DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H13-0153-22**	**Applicant:**	**Mr & Mrs P Tinkler**
Proposal:	Extension & Alterations to Dwelling		
Location:	Creg Ny Baa Middle Marsh Road Moulton Marsh		
Terminal Date:	8th April 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

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

National Guidance

National Planning Policy Framework 2021

Section 12 - Achieving well-designed places
Section 15 - Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for a two storey rear extension to create a kitchen, utility and a w/c on the ground floor and 2no bedrooms and an en-suite shower room on the first floor. The extensions would have a rear projection of 5.2 metres and extend the width of the existing dwelling. The external materials would match the existing dwelling.

SITE DESCRIPTION

The application site comprises a two storey detached dwelling located on Middle Marsh Road in Moulton Marsh. The site is outside any settlement boundary and within the open countryside. The dwelling is red brick built and has white door/window frames. The western boundary is bound by a hedge and the rest of the site is enclosed by a fence. There is a large gravelled driveway to the side, leading to a detached garage towards the rear. Immediate adjacent to the site are some agricultural buildings and a residential dwelling further to the north-east.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

Moulton Parish Council

No objections but question whether the parking arrangements will be affected as there are two garages to the north of the building which would be affected by the development. There is also a structure to the north-east. Is this a garage?

PLANNING CONSIDERATIONS

Principle of development

The site is outside any defined settlement boundary, however, the proposed extension 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 extension is considered to be proportionate to the existing dwelling and the plot. Its design with the gable ends on the rear are considered acceptable and do not detract from 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 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.

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

Impacts upon Residential Amenity

Paragraph 130 of National Planning Policy Framework (2021) 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.

Given the remote location of the application site there is only one immediate neighbour (Granary View) locate to the north-eat of the application site. The proposed extension would be sited some 35 metres from this neighbours side elevation therefore no unacceptable impact is considered to result.

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 2 to 4 therefore the parking requirement for the site would also increase from 2 to 3 spaces. The existing driveway to the front/side can accommodate at least 3no parking spaces therefore the site meets the current parking standards.

Moulton Parish Council raised questions over whether the proposal impacts the current parking arrangements, however, as the proposed extension would be to the rear of the site the current parking arrangements would not be affected.

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 Sections 12 and 15 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.