

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H11-0071-20 **Applicant:** Mr & Mrs Ashton
Proposal: Proposed porch and erection of pergola (retrospective)
Location: 10 Delamore Way Long Sutton Spalding
Terminal Date: 6th April 2020

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	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application that seeks permission for proposed porch and erection of pergola (retrospective) to the dwelling at 10 Delamore Way, Long Sutton, Spalding.

Site Description

The area is the suburbs of the historic town of Long Sutton. There is frontage development on both sides of Delamore Way comprising detached bungalow in modest sized plots.

The front part of the site is laid in gravel. There is a pergola across the full width of the site. The property is a gable pitched detached bungalow. Low planting marks the western boundary with the

adjacent property No. 12. No treatment on the front boundary. There is a discreet flat roof side extension on the western elevation.

History

None.

Consultation Responses

Long Sutton Parish Council

No objection.

Planning Considerations

Principle of development

The site is part of the built-up area of Long Sutton and within the settlement boundary as set out in the South East Lincolnshire Local Plan (SELLP), 2019. There is no objection to the principle of an extension and associated alterations to a residential property. The key policy issues of this proposal therefore relate to the material considerations mentioned below.

Design and layout

Paragraph 127 of National Planning Policy Framework (NPPF), 2019 establishes that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting, among other considerations. 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 existing side extension on the western elevation accommodates a utility/storage room. The porch will be formed between the front of this extension and the main door on the original house wall. The proposed enlargement will project 1.70 metres forwards. Both the width and height will be as much as the current extension. In view of that, the proposal will be clearly subservient to the host property in terms of scale, massing and bulk.

The elevations of the porch will be made of white PVC glazed units with insulated lower panels of identical material. Fibreglass flat roof will cover the porch. An additional door will be opened facing the road. The existing doors to the utility/store room and hall will remain.

Although facing brickwork matching the existing would enhance the design of the proposal, overall the appearance of the porch will be still acceptable for such householder development of minor scale.

The existing pergola is part of the garden paraphernalia on the site. As such, the appearance is not at odds with the domestic use of the site. The scale and height of this structure is clearly commensurate with the bungalow. Its position to the front is not deemed to deteriorate the wider street scene of the frontage development.

In summary, the proposal complies with the aforementioned policies at the head of this section.

Residential amenity

There is no boundary treatment that obscures the site from the adjacent property No. 12 to the west. However, there is the main door below a carport in the opposing elevation. No opening for a habitable space faces the proposed porch.

The scale and height of the development is fairly restricted. Moreover, there will be a separation distance of approximately 3.85 metres between the porch and the opposing elevation. At such distance, no overbearing neither overshadowing impact will occur to the residents of No. 12 after the proposal being carried out.

The development is fit-for-purpose and will contribute to improve the mobility of the bungalow

residents. Furthermore, the glazing units across the proposed elevations will enhance the enjoyment of daylight inside the porch.

The pergola is to the front of the property but it does not screen or block any of the front windows of the bungalow.

For these reasons, the development complies with residential amenity which is one of the key principles of design and development management as set out in Policies 2 and 3 of SELLP (2019).

Conclusion

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan (SELLP), 2019 as well as Section 12 of the National Planning Policy Framework (NPPF), 2019.

It is accordingly 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.