

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H23-0753-20 **Applicant:** Mr J Parker
Proposal: Extension & alterations
Location: Shepherds House Fox Heading Lane Holbeach St Johns
Terminal Date: 9th November 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01 Spatial Strategy
02 Development Management
03 Design of New Development
36 Vehicle and Cycle Parking
APPENDIX 6 Parking Standards

National Guidance

National Planning Policy Framework 2019

Paragraph 127 of Section 12. Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application that seeks permission for proposed extension and alterations at Shepherds House, Fox Heading Lane, Holbeach St Johns, Spalding.

Site Description

The site lies on the countryside characterised by flat open fields and multiple drains which define the Fenlands landscape. Approximately 270 metres to the south-east, there is the Fenland Airfield.

The full curtilage bounds the highway junction between Fox Heading Lane (west) and Jekils Bank (south). It amounts roughly to 0.46 hectares and is mainly paddock land. The application site is restricted to the residential plot of Shepherds House.

The residential building is a large modern two-storey detached dwellinghouse. There is a spacious slabbed patio to the rear of the building and grassed garden further to the back of the plot. There is a fairly wide area adjoining the eastern boundary with pebbles on the surface.

History

H23-0712-07 - Ground floor extension and alterations - Approved

H23-0928-02 - Extensions and alterations - Approved

H23-0561-99 - Erection of a stable/hay store - Approved

H23-1285-99 - 11,000 volt overhead line - Approved

Consultation Responses

Whaplode Parish Council

No objection.

County Historic Environmental Officer

No archaeological impact.

Planning Considerations

Principle of development

The site lies on land designated as countryside following the South East Lincolnshire Local Plan (SELLP), 2019. Irrespective of spatial strategy considerations, the principle of developing a house extension and alterations that are incidental to the enjoyment of the dwellinghouse are 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 127 of National Planning Policy Framework (NPPF), 2019 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; and 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 states 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.

The footprint of the extension will be of an inverted L shape. The development will protrude approximately 7.10 metres from the eastern side wall of the house. The maximum depth will be in the region of 9.55 metres. The apex height will be roughly 4.25 metres. Having regard to the existing dimensions of the house, it is concluded that the development will appear subservient to the host property in terms of scale, mass and bulking.

Internally, the floorspace of the extension will be used to accommodate a family room and bedroom. The intended use of the development will be in keeping with the use of the building and its setting. The existing opening on the eastern elevation will provide access to the family room from the kitchen, and one additional opening will be formed to ensure access from the family room to the bedroom. French doors will be opened facing the patio to provide access between outdoors and the family room. Fenestration of standard size will be opened on both front and rear elevation of the extension.

The external materials will be facing brickwork, roof tiles and UPVC matching those currently in the dwellinghouse. Thus, the visual amenity will not result significantly altered by reason of the proposals.

In summary, the scale and height of the extension are proportional to the host property. The intended use of the extension is in accordance with the residential character of the building and its setting. The external materials will not be dissimilar to those existing in the building. For these reasons, the design and layout of the development is acceptable and the application accords with aforementioned policies at the top of this section.

Residential amenity

No other residential properties exist within a reasonable distance. In any case, the scale and height of the extension is not excessive to create any harm upon the residential amenity of neighbour should be one further property in close proximity with the development.

Fenestration is of standard size to ensure sufficient daylight for the enjoyment of the householders when staying within the family room and bedroom. The footprint of the extension will not entail significant loss of garden area, thereby the enjoyment of the outdoor amenity area is ensured after developing the proposals.

In summary, the development complies with residential amenity which is one of the key principles of design and development management as set out in Policies 2 and 3 of SELLP (2019).

Car parking provision

In conjunction with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum standards for parking provision upon the use class.

No details of the first-floor internal distribution have been provided with this application. However, after reviewing the planning history, it is known that there are 3 bedrooms upstairs. Therefore, the development will increase the total number of bedrooms up to 4.

Three spaces for dwellings with 4 or more bedrooms should be provided within the curtilage as per Appendix 6 of SELLP, 2019. To the front of Shepherd's House, there is a sizeable area for drive and car parking. In any case, there will be no limitation to accommodate three spaces for car parking. Therefore, the proposals accord with Appendix 6 of SELLP, 2019.

Conclusion

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2, 3, 4 and 36 of the South East Lincolnshire Local Plan (SELLP), 2019; and also Paragraph 127 and 163 of the National Planning Policy Framework (NPPF), 2019.

It is accordingly recommended to approve this planning application via delegated powers.

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.