DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H13-0065-22**	**Applicant:**	**Mr J Dawson**
Proposal:	Extension and Alterations		
Location:	28 West Cob Gate Moulton Spalding		
Terminal Date:	23rd March 2022		

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 2021

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 application seeking permission for a two storey front/side and single storey rear extensions. On the ground floor a one bedroom annex, and a dining/living room serving the existing house would be created. On the first floor the existing single bedroom would be converted into a bathroom and an additional bedroom/dressing room would be created in the new extension. The two storey extension would have a side projection of 4.1 metres and a front projection of 1 metre. The rear extension would measure 3 metres (depth) x 10.1 metres (width) and stand at 3.5 metres in height (2.5 metres to the eaves). The external materials would match the existing

dwelling.

SITE DESCRIPTION

The application site comprises a two storey semi-detached dwelling located on West Cob Gate in Moulton. The site is within the Moulton settlement boundary. The dwelling is red brick built with render on the upper half. There is a single storey flat roof element to the side. To the front is a grassed area used for parking. The site has an open frontage and is enclosed with a boundary fence along the side and rear boundaries.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

No representations received.

PLANNING CONSIDERATIONS

Principle of development

The site is within the defined settlement boundary of Moulton and the proposed extensions would be sited within the residential curtilage of the existing dwelling therefore the principle of extending the existing dwellinghouse is acceptable.

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. The key material considerations are addressed below.

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; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations. 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.

The proposed two storey front/side extension is considered to be proportionate to the existing dwelling and the plot. It is considered subservient to the existing dwelling given its small front/side projection. Its design with the roof following the shape of the existing roofline would respect the design of the existing dwelling. Although a lowered roof ridge is usually required for two storey extensions, in this instance a flush finish can be accepted given the dwelling is semi-detached therefore it would not result in a terracing effect. It is not considered to appear unduly incongruous within the rural street scene and would not materially harm the character/appearance of the locality. The proposed use of matching external materials would ensure the extension is in keeping with the existing dwelling.

The rear extension is considered proportionate and sympathetic to the existing dwelling. Sufficient outdoor amenity space would be retained therefore it would not result in overdevelopment of the site. In addition, the use of matching external materials would ensure the extensions are in keeping with the existing dwelling.

The proposed development is therefore considered to comply with the aforementioned policies on design, layout and impact upon the character of the local area.

Impacts upon Residential Amenity

Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) set out residential amenity and the relationship to existing development and land uses as main considerations when making planning decisions. They are consistent with advice within the National Planning Policy Framework (2021).

Paragraph 130, amongst other matters, seeks places with a high standard of amenity for existing and future users.

The closest neighbour is the attached property at no.26 West Cob Gate. The majority of the proposed two storey extension would not be visible to this neighbour as it would not extend beyond the two storey rear elevation of the applicant's existing dwelling. Only the small front projecting element (1 metre would be visible to this neighbour. This element would be sited approximately 7 metres from the shared boundary with this property. Given the small front projection this separation distance is considered sufficient as to not result in any overbearing impact or unacceptable overshadowing. The single storey rear extension meets the permitted development criteria therefore this element could not reasonably be resisted. In any case the rear extension would have a small rear projection, similar to this neighbour's conservatory located close to the shared boundary with the application site therefore it would not result in any overbearing impact or unacceptable overshadowing.

With regards to the neighbour to the south at no.40 Ashby Gardens the proposed development would be sited 2.4 metres from this property's boundary at its closest. Given the relationship with this neighbour and the fact the extensions would sit adjacent to this neighbours rear garden no unacceptable impact is considered to result. No first floor windows are proposed in the side elevation facing this neighbour and the first floor bedroom window in the rear elevation would not directly overlook this neighbour therefore there are no overlooking or loss of privacy concerns. As such the impact on this neighbour is negligible.

As such the proposal would accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed scheme would increase the number of bedrooms in the property from 3 to 4 therefore the parking requirement for the site would also increase to 3no spaces. The front garden has sufficient space to accommodate at least 3no vehicles therefore the scheme is considered to comply with the current parking standards.

Planning Balance

The proposal will not materially harm the character or appearance of the locality, amenity of nearby residents or result in highway implications. The planning balance is therefore considered to be in favour of the proposal.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 1, 2, 3, 28 and 36 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2021).

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.

RECOMMENDATION

The application can be approved under delegated powers.