

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H06-1031-20 **Applicant:** Mr H Dickinson

Proposal: Enclose existing porch canopy and replace first floor french doors with windows

Location: Impallarcom House Stonegate Gedney

Terminal Date: 18th January 2021

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

Paragraph 127 (Section 12. Achieving well-designed places)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application that seeks permission for enclosing the existing porch canopy and replace first floor French doors with windows at Impallarcon House, Stonegate, Gedney.

Site Description

The site is at the end of row of properties forming frontage development on the western side of Stonegate. Nearly all properties are detached dwellinghouses. There is a mix of designs, appearances and ages as the buildings were individually designed.

The application site extends from the road (east) to the drain (west). Open fields extend further to the west and south. The property is a large two-storey detached gable pitched house. The front part of the site is sizeable. There is a gravelled driveway and the remainder of land is laid in lawn. There is mature hedge on the site boundaries that obscure views onto the site.

An open-air swimming pool is in the rear garden which obtained permission to make it enclosed within a single-storey extension.

History

H06-0360-20 - Single storey extension (re-submission of H06-0035-20) - Approved

H06-0035-20 - Single storey extension to dwelling - Approved

Consultation Responses

Gedney Parish Council

Supports this application.

Planning Considerations

Principle of development

The site is within the settlement boundaries of Gedney as set out in the South East Lincolnshire Local Plan (SELLP), 2019. The principle of an extension and alterations that are incidental to the enjoyment of a dwelling house is acceptable.

Design and layout

Paragraph 127 of National Planning Policy Framework (NPPF), 2019 establishes that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting, among other considerations. 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 as per Policy 2 of the SELLP.

The property currently benefits from an open front porch of a trapezoidal shape. The roof is flat and supported by four white classical-style columns. On top of the porch, there is a balcony accessed through a pair of French doors.

The development proposals would entail the erection of brick walls to enclose the open front porch. The enclosure would follow the trapezoidal shape of the porch, thereby the footprint would remain. Likewise, the columns would not be removed. A door and windows would be opened across the external walls of the enclosed porch. On the first-floor level, the existing pair of French doors would be removed and both openings would be converted into standard sized windows. The upper side of the front porch therefore would no longer serve as a balcony.

The material schedule for the proposals incorporate brick to erect new walls and carry out bricking-up on the first-floor. White render finish would be applied on the outer layer of the new brickwork. Ochre facing brickwork predominates the external appearance of the building. The render as proposed would relate well with the brickwork.

The proposals would be developed on the front elevation of the property. The separation of the residential building with the highway is in the region of 40 metres. At such distance, the proposals would not cause any immediate impact upon the street scene.

In any case, the design and layout of the development is not considered detrimental to the character of the local area. The linear development on this part of Stonegate has been constituted mostly on a case-by-case which means that plots have been individually designed and therefore the variety of architectural features is evident. The proposal therefore would not appear at odds with such variety.

Residential amenity

The porch footprint would not be enlarged neither additional windows would be created by reason of the development. The separations would remain large with the adjoining property to the north (Greystones) and the nearest property on the opposite side of Stonegate (Wicket Lodge), 13 metres and 45 metres respectively.

Planning balance

The development proposals would not entail the increase of the porch footprint. The enclosure of the front porch would not appear at odds with the street scene and overall, the local character of the area. There is a variety of designs, appearances and ages across Stonegate. The conversion of French doors into window would lead to the loss of the existing balcony above the porch. The white render finish related well with the ochre facing brickwork of the building.

The separation distances between Impallarcom House and the nearest properties would remain large after undertaking the proposals, thereby no harm upon the residential amenity would occur.

In summary, no adverse impact of granting permission to the proposals would significantly and demonstrably outweigh the benefits of doing so.

Conclusion

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.

Taking into account the considerations above, the planning balance is positive when assessing the proposals against the policies taken as a whole. In particular, the proposals are considered to comply with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan (SELLP), 2019; and 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.