

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H13-0234-21 **Applicant:** Mr & Mrs Yule

Proposal: Demolish existing attached outhouse & erection of single storey side extension.

Location: The Cottage West Gate 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
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
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application that seeks permission for demolition of existing attached

outhouse and erection of single storey side extension to the dwelling known as The Cottage at West Gate, Moulton Chapel, Spalding.

Site Description

The site is visibly on countryside, approximately 1.67km to the north-west of Mouton Chapel. It is of a triangular shape and flanked by the highway (east and north), Moulton Mere Drain (west) and a large agricultural field (south). There are no other residential properties immediately adjacent to this site.

The dwelling is a two-storey detached cottage probably built early C20. The facing brickwork is painted in cream colour whereas the rear wall is white rendered. The building benefits from a large lean-to to the southern wall which is in state of disrepair. The vehicular access and driveway is to the front of the lean-to. The front boundary is treated by a mixture of low brick wall, pillars and hedge.

History

H13-0366-16 - Single-storey side extension on site of an existing garage/store which is to be demolished - Approved

Consultation Responses

South Holland IDB

No objection.

Reminds the applicant to comply with Board's Byelaws.

Planning Considerations

The site is in the countryside as set out in the Policies Map of South East Lincolnshire Local Plan (SELLP), 2019. Irrespective of spatial planning considerations, the principle of developing an extension that is incidental to the enjoyment of a dwelling is acceptable subject to further material planning considerations.

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 extend the full depth of the cottage. It would protrude 6 metres from the original southern wall of the dwelling. The maximum height would be 2.70 metres above ground level.

The development therefore would appear subservient to the host property in terms of scale, mass and bulk. In particular, it would not excessively differ from the current extension to replace.

Internally, the in-built garage and store room would be lost in favour of two additional bedrooms. The use of the development would be in keeping with the residential character of the buildings and its setting. The internal floorspace of the bedrooms is above the minimum standards to ensure good living condition to the householders.

The material schedule is such that the development would mostly match with the existing fabric of the cottage.

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.

There is no residential property immediately adjoining the application site. The single-storey and subservient nature of the development is such to the host property that no harm would exist to the amenity of other residents.

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.

For dwellings with 4 or more bedrooms, 3 car spaces shall be provided within the curtilage. The existing driveway can easily accommodate 3 cars. The material increase of the dwelling would not lead to on-street parking which is the aim of Appendix 6.

Planning Balance

The principle of developing an extension that is incidental to the enjoyment of a dwelling is acceptable subject to further material planning considerations.

The scale and height of the development would be commensurate with the host property. The external appearance would not be at odds with the residential character of the site. No harm is anticipated in residential amenity terms as there is no property immediately adjacent to the site.

On balance, no adverse impact of granting permission would not 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 contravenes Policies 1, 2, 3, 4, 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.