

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H16-0624-19 **Applicant:** Brightplace Ltd

Proposal: Partial demolition of the existing annexe to the rear of the dwelling and conversion into self-contained annexe

Location: 23 Albion Street Spalding

Terminal Date: 26th August 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

Sections 12 and 16 of the National Planning Policy Framework (2019)

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is an application for partial demolition of the existing annexe to the rear of the dwelling and conversion into self-contained annexe at 23 Albion Street, Spalding. The proposal seeks to provide a room containing a bedroom and a kitchen, with a separate room for bathroom purposes. The

annexe would be serving by an access door separate to that of the existing dwelling. Materials of construction are to match those of the existing annexe / dwelling and would be conditioned as such.

Site Description

The proposal is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design. The site is located within Spalding Conservation Area. The proposal is within Flood Zone 3 on the Environment Agency Flood Maps, and is not subject to increased hazard or flood depth on 2115 South Holland Strategic Flood Risk Mapping.

History

None

An application has not previously been sought for the annexe as it formed part of the main dwelling and was not a self-contained annexe.

Consultation Responses

LCC - Historic Environment Officer

No archaeological impact.

SHDC - Historic Environment Officer

No objections.

Planning Considerations

- Principle of Development and impact upon conservation area
- Impact upon neighbours

As the site is located to the rear of the dwelling and the applicant proposes to use materials to match those of the existing annexe it is not considered that there would be a detrimental visual impact on the Spalding Conservation Area or nearby listed buildings. The proposal site has already be in operation as a de-facto annexe for a number of years, with an access point within the existing property. There is not considered to be adequate parking provision on the gravel driveway to the side and rear of the proposal, and the use of this small annexe would not be considered to materially increase the likelihood of on street parking.

The proposal is considered to be in accordance with Policy 29 of the SELLP concerning "The Historic Environment" and Section 16 of the NPPF concerning "Conserving and enhancing the historic environment." The proposal respects existing design and does not detract from the streetscene as it is set to the rear of the existing dwelling and will be constructed from materials to match that of the existing building to be partially demolished.

There is not considered to be any material harm to neighbouring residential amenity from overlooking or overshadowing. The design, scale and layout is considered to be appropriate for the site and does not materially impact the character of the dwelling or the surrounding area.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019, as well as Sections 12 and 16 of the National Planning Policy Framework, 2019.

A delegated approval is considered to be appropriate.

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.