

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	H02-1120-22	Applicant:	Mrs S Waites
Proposal:	Erection of extension to side and rear - retrospective		
Location:	44 South Street Crowland Peterborough		
Terminal Date:	20th January 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
29	The Historic Environment

National Guidance

National Planning Policy Framework 2021

Section 12- Achieving well designed places.
Section 16- Conserving and enhancing the historic environment.

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 retrospective planning application, seeking permission for the extension to the side and rear of the dwelling at 44 South Street, Crowland.

Site Description

The detached bungalow is situated within the Crowland settlement boundary and is set within the Crowland Conservation Area. South Street is a no through road, where Crawford House which is a Grade II Listed building and is located to the south of 44 South Street.

The bungalow is set back from the road, with a small grassed front garden and no boundary treatment. To the north of the site is access to the rear of the property, with two other dwellings at the rear.

The surrounding area consists of a variety of residential dwellings, mostly comprising of terraced dwellings to the north section of South Street, with a variety of detached bungalows to the south with the detached Grade II listed dwelling situated at the end of South Street.

Ultimately, South Street consists of residential dwellings of a variety of ages and designs.

History

No relevant planning history.

Consultation Responses

Crowland Parish Council

No objections.

North Level IDB

No comments.

Ian Marshman, Historic Environment Officer

No archaeological impact.

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 extension protrudes approximately 3.2m from the rear elevation and wraps around the side, projecting approximately 1.2m from the northern elevation. Overall, having regard to the existing dimensions of the house, the rear and side extension is acceptable in terms of scale, mass and bulk.

The external materials include facing brickwork on walls and white UPVC in fenestration and rainwater goods to match those existing in the property. Thus, the development will appear well blended with the fabric of the house and visual amenity will not be undermined.

The design includes a flat roof and a roof lantern. As much as flat roof extensions are not considered favourable, due to it being mostly to the rear of the dwelling and set back from the front elevation, it will not impact on the overall character of the Conservation Area and is considered acceptable. It is on the opposite side of the dwelling to the Grade II Listed Crawford House so no

adverse impact is seen.

Taking the above into account, the extension to the side and rear of the bungalow is deemed to comply with Policies 2, 3 and 29 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.

It is not considered that the extension adversely overshadows or is overbearing to the neighbouring property to the rear or north. There are no rear or side facing windows and the extension is only single storey.

Taking the above into account, the rear and side 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.

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 rear and side extension does 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, 3 and 29 of the South East Lincolnshire Local Plan, 2019.

Conclusion

Based on the reasons outlined above, 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.