DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0549-19**	**Applicant:**	**Mr S Culpin**
Proposal:	Proposed outbuilding to house swimming pool to include solar panels on roof		
Location:	Greenacres Fen Road Holbeach		
Terminal Date:	2nd August 2019		

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 for proposed outbuilding to house swimming pool to include solar panels on roof at Greenacres, Fen Road, Holbeach, Spalding.

Site Description

The site location is purely countryside. Fen Road is the main road that serves access to the built-up area of Holbeach from the south. The property is based on an isolated location as the nearest properties are visibly far away.

Greenacres is a two-storey large house within a sizeable plot which approximately amounts to 0.10 hectare. The residential building is set at an angle roughly 19 metres from the road and 11 metres away from the northern boundary.

The rear garden is grassed. There is more than 2 metre high mature hedgerow on all boundaries that heavily conceals the site. A set of young trees are near the proposed location of the development. Vast open fields are adjacent to the site.

History

None

Consultation Responses

None

Planning Considerations

Layout and design

The purpose of the development is to accommodate a swimming pool for private use only. It would be thus appropriate given the use of the property.

The proposed outbuilding would be located about 15 metres to the rear of the house, 12.5 metres from the northern boundary and 8 metres from the eastern rear boundary. The building would be clearly separated from Greenacres although in a reasonable distance which would provide an acceptable relationship of the intended ancillary development to the main property.

7 no. Silver birch trees are currently off the northern boundary. The application form indicates that two of them would be removed to erect the proposed building. Any significant alteration to the site layout and landscaping would be negligible. No harm is anticipated in view of the age of the trees.

The outbuilding would have a shed roof and would measure 14 metres in width, 8.84 metres in depth and 3.90 metres in maximum height. Whereas the higher eaves would be on the front elevation, the lower ones would be 3.05 metre high on the rear elevation. The front elevation would be open side and facing onto the garden to the south. In view of its dimensions, The scale, mass and bulk of the development would be commensurate with the property.

The structure would be galvanised steel framed. The elevation would be cladded with KS1000RW Kingspan insulated green light coloured composite panels. Identical material is proposed for the roof. Gutters and downpipes would be made of grey PVC. The resulting appearance would make the building fade somewhat into the landscaping where the predominant colour is also green.

On balance, the proposed outbuilding would have an appropriate layout and design in view of its intended use, scale and location.

Impact upon the residential amenity

No property is adjacent to the application site. Therefore, the development would have no impact to any residents other than the occupiers of Greenacres.

As mentioned above, the proposed outbuilding would be reasonably separated from the property. The scale, mass and bulk has been deemed to be proportional with the main property. For these reasons, the visual impact of the outbuilding would not be significant to the residents living in Greenacres.

Conclusion

In light of considerations above, the proposed development is in accordance with Policy 1, 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.