

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0430-23 **Applicant:** Mr M Juszczyzyn

Proposal: Replace flat roof with mono-pitched roof to utility room and proposed lean to extension with polycarbonate roof

Location: 17 St Pauls Road Spalding

Terminal Date: 13th July 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development

National Guidance

National Planning Policy Framework 2021

Section 12 - Achieving Well Designed Places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

Proposal is for minor roof alterations and the addition of a lean-to extension to the rear of 17 St Paul's Road. The development would replace the existing flat roof with a mono-pitch roof, constructed of sheet metal and polycarbonate. The maximum height of the roof alteration would be 3 metres, with a minimum height of 2.65 metres. This represents a peak increase in height of 0.35 metres.

The lean-to is to be constructed of translucent, polycarbonate sheets. The extension would be located along the length of the rear elevation, from the existing utility room to the boundary with 15 St Paul's Road. This represents a width of 4.9 metres. The lean-to extension would extend from the property by 5.3 metres, again this is inline with the existing rear structure.

New plans have been submitted, to provide further clarity on the proposal.

Site Description

The site is within the settlement boundaries of Spalding, as outlined within the South-East Lincolnshire Local Plan, 2019 (SELLP). The site is within a strictly residential area, approximately 215 metres east of West Elloe Bridge.

The property itself is a two-storey, semi-detached, brown brick dwelling. The rear border is demarcated by a 1.8-metre-high wooden, close boarded fence. Although the wider area has a of brick types and finishes, the design of the property is typical of the locale.

Relevant History

No relevant planning history.

Consultation Responses

No consultation responses received.

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, that they are visually attractive, as a result of good architecture, and are sympathetic to local character. 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.

While the materials proposed (sheet metal and polycarbonate) are not common within the area, neither would appear out of keeping with the character of the area.

Similarly, while lean-to extensions are not common within the area, the addition of the extension would not appear incongruous. Lean-to extensions are not an uncommon feature within residential areas and therefore the addition would not be out of keeping.

The roof alteration represents a neatening of the site. Pitched roofs are far more common within the locale than flat roofs, as such, the alteration would make the property appear more in keeping with the character of the area.

While the extension would be visible from the neighbouring property to the east, the impact to the character of the area is limited. The height difference between the lean-to roof and the boundary treatments is small enough as to reduce its visibility and reduce its character impact.

Therefore, the proposal conforms to Policy 2 of the SELLP in terms of design and scale.

Impacts Upon Resident Amenity

Paragraph 130 of the NPPF amongst other matters, seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of the SELLP set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

By virtue of its nature, the proposal would not create any additional overlooking.

The increase in roof height via the alteration is minor, therefore, when combined with the separation distance of 2.3 metres, the potential for overshadowing to the eastern neighbour is low.

The potential for overshadowing via the lean-to is similarly low. The proposed material is translucent, preventing any potential for overshadowing.

The proposal conforms with Policies 2 and 3 of the SELLP in terms of amenity impact.

Planning Balance

The proposal conforms to Policy 2 in terms of design and scale. The potential impact to the character of the area is extremely limited. The materials used, while not currently common, would not be out of keeping with the character of the area. The principle of the veranda is sound.

The proposal would have a negligible amenity impact. No overlooking would be created. The potential for overshadowing to the west is minimal due to the diminutive scale of the roof alterations. The lean-to would not create significant overshadowing due to the use of translucent materials.

New plans were sought for clarity over the proposal. The previously plans would not have allowed an officer to have fully assessed the potential impacts. Therefore, new plans were sought so that the proposal could be assessed more accurately. There amended plans proposed no alterations to the scheme, and purely clarified the proposal. It was not considered that there was a need to re-consult on these plans as they proposed no alterations to the scheme.

The planning balance is in favour of the proposal.

Conclusion

The recommendation is for 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.