

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H14-1083-22 **Applicant:** Mr D Parker & Mrs D Chisholm

Proposal: Demolition of existing rear mono pitch and replacement single storey rear extension including alterations and front porch

Location: 9 Mill Green Road Pinchbeck Spalding

Terminal Date: 5th January 2023

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 2021

Section 12- Achieving Well Designed Places.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for the partial demolition of an existing rear extension, a proposed replacement single storey rear extension and a proposed front porch. Alterations will also be made throughout the property. The rear extension will measure 7088mm (depth), 2690mm (width) by 2100mm (height to eaves). The approximate maximum height of the rear is 2800mm. The proposed porch will have measurements of 1575mm (depth), 1745mm (width) and 2100mm (height to eaves). Both extensions will have a mono-pitched roof. There is an approximate difference in length of 2930mm between the proposed extension and the existing extension to be demolished.

The extension's brickwork will be in keeping with the original property. A similar style and shading of tiling will be used for the new roof as was used for the original dwelling. The new window and door frame will be white UPVC. French doors will be installed overlooking the property's rear garden.

Site Description

The property is a brown brick, semi-detached dwelling situated along a row of comparable structures. The neighbouring properties have significant spacing between one another. The dwelling is located outside of the Pinchbeck boundary as defined in the South-East Lincolnshire Local Plan (SELLP), and therefore, the property is deemed to be situated in the countryside. Opposite the property is arable farmland.

To the rear of the property is a sizeable paddock, bordered by hedges. The area of the proposed extension currently has two small trees located on it, both of which will be removed for the development. There is a dilapidated shed to the rear of the house.

Relevant History

No relevant planning history.

Consultation Responses

Pinchbeck Parish Council

"Pinchbeck Parish Council recommend approval of this planning application."

Planning Considerations

Principle of Development

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise. The key material considerations are addressed below.

As the proposed site is not within any defined settlement limits, the property is considered in the countryside, and is subject to the additional consideration required by its location. Policy 1D of the SELLP outlines that development will be permitted in the countryside as long as the needs of the area are met by such a development. Paragraph 3.2.15 of the SELLP outlines similar considerations, noting that only developments that require a countryside location shall be permitted. As the proposed outbuilding would be within the residential curtilage of the existing dwelling and no new unit would be created in the open countryside, the principle of a development is considered acceptable.

In this context, the principle of development in this location is considered acceptable.

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 and are sympathetic to local character, including the surrounding built environment and landscape setting. 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 design of the extension and porch will be in keeping with the original property, with brickwork and roofing of the same style being used. The use of materials similar to the original property prevents visual dissonance, therefore, meeting the aims of policy 2 and 3 of the SELLP. In addition, the white UPVC used in the proposed windows would be in accordance with the current design of the property.

The measurements of the proposed works (as listed above) are not considered excessive when compared to the size of the original property.

The proposed single storey rear extension and porch are acceptable in terms of scale, mass, and bulk.

Impacts Upon Resident Amenity

Paragraph 130 of the NPPF, amongst other matters, seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of the SELLP set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

The closest neighbour to the proposed development is the attached dwelling at 10 Mill Green Road. The overall height of the extension would be the same as the existing element, thereby reducing the potential for additional overshadowing.

The rear extension would be obscured from the highway by the property, meaning it would have little to no impact on the character of the area. With regards to the porch, the design would still be consistent with the area. Several properties along Mill Green Road have porches similar to the proposed design, therefore, there would be no damage to the visual consistency of the neighbourhood.

Planning Balance

The proposal conforms to policies 2 and 3 of the SELLP and would not cause excessive shadowing. The Parish Council are also in favour of the proposal. Therefore, with the above considered, the planning balance is in favour of the proposal.

Conclusion

In light of the considerations above, the proposal is considered to be in accordance with policies 1, 2 and 3 of the SELLP and Section 12 of the NPPF. The recommendation is for delegated approval.

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.