DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0285-22**	**Applicant:**	**Mrs B Hughes**
Proposal:	Proposed ground floor side & rear extension including internal alterations		
Location:	54 Crown Drive Spalding		
Terminal Date:	16th May 2022		

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 2021

12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application at 54 Crown Drive, Spalding for proposed ground floor side & rear extensions including internal alterations. The proposal seeks to provide a bedroom, utility and garden room projecting a maximum width of 4.265 metres from the original side elevation wall. The front elevation will be white render to match the existing dwelling with matching brickwork to the side and rear, as well as matching roof tiles.

SITE DESCRIPTION

The site is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design. The site is in Environment Agency Flood Zone 3, and in a "Danger for All" hazard area with a maximum predicted flood depth of over 2 metres on the 2115 South Holland Strategic Flood Risk Mapping. As the application is for an extension to the existing dwelling there is not a requirement to raise finished finished floor levels to address flood risk.

RELEVANT HISTORY

None

CONSULTATION RESPONSES

None

PLANNING CONSIDERATIONS

Principle of development

This application is for residential development on residential land. The principle of development in this location is considered to be acceptable in this location.

Assessment against SELLP Policy 2 - Development Management

When assessed against the relevant criteria the following can be observed:

1. The size, scale and layout is considered to be appropriate for the site. No trees will be removed to facilitate this proposal. The character and appearance of the surrounding area will not be impacted by this proposal.

2. The design and orientation is considered to be appropriate for the site.

3. The front elevation will be white render to match the existing dwelling with matching brickwork to the side and rear, as well as matching roof tiles. These materials are considered to be appropriate for the site.

4. The access is not being altered and whilst the garage is being removed there is adequate space on site for two off road parking spaces which is the minimum amount requested by Appendix 6 of the SELLP.

5. The capacity of existing community services and infrastructure will not be impacted by this proposal.

6. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion the following can be observed:

Overdevelopment - The proposal is not significantly larger than the existing footprint of the garage. Adequate space remains to the front and rear of the property.

Overshadowing - The proposed extension will have a roof height of 6 metres to the side of the dwelling with the rear element serving the garden room at a height of 4.4 metres. The footprint of the extension is further away than that of the existing flat roof garage. The side boundary is bordered by a 2.5 to 3 metre high hedge so no overshadowing will occur to side elevation windows. Whilst the height of this extension is greater, when a right to light calculation is made none of the side elevation windows at 56 Crown Drive are materially impacted even if the side boundary hedge is removed.

Overlooking - There is not considered to be an overlooking impact from this single storey extension as the site is bordered by a 2.5 to 3 metre hedge at eastern boundary with 56 Crown Drive, a 1 metre high fence with a 2.5 metre to 3 metre high hedge at the northern rear boundary, and a 1.8 metre high fence at the side eastern boundary with 52 Crown Drive.

7. The site is in Environment Agency Flood Zone 3, and in a "Danger for All" hazard area with a maximum predicted flood depth of over 2 metres on the 2115 South Holland Strategic Flood Risk Mapping. As the application is for an extension to the existing dwelling there is not a requirement to raise finished finished floor levels to address flood risk.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

When assessed against the relevant criteria the following can be observed:

1. A sense of place is not impacted by this proposal. The size, scale and layout is considered to be appropriate for the site. No trees will be removed to facilitate this proposal. The character and appearance of the surrounding area will not be impacted by this proposal.

5. There remains ample space on site for bin and cycle storage. The access is not being altered and whilst the garage is being removed there is adequate space on site for two off road parking spaces which is the minimum amount requested by Appendix 6 of the SELLP.

11. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion the following can be observed:

Overdevelopment - The proposal is not significantly larger than the existing footprint of the garage. Adequate space remains to the front and rear of the property.

Overshadowing - The proposed extension will have a roof height of 6 metres to the side of the dwelling with the rear element serving the garden room at a height of 4.4 metres. The footprint of the extension is further away than that of the existing flat roof garage. The side boundary is bordered by a 2.5 to 3 metre high hedge so no overshadowing will occur to side elevation windows. Whilst the height of this extension is greater, when a right to light calculation is made none of the side elevation windows at 56 Crown Drive are materially impacted even if the side boundary hedge is removed.

Overlooking - There is not considered to be an overlooking impact from this single storey extension as the site is bordered by a 2.5 to 3 metre hedge at eastern boundary with 56 Crown Drive, a 1 metre high fence with a 2.5 metre to 3 metre high hedge at the northern rear boundary, and a 1.8 metre high fence at the side eastern boundary with 52 Crown Drive.

12. The site is in Environment Agency Flood Zone 3, and in a "Danger for All" hazard area with a maximum predicted flood depth of over 2 metres on the 2115 South Holland Strategic Flood Risk Mapping. As the application is for an extension to the existing dwelling there is not a requirement to raise finished finished floor levels to address flood risk.

This application accords with SELLP Policy 3.

PLANNING BALANCE

It is considered that the footprint of the proposed extension isn't significantly larger than that of the existing garage building. The design and siting of the extension will not materially impact the character and amenity of the surrounding area. The materials of construction will be conditioned to match that of the existing dwelling. This application accords with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2021.

CONCLUSION

This application is recommended for 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.