DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0513-19**	**Applicant:**	**Mr & Mrs M Hansord**
Proposal:	Rear extension and new chimney stack		
Location:	12 Chestnut Avenue Holbeach Spalding		
Terminal Date:	15th July 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

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	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application that seeks permission for a rear extension and new chimney stack at 12 Chestnut Avenue, Holbeach, Spalding.

Site Description

The site location is within the settlement boundaries of Holbeach as set out in the Inset Map 5 of South East Lincolnshire Local Plan, 2019. The area is suburban characterised by a cul-de-sac street layout and residential development.

The property is a two-storey traditional 'brick and tile' detached house. The building is part of a well-defined frontage on the northern side of the road. There is a slab paved driveway to the front and

grassed garden to the rear. The site is bounded by a 2 metre high timber closes board fence on both side and rear boundaries.

History

None

Consultation Responses

None

Planning Considerations

Size and scale

The rear extension would protrude 4 metres from the rear elevation. It would measure 3.85 metres in width and 3.40 metres in height. The extension would be permitted development rights under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The chimney breast would be 3.10 wide, 1.60 deep x 2 metres high. The stack would be 4.65 metres high from the upper part of the breast.

Having regard to the existing dimensions of the house, it is considered that the proposed development would be clearly subservient to the host property in terms of scale, massing and bulk.

Design and layout

The purpose of the extension is to accommodate a sun lounge to the dwelling which is acceptable given the residential use of the property.

The extension would have a chamfer onto the garden where French doors would be opened to ensure access between the sun lounge and the rear part of the site. The roof would be gable pitched with the western slope being shorter to accommodate the chamfer wall underneath. One long narrow window would be facing the rear boundary and one further standard-sized facing the western boundary. The chamfer feature is well regarded since it would enhance the design quality of the development.

The facing brickwork, roof tiles and white UPVC are the proposed materials for both rear extension and chimney. It has been stated that these materials would match as close as possible those in the dwelling. Thus, the visual amenity of the property and its surroundings would not result significantly altered.

Impact upon residential amenity

The rooftop would be visible from the rear garden of the adjacent property No. 10 to the east. In addition to the 2 metre high timber close board fence on the boundary, the scale and bulk of the extension are such that this view is not considered to harm the amenity standards of the residents living in that property.

The proposed works for the chimney would represent a material increase in comparison with the existing metal flu. However, the resulting development would not be unduly in terms of visual impact for the adjacent residents of No. 10.

Conclusion

In light of considerations above, the proposed development is in accordance with Policy 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.