DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H02-0905-22**	**Applicant:**	**D Paulauskaite**
Proposal:	Single storey rear extension - Retrospective		
Location:	6 Kemp Street Crowland Peterborough		
Terminal Date:	10th May 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
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	0
WARD MEMBER	0	0	0	0
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder application, seeking permission for a proposed single storey rear extension at 6 Kemp Street, Crowland. The extension measures 4.5m x 5.64m with a maximum height of 3.15m.

The extension will be constructed of facing brickwork and a flat roof.

Site Description

The application site is a detached dwelling which lies on Kemp Street, Crowland. The site is located within a residential area and is surrounded by dwellings of varying designs.

History

No relevant planning history.

Consultation Responses

North Level District IDB

North Level District IDB has no comment to make with regard to the above application.

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 extension comprises a single storey scale and would be located to the rear of the host dwelling. The extension has been designed as to consist of a flat roof and would project from the existing rear elevation by 4.5m with a maximum height of 3.15m. The siting of the extension, when considered alongside the siting by the host dwelling, would ensure that the proposed extension would be largely screened by the host dwelling, with only a minor extent of the addition being visible from the highway, or public vantage points along Kemp Street. Therefore, the proposed extension, given its scale and siting, would not be a prominent or visually intrusive addition, and would not cause an adverse impact to the character or appearance of the area.

The proposal also comprises materials that would match those of the host dwelling, or be similar in appearance, outlining within the application form that the proposed extension would be constructed using brick to match the existing. This would ensure that the extension, by way of materials, would be in keeping with the host dwelling and surrounding area. Notwithstanding the flat roof design, the extension is not considered to be a significant contrast with the existing built forms and would appropriately extend the existing property, adjoining to the existing rear roof. Furthermore, a flat roof design is not considered to comprise an unusual design, or comprise a design that is out of keeping, or at odds.

The materials to be used, coupled with the subordinate and modest scale of the extension, would ensure that the proposal would not cause an unacceptable impact to the character or appearance of the area.

Taking the above into account, the proposed single storey rear extension is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of layout, design, size and scale.

Residential Amenity

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

The proposed development has been assessed with regard to any potential impact upon the

residential amenities of neighbouring occupiers. The scale of the proposed extension in terms of rear projection and height, coupled with the design and materials to be used, ensures that no unacceptable adverse impact would be caused to the neighbouring residential amenities.

Taking the above into account, the proposed single storey rear extension is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of residential amenity.

Parking Provision

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision.

3 no. car spaces must be provided within the curtilage for dwellings with more than 3 no. bedrooms. However, for this proposal the access and parking arrangements remain unchanged, therefore, it is considered that the proposal would not result in an unacceptable impact on highway safety.

Therefore, the proposed parking provision complies with Policy 36 and Appendix 6 in the SELLP, 2019.

Planning Balance

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The proposed extension will not materially harm the character or appearance of the locality or amenity of nearby residents. It is therefore considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

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.