

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H13-0126-21	Applicant:	Mr S Coleman & Mrs K Ollerenshaw
Proposal:	Refurbishment and extension to dwelling and boundary wall to east, south and west boundaries.		
Location:	The Plough Inn Woodgate Road Moulton Chapel		
Terminal Date:	30th April 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
29	The Historic Environment
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 2, 3, 4, 8, 12 and 14

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	0	0	0	2

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for the refurbishment and extension of the existing dwelling, including a front porch, rear extension and new boundary wall to the east, south and west boundaries.

Site Description

The site is located on a central island within the centre of the village. The Chapel of St James is located to the north, which is grade II* listed. Residential properties are situated to the east and west. Dwellings are currently under construction to the south (ref. H13-0329-15).

Relevant Site History

H13-0714-12 - Full - Change of use from public house to domestic dwelling, including demolition of single-storey section and alterations - Granted 26 October 2012.

Consultation Responses

Moulton Parish Council

No response received.

Historic England

No comments.

Public

Resident objections/comments received (summarised):
Block out view of the church from Woodgate Road; Height of walls and hedges have detrimental effect on visibility; Road floods.

Planning Considerations

The main issues in this case are:

- Policy/principle;
- Character/appearance, including the effect of the development upon the setting of The Chapel of St James, which is grade II* listed;
- The likely impact upon the amenity of nearby residents;
- Other material considerations such as highway safety, flooding and drainage.

Policy/Principle

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 site is inside Moulton Chapel Settlement Limit as defined in the South East Lincolnshire Local Plan (SELLP), 2019. Policy 1 (Spatial Strategy) of the SELLP indicates that within Minor Service Centres, including Moulton Chapel, development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps to meet the service needs of other local communities.

The proposal is in accordance with Policy 1 of the South East Lincolnshire Local Plan, 2019

Character/Appearance

The new porch would be located at the front and the extension at the rear. They would be constructed in red brickwork and clay pantiles to match those existing. Whilst the extension is two

storey it has been stepped down. The windows presently within the property have been periodically replaced over the years and are haphazard in terms of design and materials. The proposal includes replacement of some of the existing windows and re-instates a degree of uniformity in design terms. A detached garage originally proposed at the front of the property has been removed from the application. The proposed garden wall is only 1.2 metres in height and the piers 1.5 metres.

The amended proposal is considered sympathetic and subservient and would not materially harm the character/appearance of the locality. Nor would it harm the setting of The Chapel of St James (grade II* listed) to the north.

The proposal therefore satisfactorily complies with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 in this respect.

Amenity

The Chapel of St James is located to the north. Residential properties are situated to the east and west. Dwellings are currently under construction to the south (ref. H13-0329-15). The house on plot 1 adjacent the site is set away from the boundary and has a door and kitchen window only on its northern elevation.

The proposal includes new openings on the side and rear elevations. However, they are some distance from neighbouring residential property. The property to the north is a chapel with no private amenity space. It is considered that the amenity of nearby residents would not be materially harmed in terms of overlooking, lack of privacy, overshadowing, overbearing effect, noise/disturbance, etc.

The proposal therefore satisfactorily complies with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 in terms of amenity.

Highway Issues

An existing access would be utilised and the walling and gate would be set back from the carriageway of Woodgate Road and would not materially harm visibility. Satisfactory on-site parking is available. No objections are therefore raised on highway safety grounds.

The proposal satisfactorily complies with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan, 2019 in terms of highway safety/parking issues.

Flood Risk

The proposal is a householder scheme so is not subject to the sequential or exceptions tests. In any case, the site is located within Flood Zone 1 (low risk) on the Environment Agency maps. It is also within an area designated as no hazard with the South East Lincolnshire Strategic Flood Risk Assessment. The proposal satisfactorily complies with Policy 4 of the South East Lincolnshire Local Plan, 2019 in terms of flood risk.

Concerns have been raised concerning standing water on Woodgate Road. The proposal would not exacerbate this issue, which should be taken up with the Lincolnshire Highway Authority.

Conclusion

It is considered that the proposal would not materially harm the existing character/appearance of the property, nor the setting of The Chapel of St James (grade II* listed) to the north. The amenity of nearby residents would not be materially harmed and there are no objections on highway safety or flood risk grounds. The proposal is in accordance with the South East Lincolnshire Local Plan, 2019. There are no material considerations that outweigh factors in favour of the scheme.

Conclusion

The planning balance lies in favour of the scheme.

Recommendation

The application be approved under 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.