DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0333-19**	**Applicant:**	**Mr Miles Dunnett**
Proposal:	Ground floor extension to enlarge kitchen - approved under H16-0874-17 - Amendment to reduce the size of the extension		
Location:	19 London Road Spalding		
Terminal Date:	22nd May 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
29	The Historic Environment

National Guidance

National Planning Policy Framework 2019

National Planning Policy framework (NPPF) Feb 2019

The NPPF constitutes guidance for Local Planning Authorities and decision takers both in drawing up plans and as a material consideration in determining applications.

Paragraph 11 - The Presumption in Favour of Sustainable Development
Section 16- Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1

CASE OFFICER ASSESSMENT

Proposals

The planning application is for the part demolition of the existing single storey kitchen to the rear of the dwellings and replaced with a flat roof modern extension to create a new kitchen and living space.

SIte description

The Grade 2 Listed dwelling is typically Georgian in style and dates from around 1780-1820. Built predominantly in Flemish bond, although there are small areas of repaired brickwork and a couple of extensions to the lower ground floor and first floors to the rear elevation that do not conform with this traditional pattern.

Assessment

The new Listed Building Consent application seeks almost exactly the same development as previously approved but with a slightly smaller extension and some changes to the detailing to better match the property - the additional impacts over the existing approval is negligible.

The description of the development and assessment is set out below;

The extension will be flanked with brickwork that ties in with the dwelling but the rear elevation will be finished in zinc/lead, with the majority of the facade being glazed.

The proposed brickwork will be 'toothed' into the existing, to give the appearance of continuation of the existing. When viewed from the neighbour's property, the extension will therefore, look original.

The proposed glazing and zinc/lead finish will look like a modern addition. However, the height, scale and proportions, allows the extension to be considered as a subordinate yet quality feature for the dwelling and makes a positive contribution to the host building.

In order to make way for the proposed kitchen extension, a proportion of the existing single storey element of the dwelling will have to be demolished. This existing single storey building with a hipped roof, stands amongst a cluster of extensions and appears at odds with the main building due to its design.

The new proposal aims to create an extension of a modern and quality appearance that is fit for functional purposes. The impact of which has a positive affect on the Conservation Area and does not result in a detrimental impact upon the setting and character of the listed building.

Consultations

Ian Marshman, Historic Environment Officer
Lincolnshire County Council
Comments
No archaeological input required.

The main considerations in relation to this Listed Building application are:

Effect on the character/appearance of the building;

Section 16 of the NPPF 2019, contains current Government advice as well as the statutory requirement to have special regard to the desirability of preserving the building and their setting (s16 & 66 Planning (Listed Building and Conservation Areas) Act 1990) which must be taken into account in decision making.

The NPPF states that in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage

assets and putting them to viable uses consistent with their conservation;

-the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

- the desirability of new development making a positive contribution to local character and distinctiveness.

Furthermore, the NPPF, advises that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

The NPPF states that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The proposed works will not result in the complete loss of an historic asset and its sympathetic remodeling is considered to respect its historic significance and not harm the integrity of the main building.

No objections received from residents or statutory consultees.

Conclusion

On balance, the LPA is satisfied that the proposed extension, as amended, will bring about long term sustainable regenerative improvements, which is required in order to re-use this listed building to its best ability as a family home.

In light of the above considerations the proposal is considered to be in accordance with policy 29 of the South East Lincolnshire Local Plan (2019), as well as the National Planning Policy Framework, 2019.

Recommendation

It is recommended that the application be APPROVED under delegated powers.

Additional Considerations

Public Sector Equality Duty

Public Sector Equality Duty
In making your decision you 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 is only one factor that needs to be considered, and may be balance 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 your decision, you 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.

You are referred specifically to Article 8 (right to respect for private and family life), 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 interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.