

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Development Manager

To: Planning Committee - 24 July 2019

(Author: David Grant - Planning Officer)

Purpose: To consider Planning Application H16-0598-19

Application Number: H16-0598-19

Date Received: 14 June 2019

Application Type: FULL

Description: Rear single-storey extension to create accessible bedroom and wetroom

Location: 9 Rowan Avenue Spalding

Applicant: Mrs Tracey Bradley

Agent: South Holland Building Consultancy

Ward: Spalding St Pauls

Ward Councillors: Cllr R A Gibson
Cllr G P Scalese

You can view this application on the Council's web site at

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H16-0598-19>

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The agent is South Holland District Council Building Consultancy.

2.0 PROPOSAL

2.1 This is an application for a rear single-storey extension to create accessible bedroom and wetroom to a semi-detached house. The proposal would project 9.89 metres and be 4.265m wide. Brick is to match that of the existing dwelling with a felt or fibreglass flat roof.

3.0 SITE DESCRIPTION

3.1 The application property is a semi-detached house with an existing flat roof element projecting 5.9 metres to the rear. The proposal is within defined settlement limits and the surrounding area is characterised by semi-detached dwellings of a similar age and design.

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

South East Lincolnshire Local Plan, March 2019

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

National Guidance

National Planning Policy Framework (NPPF), 2019

Section 12 - Achieving well-designed places

Planning Practice Guidance (PPG)

5.0 RELEVANT PLANNING HISTORY

5.1 None

6.0 REPRESENTATIONS

6.1 None

7.0 CONSIDERATIONS

7.1 Planning Considerations

7.2 Design

7.3 The design is considered to be in keeping with the existing dwelling. The proposal meets the specific needs of the occupant and does not require a design that is at odds with the character of the surrounding area. It would be brick built with a flat roof as the existing rear element.

7.4 Impact on Residential Amenity

7.5 There is not considered to be an impact on residential amenity arising from this proposal. The distance to the north western boundary remains the same at 1,45 metres and to the common boundary it would be approximately 1.8 metres closer. The height of the extension does not come higher than the existing rear projection, and there is not considered to be an overlooking or overshadowing impact.

7.6 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 under represented) 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.

7.7 Conclusion

7.8 No objections have been received and, in light of the considerations above, the proposed development is in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019 and Section 12 of the National Planning Policy Framework 2019.

8.0 **RECOMMENDATIONS**

8.1 **Grant permission subject to the conditions listed in Section 9.0 of this report.**

9.0 **CONDITIONS**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

DFG/19/1047 02
DFG/19/1047 03
DFG/19/1047 04
DFG/19/1047 05
DFG/19/1047 07
DFG/19/1047 06
DFG/19/1047 11 Existing
DFG/19/1047 12 Proposed
DFG/19/1047 01
1047 Grant - Location Plan (1:2500)
Application Form

Reason: For the avoidance of doubt and in the interests of proper planning.

3. All new and replacement brickwork utilised in carrying out the development hereby permitted shall match as closely as possible that of the principal existing building on the site in terms of the type of brick(s), mortar mix and method of bonding.

Reason: In the interests of the architectural and visual integrity of the overall development and the visual amenity of the area in which it is set.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

4. The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and subsequently determining to grant planning permission.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at <http://planning.sholland.gov.uk/OcellaWeb/planningSearch>

Background papers:- Planning Application Working File

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Appendices attached to this report: Appendix A - Plan A

MapThat Scale Print Title

