

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H23-0390-23 **Applicant:** Mrs D Thornalley
Proposal: Proposed Front Porch
Location: 12 Middle Road Whaplode Spalding
Terminal Date: 24th August 2023

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	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a proposed front porch at 12 Middle Road. In total, the porch will be 3100mm by 2500mm with a height of 2949mm.

Site Description

The site lies within the settlement boundary of Whaplode as outlined within the South East Lincolnshire Local Plan, 2019 (SELLP). The property is on the corner of and is a detached bungalow made of brick with a tiled roof and white uPVC doors and windows, there is a small brick driveway in the centre with gravel either side providing more parking spaces for the residents. There is also a set of trees along side the boundary fence at the front of the property which runs along the side of the property also.

History

H23-0567-13 - Erection of 2 metre high boundary fence (retrospective) - Approved

Consultation Responses

No consultation responses.

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 materials being used for the porch include the walls being made of standard sandy colour bricks which matches the existing, however it will have the addition of dwarf walls with an insulated base. The roof will be made of glass in blue with L U Vale. The windows and doors are both made of a rated frame work and glazing which will match the existing dwelling and therefore be in keeping and blend in.

The porch will protrude from the front elevation by a total of 2500mm and has a total length of 3100mm. When broken up into each section it protrudes by 1697mm with a slight angle to the front which will be 1136mm and finally the measurement at the front will be 1494mm. The height of the proposal is approx. 2949mm. It can be considered that the measurements of the porch are proportionate and therefore acceptable when compared to the existing dwelling.

The floor level of the proposed porch will match the existing bungalows floor level and therefore ensure that it is in accordance. They will be removing the existing uPVC external quality French doors whilst the existing uPVC external quality door/frame/glazed sidelight will remain as it is.

Impact 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.

There will of course be a lot of windows due to the use of the extension being a porch however, these windows are not considered to be viewing anything significant into No. 14 due to it being situated the front of the property and therefore they won't lose any real privacy. It can also be considered that due to the single storey nature of the extension makes any overlooking very unlikely as the windows are at ground floor level and therefore if neighbours are concerned about a loss of privacy they can install boundary treatments under permitted development to prevent this, specifically as the fence at the front and side of the property is not between 2m.

The proposal is an adequate distance away from the nearest neighbour and therefore there will be minimal overshadowing as a result of the application, the development is also around a similar height to the existing house. Naturally, after the initial construction, which itself would take place over a short period, minimal additional noise pollution would be caused as a result of the development.

The proposal is therefore in accordance with Policies 2 & 3 of the South East Lincolnshire Local Plan and Section 12 of the National Planning Policy Framework.

Planning Balance

It is considered that proposed front porch can be incorporated onto the site without materially harming the character and amenity of the locality. There will be minimal overlooking and no

overshadowing as a result of the development taking place. The application is therefore in accordance with Policies 2, 3 of the SELLP and Section 12 of the NPPF.

Conclusion

The recommendation is for a 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.