

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Development Manager

To: Planning Committee - 12 February 2020

(Author: David Grant - Planning Officer)

Purpose: To consider Planning Application H19-1198-19

Application Number: H19-1198-19

Date Received: 11 December 2019

Application Type: FULL

Description: Rear single-storey extension

Location: 9 Coronation Avenue Throckenholt Spalding

Applicant: Mr John Cook

Agent: South Holland Building Consultancy

Ward: The Saints

Ward Councillors: Cllr M D Seymour

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

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H19-1198-19>

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 proposed rear single-storey extension to a semi-detached house at 9 Coronation Avenue, Throckenholt. The proposed extension would be 8.05 metres in width and project 5.85 metres from the original rear wall. It would be built adjacent to the common boundary with the adjoining house and be 2.778 metres from the northern side boundary. The eaves height would be 2.55 metres with a maximum height of 2.7 metres. The extension would contain a bedroom, bathroom and a small kitchen. Brick would be to match that of the existing dwelling. The flat roof would be constructed from fibreglass.

2.2 The proposed extension would replace an existing single storey flat roof rear extension. There would be a blank elevation to the side wall along the common boundary and one small window to the other side elevation.

3.0 SITE DESCRIPTION

3.1 The proposal is within defined settlement limits and the immediate area is characterised by semi-detached houses. The properties have relatively long rear gardens and the existing rear extension is built close to the common boundary with the adjoining house with a hedge beyond. There is a standard close boarded fence to the northern boundary.

4.0 RELEVANT PLANNING POLICIES

4.1 **The Development Plan**

South East Lincolnshire Local Plan (SELLP), 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.

Policy 2 - Development Management

Policy 3 - Design of New Development

National Guidance

National Planning Policy Framework (NPPF), 2019

Section 12 - Achieving well-designed places

Planning Practice Guidance (PPG)

National Design Guide

5.0 **RELEVANT PLANNING HISTORY**

5.1 None

6.0 **REPRESENTATIONS**

6.1 LCC Historic Environment Officer

No objections.

6.2 Public

One representation which raises concerns about boundary ownership and if the extension will be built in the correct location. This is not a material planning concern

7.0 **CONSIDERATIONS**

7.1 **Planning Considerations**

7.2 Principle of development

7.3 The proposal site is within the defined settlement limits of Throckenholt and there are examples of other properties with rear extensions in the vicinity.

7.4 It is considered that there would be limited impact on the amenity of neighbouring properties or the character of the surrounding area. The size, scale, layout and impact on the amenity of the existing dwelling and neighbouring dwellings is considered acceptable. The design meets the needs of the client and the flat roof ensures that costs are minimised and potential overshadowing impacts are reduced. There is not anticipated to be an increase in noise or disturbance as a result of the extension being constructed as it is further away from the neighbouring dwelling than the existing building.

7.5 The design caters for the needs of the applicant with an appropriate scale and design that does not impact upon the built character of the vicinity or the amenity of neighbouring properties.

7.6 Design

7.7 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 fairly low level pitched roof, with brick to match the existing property.

7.8 Impact on residential amenity

7.9 There is not considered to be an impact on residential amenity arising from this proposal. There would be one small window in the northern side elevation which serves a hallway and faces an existing 1.8 metre high timber fence. The height of the extension does not come higher than the existing wood extension, and there is not considered to be an overlooking or overshadowing impact. Nor is there considered to be a material impact on the character of the surrounding area.

7.10 Conclusion

7.11 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.

7.12 **Additional Considerations**

7.13 Public Sector Equality Duty

7.14 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:

7.15 A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

7.16 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).

7.17 C. Foster good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.

7.18 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.19 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.

7.20 It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

7.21 Human Rights

7.22 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).

7.23 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 to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

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:

Application Form

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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

Lead Contact Officer

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Appendices attached to this report:

Appendix A

Plan A

MapThat Scale Print Title

