

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H09-0775-19 **Applicant:** Mr & Mrs R Connor
Proposal: Extension and alterations
Location: Small Acres Hither Old Gate Holbeach
Terminal Date: 2nd October 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	1	0	0
WARD MEMBER	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application for extension and alterations to the property Small Acres at Hither Old Gate, Holbeach, Spalding.

Site Description

The site is based in an isolated location within the open countryside. It is 1.62km due south-west from the town centre of Holbeach and 2.26km due south-east from Whaplode. Hither Old Gate is a countryside lane bordering the north of the site. The access is provided from this highway. Ladysmith House is a farmhouse on the opposite side of the road further east and is within a sizeable plot of land including a pond and large fields which extends in front of the site in question.

There are drains adjacent to the both side and front boundaries. Further agricultural fields extends in all directions from the site.

The property is a traditional bungalow built circa 1980s. Two main alterations were carried out under permitted development rights - One side extension protruding from the original western wall and roof conversion from flat roof to gable pitch on the rear elevation.

History

None relevant.

Consultation Responses

Holbeach Parish Council

No objection.

Ward Member

No objection.

Planning Considerations

Design and layout

The purpose of the development is to accommodate one additional bedroom and lounge room to the bungalow. This is considered to be in keeping with the nature and use of the property.

The existing footprint of the dwelling nearly has a L shape. The proposed development would fill the gap between the rear and western side elevations forming a rectangular shape. The height of the extension would be as much as the eaves of the bungalow. The roof would be flat on top of the extension which would be acceptable given the scale of the development. In relation to the existing house, the proposal would be subservient to the host property in terms of scale, massing and bulk. The external materials would match as closely as possible those of the existing building. Thus, the visual amenity would not result adversely altered.

Residential amenity

A wide range of mature and younger trees in conjunction with grown shrubs obscure views onto the site from the road and the east. Only low picket fencing bounds the site to the west. However, there are no residential properties adjacent to the site and so the proposal would not cause any harm to residential amenity.

Conclusion

Taking into consideration the mentioned above, the proposal is considered to be in accordance with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan (2019) as well as Section 12 of the National Planning Policy Framework (2019).

It is therefore 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.