving well-designed and beautiful places", states that the "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 135, 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 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, 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.

Due to the rear location and the orientation of the dwelling, the proposal would largely be obscured from the street scene, reducing the character impacts of the proposal. Moreover, the location of the dwelling outside of settlement boundaries and the relatively fast traffic speeds of Holbeach Road mean that the actual visibility of the extension is low. Flat roof extensions are a common addition to dwellings, and therefore, the addition of one here would not appear out of place. Any potential impacts are further reduced by the relatively small scale of the works. As such, the proposal would not have a significant harmful character impact.

The proposed brickwork would match the host, ensuring visual continuity is maintained. The design of the proposal is visually subservient to the host, further ensuring conformity to Policy 2 and reducing the potential character impact. While residences are sparse in the area, flat roof extensions are a fairly common feature, and this typicality would ensure the proposal does not appear incongruous.

Taking account of the design, scale, and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with Policies 2 and 3 of the SELLP and Section 12 of the NPPF.

Impacts Upon Resident Amenity

Paragraph 135 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 proposal would not create any additional overlooking. The rear windows are in a comparable position to those in the existing rear elevation. Furthermore, their low positioning would prevent views over the boundary treatments.

Significant boundary treatments are present between the proposal and the boundary. Any potential overshadowing would fall primarily onto the boundary fence present, ensuring the proposal does not have a significant adverse impact upon neighbouring amenity.

As detailed above, the scale and design of the proposal is considered to have no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the Section 12 of the NPPF and Policies 2 and 3 of the SELLP in terms of impact upon residential amenity.

Highway Safety and Parking

Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this, Paragraph 115 advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal. Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the SELLP, in conjunction with Appendix 6, sets out minimum vehicle parking standards

and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

The proposal would result in an additional bedroom, resulting in the need for an additional parking space. There is ample space within the curtilage of the dwelling to accommodate this. The relevant consultee from the Highway department has raised no objection to the proposal. As such, the proposal would not have an adverse impact upon highway safety.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3, 33 and 36 of the SELLP, as well as Section 9 of the NPPF.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposal represents appropriate development within a defined residential curtilage. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking, whilst conforming with the SELLP and the provisions of the NPPF when viewed as a whole.

Conclusion

Taking these factors into consideration, the proposal is considered to comply with Policies 1, 2, 3, 33, 36 and Appendix 6 of the SELLP, as well as Sections 9 and 12 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.

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.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.