

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	H02-0462-23	Applicant:	Mr I Owen
Proposal:	Demolition of existing single storey side extension, proposed extension to create bedroom and shower room and conversion of existing garage into home office space.		
Location:	33 Postland Road Crowland Spalding		
Terminal Date:	13th July 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
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	1	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1
RESIDENTS	0	0	0	2

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission to demolish existing single storey side extension and proposed extension to create a bedroom and conversion of existing garage into home office space. The extension will be the same height as the existing extension is and will be of a similar length and width but is slightly longer at the rear.

Site Description

The site is located within the settlement boundaries of Crowland as defined within the South East Lincolnshire Local Plan, 2019 (SELLP). The surrounding area is characterised by semi-detached dwellings of a similar design. It is made of red brickwork with tiles and uPVC windows and doors, there is a driveway at the front with both concrete and gravel. There is a small boundary wall at the front and side and a fence on the eastern side. In the rear there is currently an extension which will be removed to make way for the proposal.

History

H02-1239-16 - Extend width of garage - Approved

H02-0503-17 - Extension of garage alterations (re-submission of H02-1239-16) - Approved

Consultation Responses

Crowland Parish Council

Concerns that a business may be operating from these premises.

Councillor A Harrison

No objections

North Level Internal Drainage Board

No observations.

Lincolnshire County Council Highways

No objections.

Resident Comment

Summarised as following -

"The fall of the roof of our outbuilding falls running parallel, we need to make sure that the demolition of the existing structure and construction of the new extension is to install a cladding panel along the verge of our roof where it currently butts up to the neighbours current flat roof. There still may be Party Wall issues which may need investigating to ensure that our outside wall on the boundary is structurally sound and enclosed following removal of the current building".

Request that a condition be added to the application to *"Ensure that proper investigation is undertaken and satisfactory construction details are provided"*.

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 development will include converting the existing garage at the front into a home office space, this means that the existing single storey structure at the front is to be retained. The proposed extension at the rear will be used as a replacement for what is already there currently. This section of the extension will be used as a bedroom with a shower room. The overall height of the extension will remain the same as the existing and will be a similar length, but slightly longer at the rear of the development, the measurements at the rear will be 4590mm (length) and 4950mm (width). Currently the side of the rear extension is connected to the neighbouring outbuilding sharing a party wall, however the proposed rear extension will disconnect this adjoining wall and create a gap of around 0.1m. Based on the existing extension, these measurements are considered to be proportionate and acceptable.

The materials being used as part of the extension will be in keeping with main dwelling itself. The walls of the existing dwelling and garage are red brickwork and the current extension is made of white shiplap, they will be using the red brickwork on the new proposed extension to ensure that it blends in with the rest of the house. The roof is currently made of felt flat roof but for the proposal they will use concrete tiles, again to match the existing dwelling and garage. The windows, doors and fascias will all be white uPVC which also matches the dwelling. Overall, these materials are in keeping with the local area and the dwelling itself and the extension will blend in and not create any visual discrepancies.

There will be some alterations taking place as part of the proposal, at the front of the property they will be replacing the garage door with a uPVC window and extending the brickwork to reduce the opening width. This will be to allow natural light into the home office space. A first floor window will be replaced to allow for roof flashing to waterproof sections of the extension. At the rear in the proposed extension there will be a utility, shower room & WC and a bedroom. In this section the wall will be brought away from the neighbouring party wall and create their own wall, there will be a gap of around 0.1m between these boundaries.

Overall, the design and layout of the extension and alterations are in keeping with the area and therefore this is considered to be in accordance with Policies 2 & 3 of the SELLP and Section 12 of the NPPF.

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 be no concerns around overlooking through this development, this is because of the single storey nature of the proposal and this ensures it isn't overlooking any fences and therefore into neighbouring properties. There is also no new windows that will be introduced as part of the extension.

As the development is of a similar size for height, width and length it will ensure that no new issues regarding overshadowing happen. It is only slightly longer at the rear than compared to the existing extension and this isn't big enough to drastically impact the area or any neighbours. Due to the positioning it won't overshadow to the front or rear and there is adequate distance to No. 35 at the east. The neighbour on the west already has an existing outbuilding which is also of a similar height and therefore they will not be impacted.

It can therefore be considered that this development does not impact upon resident amenity.

Parking Provision

Policy 36, Appendix 6 of the SELLP 2019 sets out the minimum requirements for car parking provision. No. 2 spaces must be provided within the curtilage for dwellings up to 3 bedrooms. The drive at the front is clearly sufficient to accommodate for the number of vehicles and ensure safe access and egress.

Other Matters

Crowland Parish Council commented on the application to say that they had concerns that a business was being operated from these premises. Following on from an email to the Agent to confirm what was taking place it was determined that the use of the premises was low key in relation to the home office/business and the work being carried out here is clearly ancillary to the primary residential use. The home office will be used for general admin and there will be minimal works taking place in the dwelling. There will not be an increase in visitors thus not causing an impact to the highway and parking. Therefore, it can be considered that the home office space is ancillary.

A resident raised a comment regarding the adjoining party wall and wanted to ensure that this would be structurally sound following the new development. After confirmation from the Agent a structural engineer will be appointed to carry out the design of the proposed extension including necessary remedial works to the existing party wall. Notice will be served under the party wall act prior to works commencing and the demolition of the structure adjacent to the party wall will take place once its interface has been exposed so that risk can be managed. This will help minimise impact on the neighbouring property. Overall, it can be considered that this is therefore safe.

Planning Balance

The proposed demolition of existing single storey side extension and proposed extension to create a bedroom and conversion of existing garage into home office space will not materially harm the character or appearance of the area. There is no issues that will arise from the development for overshadowing or overlooking. The design, layout, size and scale will be in keeping with the local area.

The proposal can be considered to be in accordance with Policies 2, 3 & 36 Appendix 6 of the SELLP and Section 12 of the NPPF.

Conclusion

The recommendation is therefore 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.