

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H09-0823-21 **Applicant:** Mr G Kimber
Proposal: Single storey extensions
Location: 9 Low Lane Holbeach Spalding
Terminal Date: 30th September 2021

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

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 application seeking permission for a single storey front porch extension measuring 1.5 metres (depth) x 2.9 metres (width) and standing at 3.1 metres in height (2.4 metres to the eaves). The existing conservatory at the rear is proposed to be demolished and a replacement extension, creating a dining room is proposed measuring 3.9 metres (depth) x 2.7 metres (width) and standing at 2.9 metres in height. A rear conservatory is also proposed measuring 3.5 metres (depth) x 3.8 metres (width) and standing at 3.6 metres in height. The external materials would match the existing dwelling.

SITE DESCRIPTION

The application site comprises a two storey semi-detached dwelling located on Low Lane in Holbeach, within the Holbeach settlement boundary. The dwelling is red brick built with white door/window frames. There is a single storey flat roof element to the side and a mobile home located behind it in the rear garden. The front garden is paved and provides off-street parking for 2no vehicles.

RELEVANT PLANNING HISTORY

H09-0530-12 - Siting of mobile home - Approved

REPRESENTATIONS

No comments received.

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 rear extensions would not be visible from the public realm as they would be blocked by the applicants existing house. The extensions are considered proportionate to the existing dwelling. Given their modest height and footprint the proposed extensions are not considered to appear overly prominent in relation to the existing dwelling. Furthermore the use of matching external materials would ensure the extensions are in keeping with the character of the existing dwelling.

The front porch extension would have a relatively minor footprint and would appear as a small addition to the existing frontage. Given its setback from the front boundary it would not appear overly prominent in the street scene. It is therefore considered acceptable in terms of scale, mass and bulk.

As such the extension would comply with the aforementioned policies on design, layout and impact upon the character of the local area.

Impacts upon Residential Amenity

The proposed porch would not unacceptably impact neighbouring amenity given its small footprint.

The neighbour closest to the proposed development is the attached neighbour at no.11 Low Lane located to the north-west of the application site. The proposed conservatory would be located close to the shared boundary with this neighbour, however given it would have a similar rear projection to this neighbour's rear projecting element it is not considered that any unacceptable impact would result in this neighbour in terms of overbearing impact or unacceptable overshadowing. The proposed dining room would not be visible to this neighbour as it would be blocked by the applicants existing two storey house. The proposed front porch would sit close to the shared boundary with this neighbour, however, given its minor front projection it would not result in any unacceptable impact.

With regards to the neighbour at no.7 Low Lane located to the east of the application site, the majority of the development to the rear would be blocked by the applicants mobile home located close to the shared boundary with this neighbour. In addition, there are high level trees along the shared boundary with this neighbour therefore the development at the rear would not be visible to this neighbour. The proposed front porch would be located some 9 metres from the shared boundary with this neighbour. Given the small footprint, this separation distance is considered sufficient as to not result in any overshadowing or overbearing impact.

As such the proposal would accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Planning Balance

The proposal will not materially harm the character or appearance of the locality or amenity of nearby residents. The planning balance is therefore considered to be in favour of the proposal.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2021).

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.

RECOMMENDATION

The application can be approved under delegated powers.