DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-0091-22**	**Applicant:**	**Ms K Lovatt**
Proposal:	Erection of single storey rear extension, replace hedge with wall/fence, erection of outbuilding and creation of a walkthrough - re-submission of H09-0986-21		
Location:	81 & 81a Hall Gate Holbeach Spalding		
Terminal Date:	5th April 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

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

National Guidance

National Planning Policy Framework 2021

Section 12- Achieving well designed places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for the proposed erection of a single storey rear extension, removal of hedging and fencing replacement, erection of outbuilding and creation of a walkthrough to the property at 81 and 81A Hall Gate, Holbeach.

The previous application application under H09-0986-21 was refused for the following reason:
The proposed garage and entertainment room, by virtue of being set forward of existing

development on Cranmore Lane and being on a corner plot, would appear prominent and visually intrusive in the street scene to the detriment of the character and appearance of the area. Furthermore, the proposed boundary wall would appear out of keeping with the surrounding area, representing a stark contrast from the existing soft landscaping of the hedging and there being no other similar boundary treatment present in the vicinity.

Site Description

The site is situated within the settlement of Holbeach, according to the South East Lincolnshire Local Plan, 2019. The detached dwelling is situated on the corner of Hall Gate and Cranmore Lane, where there are detached dwellings on similar sized plots, and of a similar age and design. The property has a small front block paved garden, with a small bricked wall as the boundary treatment. To the eastern side of the property, there is access to the rear garden, and also space for two car spaces in front of the existing detached annexe. The rear garden is partly block paved and grassed and is mostly taken up by the existing annexe.

History

H09-0349-12- Conversion of shop to residential annexe- Approved on 07-06-12

H09-0881-14- Ground floor and first floor extension, alterations and re-roof- Approved on 19-11-14

H09-0986-21- Detached single garage, entertainment room, porch, extension to connect dwelling to annexe and front wall- Refused on 01-12-21

Consultation Responses

Parish Clerk, Holbeach Parish Council- No objections

Cllr F Biggadike- Incongruous with the street scene. Will not bode well with road safety at the junction of Cranmore Lane. Appears to be HMO on site.

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 extension connecting to the existing annexe will adjoin the southern elevation of the dwelling and to the northern elevation of the annexe. The connection will measure a maximum length of 5.1m and a width of approx. 2m and will be single storey. The proposed porch will protrude from the eastern side elevation by approx. 3m and a depth of approx. 4.6m. A courtyard will be created adjacent to the proposed connection between the annexe and the dwelling, with a small opening on the eastern side. These two features are in keeping with the design and scale of the existing dwelling and annexe and are acceptable

In terms of the proposed detached building to accommodate a workshop and entertainment room, this would would sit forward of the 'building line' along Cranmore Lane and would measure approx. 5.1m wide by 6m deep. This is approx. 500mm narrower than the combined width of the separate outbuildings previously proposed and would be set approx. 500mm further back from the highway. The arrangement now proposed (i.e. reduction is scale and opting for a single outbuilding) is an improvement on that previously presented and it is the opinion of officers that impact upon the street scene would now be a difficult reason to defend at appeal if the application were to be refused.

A new boundary wall with fencing above separated by brick pillars (approx. 1.8m high) is also proposed to be erected along the corner of the plot extending as far as the proposed porch, thereby replacing the soft landscaping of the existing hedging. The addition of feather edge fencing to half

the height of the proposed boundary would soften the harshness of the brick wall and would be an improvement on that previously proposed.

In light of the considerations above, it is considered that the proposed outbuildings and boundary wall complies with Policies 2 and 3 in the South East Lincolnshire Local Plan, 2019 in terms of layout and impact on character/appearance.

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.

The proposed porch and linking extension are small in scale and not located immediately adjacent any boundary with a residential dwelling.

The detached outbuilding is set forward of the property to the south but the closest parts of that dwelling are a garage and entrance door. Given they are single storey and there are no facing windows, it is not considered that there would be a material overlooking, overbearing or loss of light impact. It is a normal frontage relationship with the dwelling opposite.

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

Highway Safety and Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. 3 no. car spaces must be provided within the curtilage for dwellings with more than 3 no. bedrooms .The drive to the front, side and rear is clearly sufficient to accommodate these cars and enter and egress in a safe manner.

The proposed wall/fence will be in a similar position to the existing hedge and will therefore have no greater impact on junction visibility than the present situation.

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 extension to connect the dwelling to existing annexe, porch extension, outbuilding and new boundary wall/fence are considered acceptable in character and amenity terms. The proposal is therefore considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

Additional Considerations

It has been confirmed by the applicant that the annexe is not a separate dwelling and therefore is not on the electoral role.

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

It is recommended to approve this planning application under delegated powers.