

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H05-0434-20 **Applicant:** Mr P Vijayaratnam
Proposal: Replace existing porch, new dormer extension and alterations
Location: 24 Fleet Road Fleet Spalding
Terminal Date: 27th August 2020

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. Achieving well-designed places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application that seeks permission to replace the existing porch, erect a new dormer extension and carry out alterations at 24 Fleet Road, Fleet, Holbeach.

Site Description

The site is at the eastern end of the built-up area of Holbeach. The area is mainly residential. A wide range of designs, appearances and ages has been observed along Fleet Road.

The plots forming the frontage development on this side of the highway are large. There are spacious driveways to the front of the properties. The application site hosts a high pitched (chalet)

bungalow with habitable loft space. A shorter single-storey element to the eastern side elevation accommodates a garage and main entrance of the property. There is a semi-circular conservatory on the front elevation. The front roof slop has currently two hip gable pitched dormer windows.

History

H05-0518-01 - (Outline) Erection of 2 dwellings - Approved

H05-0096-02 - (Reserved Matters) Erection of two houses with detached double garages (Outline application H05/0518/01) - Approved

Consultation Responses

None.

Planning Considerations

Principle of development

The site is within the settlement boundaries of Holbeach as set out in the South East Lincolnshire Local Plan (SELLP), 2019. The principle of developing a new porch and one additional dormer extension that are incidental to the enjoyment of a dwelling house is 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 existing front conservatory will be replaced for a flat roof brick porch. The footprint and height of the proposed porch will not differ dramatically from the structure to replace. The dimensions of additional dormer window will be tantamount to the other two existing dormer openings. Therefore, the external elements of the proposed development will appear subservient to the host property in terms of scale, mass and bulk.

The porch roof will be sustained by two brick piers. The dormer window will have a hip gable pitched roof as the existing roof openings. The window layout will replicate those existing. The external materials of both porch and dormer will match those existing in the property, thereby the visual amenity will not result undermined.

The creation of one further dormer window will entail no adverse effect on the external fabric of the house neither on the wider street scene. The mixture of architectural elements of the properties of the frontage development is highly varied and the external proposal development will not lead to any cumulative impact in terms of design.

The proposed works also include internal alterations of the dwellinghouse to upgrade openings and increase the floorspace of dining room. These works are deemed acceptable as it will meet the functional needs of the house occupiers.

In summary, the external proposals are appropriate with the host property in terms of scale, design and layout, and overall the character of the local area. The form of development is coherent with the building and the aesthetics of the street scene. The internal alterations appear acceptable. Therefore, the proposals comply with the aforementioned policies at the top of this section.

Residential amenity

The proposed external works will not undermine the amenity standards of residents nearby. The dormer window will not directly overlook other openings or adjacent plots. The porch is acceptably designed to the extent that it will not reduce the daylight through adjoining openings on the first elevation of the dwelling.

The internal alterations will be overall positive to satisfy the living needs of the house occupiers, thus no negative impact is anticipated.

Therefore, 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).

Conclusion

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan (SELLP), 2019 as well as Section 12 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.