

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H02-0294-19 **Applicant:** Mr Justin Snart
Proposal: Removal of rear conservatory and erection of rear single storey extension
Location: 11 Kemp Street Crowland Spalding
Terminal Date: 10th June 2019

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. Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application for removal of rear conservatory and erection of rear single storey extension at 11 Kemp Street, Crowland, Spalding.

Site Description

The site context is purely residential. A wide range of housing types, designs, appearances and ages has been observed along the road. The building line opposite the road is irregular whereas the application's site is within a defined short frontage of detached houses.

The site is fairly wide long rectangular. The property is a two-storey detached dwelling greatly set back from the road. A paved patio is further the rear elevation and a spacious rear garden laid in artificial grass extends to the rear and side boundaries.

History

H02-0251-14 - Two-storey side extension to dwelling and new vehicular access - Approved

H02-0369-09 - Ground floor and first floor extensions and alterations - Approved

Consultation Responses

Crowland Parish Council

No objection

LCC Historic Environment Officer

No archaeological impact.

North Level IDB

No objection

Planning Considerations

Principle of development

According to the Inset Map 3 of the South East Lincolnshire Local Plan, the site is within the settlement boundaries of Crowland. The principle of development is therefore acceptable unless other material considerations indicate otherwise as laid down in section 70(2) of the Town and Country Planning Act 1990.

Size and scale

The existing conservatory on the rear elevation would be removed in order to release space and build the intended development. The proposed extension would protrude 4.70 metres from the main rear wall and would extend nearly 6 metres along the rear elevation. The maximum height would be approximately 2.69 metres.

Having regard to the dimensions of the dwelling, the proposal would be subservient to the host property in terms of scale, massing and bulking.

Design and layout

The floor layout plan show that the purpose of the proposal is to increase the residential floor space to accommodate a sun room. This is considered to be acceptable given the use of the main building.

The extension would be flat roofed. A double glazed lantern window with black external frame would be on top of the extension. It would not represent an excessive protrusion upwards. The flat roof would be below the roof pitch of the existing single-storey rear element.

The development would extend to the rear elevation of such adjoining element as well as to the side elevation of the property. In doing so, the extension would have a sense of scale and hierarchy to the main dwelling which would be acceptable in terms of external layout.

5 no. bi fold doors would be opened along the rear elevation of the proposed extension. No further fenestration would be created excluding the roof lantern mentioned above.

Facing brickwork is proposed for the external wall treatment. The windows would be made of white composite. Grey UPVC would be used for the flat roof and the roof lantern would be double glazed with black frame. The visual amenity would not result adversely affected after using the proposed external materials.

Impact upon the residential amenity

The roof lantern and the bi-fold windows would not overlook to any opposing elevation. The distance is almost 6 metres with the southern-eastern boundary which is the nearest to the development. This separation would be sufficient to not create any harm upon the residents living at No. 9. In addition to that, a 2 metre high timber close board fence is along the southern-east boundary. This means of enclosure would contribute to conceal the visual impact of the extension. No overbearing effect is anticipated to the residents at No. 9.

Conclusion

In light of considerations above, the proposed development is in accordance with Policy 1, 2 and 3 of South East Lincolnshire Local Plan, 2019 and Section 12 of National Planning Policy Framework, 2019.

It is therefore recommended to approve this application via delegated powers.

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 to grant permission 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 to grant permission 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 to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.