DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0545-19**	**Applicant:**	**Mr & Mrs A Szumilow**
Proposal:	Extension and alterations		
Location:	158 Battlefields Lane North Holbeach Spalding		
Terminal Date:	19th July 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

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 for extension and alterations to the property at 158 Battlefields Lane North, Holbeach, Spalding.

The proposed extension would enlarge the existing kitchen to the rear of the dwelling and share the use with dining room.

Site Description

The site location is out of the settlement boundaries of Holbeach as set out in the Inset Map 5 of South East Lincolnshire Local Plan, 2019.

The surroundings are characterised by ribbon development on the crossroad between Battlefields Lane North and Washway Road just above A17. Detached single-storey bungalow is the only housing type in the area. A certain range of ages, designs and appearances has been observed during the site visit.

The property is a 'brick-and-tile' bungalow circa built 1980s. The front drive is in gravel. The rear garden is grassed and bounded by a 2 metre high timber close board fence. Ivy and two tall mature trees are on the southern-west boundary. The existing kitchen is accommodated in a subsequent rear extension. Close to it, there is a brick walled store with a pre-fab timber shed attached to its rear. Slabbed pavement is on the first metres of the rear elevation.

History

None

Consultation Responses

None

Planning Considerations

Layout and design

The floor plans show that the proposed development is to demolish partially the existing rear extension that accommodates the kitchen to enlarge the kitchen and also use it as a dining room. The purpose of the development is deemed to be acceptable by virtue of the use of the building.

After carrying out the proposed works, the rear extension would protrude 5.15 metres from the original rear wall of the house. It would measure 4.50 metres in width and nearly 4 metres in apex height. The eaves would be as high as those of the house. Having regard to the dimensions of the dwelling, the proposed development would be clearly subservient to the host property in terms of scale, mass and bulk.

Facing brickwork, roof tiles and UPVC are stated to be the external materials of the extension matching as close as possible to those existing in the bungalow. The visual amenity of the property and surroundings therefore would not result altered.

Impact upon residential amenity

There is a 2 metre high timber close board fence on the northern-east boundary. The material increase of the height would be 1 metre further. It is assumed by the window layout that there is no habitable space within the adjacent part of property No. 160 to the boundary fence.

The increase in height would not additionally cause any unduly harmful impact perceived by the residents of No. 160. The existing boundary treatment would obscure views from and to the window of the proposed extension.

Conclusion

In light of considerations above, the proposed development is in accordance with Policy 2 and 3 of South East Lincolnshire Local Plan, 2019 and Section 12 of National Planning Policy Framework, 2019.

It is therefore recommended to approve this 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.