DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H21-0524-22**	**Applicant:**	**Mr F Doran**
Proposal:	Replace existing flat roof over garage with pitched roof, alterations to gable over front porch and extension to eastern elevation - part retrospective		
Location:	Rolmar Saltra Middle Road Tydd St Mary		
Terminal Date:	2nd August 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

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 part retrospective permission to replace existing flat roof over garage with a pitched roof, alterations to gable over front porch and single storey side extension to eastern elevation measuring 1.2 metres in width. The external walls are proposed to be rendered to match the existing bungalow.

SITE DESCRIPTION

The application property is located on Middle Road in Tydd St Mary. The is located outside any settlement boundary and within the open countryside. It comprises a detached bungalow which sits

on a large plot. To the west of the site is a wo storey dwelling and to the east is a bungalow. There is a brick wall along the front boundary and rest of the site is enclosed by hedging/trees.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

Tydd St Mary Parish Council

No objections.

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 pitched roof with a gable end is to some extent considered to be an improvement to the overall site. The increase in the roof height would not dominate the existing bungalow as it would sit at the same height to the existing. Furthermore the use of matching roof tiles and elevational materials would further ensure the development is in keeping with the existing bungalow.

The proposed side extension is minor due to the small side projection therefore this element is considered proportionate and sympathetic to the existing bungalow.

The replacement front gable is considered sympathetic is appearance and proportionate to the overall frontage.

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

Impacts upon Residential Amenity

Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) set out residential amenity and the relationship to existing development and land uses as main considerations when making planning decisions. They are consistent with advice within the National Planning Policy Framework (2021). Paragraph 130, amongst other matters, seeks places with a high standard of amenity for existing and future users.

The closest neighbour to the proposed development is to the east (Fenflora). The proposed extension would bring the bungalow 1.2 metres closer to this neighbour, however, it would be located well within the site boundary and away from this neighbour. Given this and the minor nature of the proposed it is not considered that any unacceptable impact would result on this neighbour in terms of overbearing impact or unacceptable overshadowing. The replacement of the flat roof element with a pitched roof and a gable end is relatively minor and would not unacceptably impact this neighbour.

With regards to the neighbour to the west at Denemour House the proposed development would not be visible to this neighbour as it would be on the opposite side of the site and would therefore be blocked by the existing bungalow. The element closest to this neighbour is the front gable which is slightly wider to the previous gable. The height would be similar therefore no new impact is considered to result on the amenity of this neighbour.

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 the 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 and 3 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.