

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0428-23 **Applicant:** Mr & Mrs I Pollard
Proposal: Proposed single storey extension
Location: Mill View The Raceground Spalding
Terminal Date: 29th June 2023

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 - Achieving Well Designed Places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

Proposed is a single storey extension to form a car port at Mill View, Spalding. The extension is to protrude northwards from the existing garage on the north-eastern elevation.

It is proposed that the carport would be built of unfinished timber cladding, with profiled concrete tiles to match existing. A hipped roof is proposed, with the apex height being 3830mm. The carport would measure 5730mm (depth) by 6860mm (width).

Site Description

The site is located within the settlement boundaries of Spalding defined with the South-East Lincolnshire Local Plan, 2019 (SELLP). The site is towards the south of the settlement. It is located

to the west/ north-west of the railway line. To the north is the Spalding Common development site.

The area is characterised by single-storey residential dwellings. There is a prevailing character of sandy-bricked, residential units. The dwelling is slightly more recent in construction and design than the surrounding developments. The character of the area is currently semi-rural, however, as the Spalding Common development expands, the area will become increasingly urban in character.

Relevant History

H16-0923-78 - Outline. Residential development (1 plot). Approved 10/10/78.

H16-0190-79 - Full. Erection of dwelling. Approved 12/04/79.

Consultation Responses

Councillor Ashby

Support. "On information supplied can see no problem"

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. That they are visually attractive, as a result of good architecture, and are sympathetic to local character. 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 scale of development is proportionate to the host dwelling. The development would fall nicely, occupying an area that is currently empty in order to make the plot appear more complete.

The height is in proportion to the existing roof. This, coupled with the use of matching materials, would aid in melding the appearance with the host dwelling.

The character of the area is semi-rural. As such, a rustic appearing, timber car port would not appear incongruous. Despite there being no comparable timber structures in the area, the development would not appear out of keeping with existing built form.

The proposal therefore conforms to Policy 2 of the SELLP and Section 12 of the NPPF in terms of design, scale, 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.

Currently there are sizeable boundary treatments present on site. These boundary treatments are sufficient to prevent overshadowing on the neighbouring property to the east. It is recommended that if approval is granted, a condition be instated to ensure the boundary hedge is preserved moving forward.

No windows are proposed on the carport; therefore, no overlooking will be created.

The proposal therefore conforms to Policies 2 and 3 of the SELLP.

Parking and Highways

The proposal would add an additional parking space to the property. This would further ensure that no on street parking is required on the site, guaranteeing the long-term road safety of the area.

Despite the addition of a parking place, there would still be sufficient room for vehicles to turn safely in the driveway.

The proposal therefore conforms to Policy 36 and Appendix 6 of the SELLP in terms of parking and highway safety.

Planning Balance

The proposal would not appear incongruous, appearing well proportioned to the host property. While timber is not currently prevalent in the area, it would not appear out of keeping within the locale.

No window is proposed on the extension, ensuring no overlooking is created. A sizeable hedge is present on the boundary. This should be sufficient to prevent overshadowing on the neighbouring property. It is recommended that a condition be instated to ensure the longevity of the hedge.

Conclusion

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.