

## SOUTH HOLLAND DISTRICT COUNCIL

**Report of:** Development Manager

**To:** Planning Committee - 12 February 2020

**(Author:** Maria Salemmé - Planning Policy Officer)

**Purpose:** To consider Planning Application H23-1206-19

**Application Number:** H23-1206-19

**Date Received:** 12 December 2019

**Application Type:** FULL

**Description:** Single-storey flat roof side extension

**Location:** 3 RANDALL BANK MOULTON EAUGATE SPALDING

**Applicant:** Mrs F Bowers

**Agent:** South Holland building  
Consultancy

**Ward:** Whaplode and Holbeach St  
Johns

**Ward Councillors:** Cllr A C Beal  
Cllr P A Redgate

You can view this application on the Council's web site at

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H23-1206-19>

### 1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The agent is South Holland Building Consultancy.

### 2.0 PROPOSAL

2.1 This is a householder application for a single-storey flat roof side extension to 3 Randall Bank, Moulton Eaugate.

2.2 The proposed extension would be off the southern elevation of the existing dwelling and would create a kitchen and shower room. Bricks would match the existing and the roof would be of felt/fibreglass construction.

### 3.0 SITE DESCRIPTION

3.1 3 Randall Bank is a two-storey semi-detached dwelling, set within a good sized plot. The dwelling is set back from Randall Bank, and has a large front garden which is grassed. The property has a small 1m mature hedge to the front, along the western boundary. To the south, there is a shared access for no's. 2 and 3 Randall Bank.

3.2 Existing built development in the immediate area is limited, comprising of two pairs of semi-detached dwellings of the same design. It should be noted that no. 2 to the south already has a flat roof side extension. Beyond these dwellings is open countryside.

### 4.0 RELEVANT PLANNING POLICIES

#### 4.1 **The Development Plan**

South East Lincolnshire Local Plan, March 2019

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Policy 2 - Development Management

Policy 3 - Design of New Development

#### **National Guidance**

National Planning Policy Framework (NPPF), 2019

Section 12 - Achieving well designed places

Planning Practice Guidance(PPG)

National Design Guide

#### 5.0 **RELEVANT PLANNING HISTORY**

5.1 None.

#### 6.0 **REPRESENTATIONS**

6.1 Lincolnshire County Council, Historic Environmental Officer

No archaeological impact.

6.2 Public

One comment received, summarised as follows:

Concern about surface water run off and that digging of the foundations will undermine the stability of the shared driveway. Vehicle usage of this for services such as fuel delivery and drainage/sewer emptying will continue to make the ground worse. Inspection requested, for a discussion to resolve this issue.

#### 7.0 **CONSIDERATIONS**

7.1 **Planning Considerations**

7.2 Key issues for consideration in respect of this application are:

- Design and layout;
- Residential amenity; and
- Other considerations.

7.3 Design and Layout

7.4 The proposed development will enhance the space at ground floor by creating a kitchen area to the rear and a shower room to the front. The proposed extension would have a width of approximately 2.7m and would be approx. 4.1m from the southern boundary. It would have a depth of approx. 6.7m being flush with the existing rear elevation of the property. Given this, and the single storey nature of the extension, it is considered that it would be subservient to the existing dwelling. Furthermore, vehicles would still be able to park to the side of the property due to the gap retained. It is therefore acceptable in terms of scale and size.

7.5 Flat roof side extensions are not usually preferred because of their unappealing appearance in conjunction with visibility from public vantage points. However, the neighbouring property to the

south has an existing flat roof side extension. Therefore, on balance, it is not considered that there is a justifiable reason to refuse the proposal on design grounds.

#### 7.6 Residential Amenity

7.7 The proposed extension is single storey in nature, therefore it is not considered that there would be a material adverse impact in terms of overshadowing or the development being overbearing for the neighbouring property.

7.8 No. 2 to the south has ground floor and first floor windows facing windows, and no. 3 already has a number of windows facing towards that property. The proposed extension will be approx. 6.8m from the boundary of No.2 neighbouring elevations and windows of the north elevation of No. 2 property. This is approx. 2.7m closer to the neighbouring property with the proposed development.

7.9 With the proposed extension, only one window will be facing No.2 which is from the shower room. As the kitchen window is proposed to face the rear of the property.

7.10 It is therefore not considered that the positioning of the window on the southern elevation of the proposed extension would result in a material adverse impact on privacy.

7.11 Given the above, it is considered that the proposal is acceptable on amenity grounds.

#### 7.12 Other Considerations

7.13 Structural stability issues are a civil matter between landowners.

7.14 The agent has confirmed that drainage will be via a rainwater soakaway system. There are no known soil permeability issues in this area and so the proposed means of drainage is considered acceptable.

#### 7.15 **Additional Considerations**

#### 7.16 Public Sector Equality Duty

7.17 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.

7.18 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.19 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.

7.20 It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

7.21 Human Rights

7.22 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).

7.23 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.

7.24 Conclusion

7.25 In light of the considerations above, the proposed single-storey flat roof extension at 3 Randall Bank, Moulton Eaugate is considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2019).

**8.0 RECOMMENDATIONS**

8.1 **Grant permission subject to those conditions listed at Section 9.0 of this report.**

**9.0 CONDITIONS**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

- 18
- 20
- 19
- 01
- 15
- 04
- 05

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and subsequently determining to grant planning permission.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at <http://planning.sholland.gov.uk/OcellaWeb/planningSearch>

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Background papers:- Planning Application Working File

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**Lead Contact Officer**

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**Appendices attached to this report:**

Appendix A          Plan A

# MapThat Scale Print Title

