DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H13-0060-21**	**Applicant:**	**Mr & Mrs Wand**
Proposal:	Proposed single storey rear extension and internal alterations		
Location:	30 Ashby Gardens Moulton Spalding		
Terminal Date:	24th March 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Section 12. Achieving well-designed places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application that seeks permission for proposed single storey rear extension and internal alterations at 30 Ashby Gardens, Moulton, Spalding.

Site Description

The site is within the built-up area of Moulton. The area is purely residential. Ashby Gardens is a cul-de-sac street extending to the north-west from the main road of Station Road. There is a mixture

of two-storey detached and bungalows with certain degree of variety in appearances.

The application property is a bungalow. The adjoining dwellings to the east and west are also bungalows. The site has nearly a trapezoidal shape. The rear garden is laid in grass. A 2 metre high timber close-boarded fence borders the site with the neighbouring plots.

History

None.

Consultation Responses

None.

Planning Considerations

Principle of development

The site is within the settlement boundaries for Moulton as set out in the South East Lincolnshire Local Plan (SELLP), 2019. The principle of developing extension and alterations that are incidental to the enjoyment of a dwelling is acceptable.

Design and layout

Paragraph 127 of National Planning Policy Framework (NPPF), 2019 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting. Policies 2 and 3 of SELLP 2019 amongst other matters seek to ensure that development respects the character and appearance of the area and the relationship to existing development and land uses.

The proposed extension would be of an inverted L shape. It would protrude 5.39 from the rear of the in-built garage and 3.32 from the original rear wall of the dwelling. The width would be 6.13 metres. The height would be as much as the garage. The resulting scale and height of the development would appear subservient to the host property.

Internally, alterations would be carried out to create open kitchen/dining room and convert the existing dining room into a bedroom. The utility room and toilet would be relocated to the furthest point of the new extension. Therefore, the purpose of the development is to upgrade the property to meet the increasing living needs of the householders.

Two small openings would be bricked up on the western side elevation and the rear French doors accordingly replaced for a bedroom sized window. Bi-fold doors would provide access between the intended kitchen/dining room and the rear garden. The roof across the extension would be flat in line with the garage.

The external materials would match those existing in the property. In doing so, the house enlargement would blend with the current fabric of the building.

Residential amenity

Paragraph 127 of National Planning Policy Framework (2019) amongst other matters seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of South East Lincolnshire Local Plan (2019) set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

The separation distance between the development footprint and the boundary range between 3.26 and 2.43 metres. Furthermore, the nature of the extension is single storey which would not harm the amenity standards of the occupiers at No. 31 to the west.

Car parking provision

In conjunction with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum standards for

parking provision upon the use class.

The proposals would entail an additional bedroom. The total number of bedrooms would be up to 3. The aforementioned appendix sets out that 2 spaces for dwellings with up to 3 bedrooms should be provided within the curtilage. Two cars can be parked in tandem on the driveway which is acceptable in highway safety terms. Therefore, on-street parking would be prevented even with the material increase of the development.

Planning Balance

The principle of an extension and alterations that are incidental to the enjoyment of a dwelling is acceptable. The aim of the proposals is to meet the increasing living needs of the householders.

The scale and height of the house enlargement is subservient to the host property. The proposed materials would deliver an external appearance in keeping with the current fabric of the building. The single nature of the rear extension would not harm the amenity standards of the occupiers at No. 31. The additional bedroom is not anticipated to increase the pressure on the car parking demand within the curtilage.

On balance, no adverse impact of granting permission would significantly and demonstrably outweigh the benefits of doing so, when assessed against the planning policies taken as a whole.

Conclusion

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

Taking into account the above, this application accords with Policies 1, 2, 3, 36 and Appendix 6 of South East Lincolnshire Local Plan (2019) as well as Section 12 of National Planning Policy Framework (2019).

Accordingly, it is recommended to approve this application via delegated powers.

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.