

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H16-0304-19 **Applicant:** Mr & Mrs T Ribisse
Proposal: Extensions and alterations (re-application of H16-0768-18)
Location: 18 Carrington Road Spalding
Terminal Date: 13th June 2019

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 2019

Section 12. Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a re-submission of a householder planning application for extensions and alterations at 18 Carrington Road, Spalding.

Planning permission was refused under application ref. H16-0768-18. The proposed development consisted of one two-storey rear extension. The reason for refusal, as set out in the Decision Notice, was as follows:

"The application site occupies a plot within the eastern frontage of semi-detached dwellings in Carrington Road, Spalding. The proposed rear extension is 10.12 metres deep on the northern side elevation and 6.26 metres on the southern side elevation. This would significantly increase the

visible bulk, height and mass of the dwelling thereby creating an incongruous form of development which would fail to respect the established character and appearance of this part of Carrington Road.

Additionally, the material increase of proposed extension is such that full views from upper rear window at No. 16 and upper side and rear windows at No. 14 would be unacceptably disturbed. Overlooking effect is also anticipated between top right window on extension side elevation and upper rear windows of adjoining property No. 20. The bulking of the proposals and position within the sun path is such that overshadowing would be casted over adjacent properties, especially No. 16.

Therefore, the resulting appearance would be overbearing for residents in neighbouring properties and the extension would have a negative impact upon the residential amenity.

The proposals therefore fail to accord with Policy SG14, SG17 and SG20 of South Holland Local Plan (2006) and Section 12 of National Planning Policy Framework (2018)".

The re-submission proposes a first floor extension which would extend 3.83 metres less than the previous intended development and would include a single-storey element at the very rear.

Site Description

The area surrounding the site is solely characterised by residential development. According to Inset Map 2 of South East Lincolnshire Local Plan 2019, the site is within the settlement boundary of Spalding. Therefore, the principle of development for the proposal is acceptable unless material considerations indicate otherwise as laid down in section 70(2) of the Town and Country Planning Act 1990.

Most of the properties in the area occupy long narrow sites. The applicant's property is part of a frontage row of semi-detached dwellings on the eastern side of Carrington Road. Conversely, the residential properties are detached buildings on the opposite side of the road. A variety of dwelling types, design, appearances and ages has been observed in the area.

The applicant's property is an old two-storey semi-detached house. The rear garden is long and narrow. A 2 metre high timber close board fence is on the southern boundary whereas a shorter fence is along most of the northern boundary. The general pattern of development in respect of the rear of properties along this part of Carrington Road is a two-storey open gable pitched element and a single-storey element.

History

H16-0768-18 - Extensions and alterations - Refused

Consultation Responses

Residents - Objection

One public representation has been received, raising the following issues:

- Overbearing impact
- Loss of daylight
- The bulk of the extension is out of the building line

Planning Considerations

Size and scale

Whilst the proposed extension would protrude 11.40 metres from the main rear wall of the house on the ground floor level, the development would only project 6.29 metres on the first floor level. In comparison with the refused proposal, the dimensions of the intended development would represent an increase of 1.28 metre on the ground floor and a reduction of 3.83 metres on the first floor level. Both the width and height of the rear extension would be as much as those of the original dwelling. Having regard to the measurements of the house, the proposed development would be subservient to the host property in terms of scale, massing and bulk.

Design and layout

The single-storey element would be lean-to with a pitch 4.50 metre high from the ground level. As a result, the pitch would be 1.36 metre higher than that one of the single-storey party wall element in the neighbouring property No. 16a. Although it would represent an alteration to the pattern observed across the rear of the houses of the row, such difference in height is considered acceptable. Moreover, the lean-to roof would be an improvement of the external layout of the refused proposal. The impact of the previous high blank elevation would be replaced for a stepped back first floor extension and a lean-to roof on the ground floor which would be further in keeping with the adjacent party-wall element.

Brickwork lintel over the proposed fenestration would enhance the design standards of the development reflecting the original character of the host property and neighbouring semi-detached properties. The external materials comprising facing brickwork, roof tiles and fenestration would match those existing in the dwelling, thus the visual amenity would not result significantly altered.

Impact upon residential amenity

As mentioned above, the first-floor extension would be stepped back from the most outward part of the extension. This would dissipate any overbearing impact upon neighbours. Although the pitch of the lean-to roof on the single-storey element is higher than the adjacent party wall element, the height would not cause any unbearable impact to the amenity of the residents living in adjacent properties, especially those at No. 16 and 16a.

Without considering a small egress window on the roof slope facing No. 20 to north, no first-floor windows would be opened, thus no overlooking is anticipated. The separation distance with the opposing elevation on No. 20 is sufficient to avoid any potential overshadowing effect to the residents of such adjacent property.

Conclusion

In light of considerations above, the proposed development is in accordance with Policy 1, 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.

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.