DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0670-21**	**Applicant:**	**Mr S Godfrey**
Proposal:	Front Porch & Single Storey Rear Extension		
Location:	12 Avignon Road Spalding		
Terminal Date:	16th August 2021		

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 of the National Planning Policy Framework (2021)

12 - Achieving well-designed places

Representations:

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application for a front porch and single storey rear extension at 12 Avignon Road, Spalding. The proposal seeks to provide a porch that projects 1.675 metres from the principal elevation, is 2.69 metres in width and 3.47 metres in height. Brick and tile is to match that of the existing dwelling. The proposed rear extension projects 4.3 metres from the rear wall, is 3.3 metres in width, has an eaves height of 2.33 metres and an apex height of 3.55 metres. The extension has two side elevation high windows that commence 1.85 metres above ground level and face a 1.8 metre high fence, beyond which a public footway is sited. Brick and tile is to match that of the existing dwelling.

The proposal requires an application because the porch is above 3 metres in height and the rear extension projects in excess of 4 metres from the original rear wall.

SITE DESCRIPTION

The proposal is within the defined settlement limits of the largest settlement in the district and the surrounding area is characterised by dwellings of a similar age and varying design. The address is located in Environment Agency Flood Zone 3, and not subject to increased flood hazard or flood depth on the 2115 1% South Holland Strategic Flood Risk Mapping.

HISTORY

No relevant history.

CONSULTATION RESPONSES

None received.

PLANNING CONSIDERATIONS

Principle of development

This application is for residential development on residential land within the defined settlement limits of the largest settlement in the district. The principle of development in this location is considered to be acceptable.

Assessment against SELLP Policy 2 - Development Management

This proposal is assessed against SELLP Policy 2 titled - Development Management. This policy states:

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:
1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets;
9. impact on the potential loss of sand and gravel mineral resources."

When assessed against the above relevant criteria the following can be observed:

1. The size, scale and layout is considered to in keeping with the built character of the vicinity and does not materially impact the character and appearance of the surrounding area.

2. The design and orientation is standard and does not impact the character of the dwelling.

3. Brick and tile is to match that of the existing dwelling and would be conditioned as such.

4. Access and vehicle generation levels will not be impacted by this proposal.

5. The capacity of the existing community services and infrastructure will not be impacted by this proposal.

6. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion, the porch does not create an overlooking, overbearing or overshadowing aspect due to its scale and it simply involving the repositioning of the front door. The rear extension has two side elevation high windows that commence 1.85 metres above ground level and face a 1.8 metre high fence, beyond which a public footway is sited. The proposed location of the extension is not considered to create an overlooking, overbearing or overlooking aspect. It is not to be sited immediately adjacent to a boundary with any other property and is relatively minor in scale. Although it would reduce the distance to the property to the rear to approx. 17.5m, there are trees in

the neighbouring garden which screen views of the windows and distances can be reduced where the relationship is between windows at ground and first floor. No neighbour objections have been received.

7. The address is located in Environment Agency Flood Zone 3, and not subject to increased flood hazard or flood depth on the 2115 1% South Holland Strategic Flood Risk Mapping. Finished floor levels are to match that of the existing dwelling and there is not considered to be an increased flood risk from the proposed works.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

This proposal is assessed against SELLP Policy 3 titled - Design of New Development. This policy states:

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. 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.
Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:
1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
2. distinguishing between private and public space;
3. the landscape character of the location;
4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;
5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;
8. crime prevention and community safety;
9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;
10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);
13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;
14. the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;
15. the appropriate use or reuse of historic buildings.

When assessed against the above relevant criteria the following can be observed:

1. A sense of place is not considered to be impacted by the proposal. The design and layout of the proposal is in keeping with the character of the surrounding area.

5. The proposal does not impact bin or cycle storage, nor the layout of car parking.

11. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion, the porch does not create an overlooking, overbearing or overshadowing aspect due to its scale and it simply involving the repositioning of the front door. The rear extension has two side elevation high windows that commence 1.85 metres above ground level and face a 1.8 metre high fence, beyond which a public footway is sited. The proposed location of the extension is not considered to create an overlooking, overbearing or overlooking aspect. It is not to be sited immediately adjacent to a boundary with any other property and is relatively minor in scale. Although it would reduce the distance to the property to the rear to approx. 17.5m, there are trees in the neighbouring garden which screen views of the windows and distances can be reduced where

the relationship is between windows at ground and first floor. No neighbour objections have been received.

12. The address is located in Environment Agency Flood Zone 3, and not subject to increased flood hazard or flood depth on the 2115 1% South Holland Strategic Flood Risk Mapping. Finished floor levels are to match that of the existing dwelling and there is not considered to be an increased flood risk from the proposed works.

This application accords with SELLP Policy 3.

PLANNING BALANCE

The proposed porch and rear extension will not affect the character of the surrounding area. There is not considered to be an overlooking, overshadowing or overbearing impact from the proposed works. The application is considered to accord 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, 2021.

CONCLUSION

This application is recommended for 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.