DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H05-1030-21**	**Applicant:**	**Mrs V Lovell**
Proposal:	Demolish existing conservatory and erection of single storey extension		
Location:	Lambert Farm Cottage Lambert Bank Holbeach St Johns		
Terminal Date:	25th November 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2021

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 seeking permission for the proposed demolition of the existing conservatory (part retrospective as conservatory has already been demolished) and an erection of a single storey extension to the dwelling at Lambert Farm Cottage, Lambert Bank, Holbeach St Johns, Spalding.

Site Description

The site is situated outside of the settlement boundary of Holbeach St Johns, according to the South East Lincolnshire Local Plan, 2019 and is situated to the south of the settlement, to the east of Lambert Bank. The property is a detached dwelling associated with the farm situated to the north and is surrounded by open fields to the west, east and south of the property.

The dwelling is situated on a spacious plot with considerable land to the rear and a large driveway.

History

H05-0306-04- Erection of conservatory to side of property. Approved on 06-05-04.

H05-0972-01- Erection of a 2 storey extension, conservatory and double garage. Approved on 12-10-01.

Consultation Responses

No consultation responses received.

Planning Considerations

Layout, Design, Size and Scale

Paragraph 130 of the National Planning Policy Framework (NPPF), 2021 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 proposed single storey side extension would protrude from the southern side elevation by approx. 4.95m and a depth of approx. 8.8m. Having regard to the existing dimensions of the house and plot it sits within, the single storey side extension is acceptable in terms of scale, mass and bulk and would still be considered subservient to the host property.

The proposed external materials include K render in beige to match the existing external walls to the property. Roof tiles and windows will also match existing. The hipped roof, whilst a contrast to the gable, does not adversely impact the appearance of the property. Therefore, the visual amenity of the property is not considered to be undermined.

Internally, the purpose of the development is to gain further internal floor space for create a new dining room which will be accessed by two new openings from both the existing kitchen and study. Overall, the development will meet the functional needs of the householders and is in keeping with the residential use of the property.

Taking the above into account, the proposed single storey side extension is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of layout, design, size and scale.

Impact upon Residential Amenity

Paragraph 130 of National Planning Policy Framework (2021) amongst other matters seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of South East Lincolnshire Local Plan (2019) set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

There are no dwellings to the east, south or west for a considerable distance, therefore there will be no material overbearing, overlooking or loss of light impact as a result of the proposed development.

Taking the above into account, the proposed extensions are deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of residential amenity.

Planning Balance

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 proposed single storey side extension will not materially harm the character or appearance of the locality or amenity of nearby residents. It is therefore considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

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.

Conclusion

The recommendation is for a delegated approval.