

**DECISION DELEGATED TO DEVELOPMENT MANAGER****DECISION DELEGATED TO DEVELOPMENT MANAGER**

**Application No:** H13-0258-20      **Applicant:** Miss Gregg

**Proposal:** Single storey rear extension, garage conversion and pitched roof replacing the flat roof

**Location:** 17 Hatt Close Moulton Spalding

**Terminal Date:** 13th May 2020

**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

**National Guidance****National Planning Policy Framework 2019**

Section 12. Achieving well-designed places  
Section 14. Meeting the challenge of climate change, flooding and coastal change

**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 for proposed single storey rear extension, garage conversion and pitched roof replacing the flat roof to the dwelling at 17 Hatt Close, Moulton, Spalding.

**Site Description**

The area is purely residential. Hatt Close is a curvilinear loop street which forms part of a broader suburban pattern. The most common housing type is a detached two-storey dwellinghouse with attached garage. A certain variety of design and appearances has been observed along the street scene.

To the north, there is a similar residential building (No. 19). To the south, a larger house within a corner plot (No. 15). To the east, the rear garden of No. 13.

2 metre high timber fencing delimits the site with adjacent curtilages although some panels have been removed especially on the rear boundary.

## **History**

None.

## **Consultation Responses**

None.

## **Planning Considerations**

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.

### Principle of development

The site is within the settlement boundaries of Moulton as set out in the South East Lincolnshire Local Plan (SELLP), 2019. The principle of an extension that is incidental to the enjoyment of a dwelling house 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; 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 extension will protrude 4 metres from the original rear wall of the house and extend across the full width of the property. The apex height will be approx. 3.29 metres and the eaves 2.1 metres high. The existing flat roof above the garage and utility room will be replaced with a pitched roof which will be as high as that of the rear extension. Overall, it is considered that the development will be subservient to the host property in terms of scale, mass and bulk.

In light of the separation distances with the site boundaries mentioned below, the single-storey bulk of the rear extension will be easily accommodated within the curtilage.

A half pitch roof will extend from the front to the rear through the northern side elevation. It will cover the existing flat roof in-built garage as well as the intended rear extension. In the interest of good design standards, the highest points of such canopy roof will slightly vary in order to not collide with the lowest parts of the first-floor windows. In general, the proposed roof will not appear at odds with the existing main roof which also has a hip pitch.

With regards to the material schedule, it is confirmed in the application form that materials will match those existing in the house with the exception of cladding on the external walls. Such material will provide a more upgraded appearance to the entire property. However, no details have been provided so that permission should be subject to a condition to submit further details of the cladding prior to the commencement of works.

Internally, the development is aimed to create a large open space for accommodating kitchen and dining as well as a new shower room. The proposed works for the garage conversion entails the marginal width reduction of such space from 2.64 to 2.59 metres. The internal room will be used for private gym. No alterations will be carried out for the internal distribution on the first floor.

In summary, the development proposals will be commensurate with the host property and character of the local area in terms of scale, height and appearance. They will also function well in line with the needs of the house occupiers. Therefore, the development accords with the aforementioned policies in terms of design, layout and character of the local area.

### Residential amenity

The proposed extension will be set back in the region of 1.40 metres from the southern boundary and 1.20 metres from the northern boundary. The separation distances will be approx. 7.65 and 7.85 metres with the opposing elevation to the north (No. 19) and south (No. 15) respectively. Having also regard to the single-storey nature of the extension, the development will not create any overbearing impact upon the residents of adjacent properties.

There are two first-floor openings on the opposing elevation. After reviewing the determined plans of approved two-storey side extension to the house No. 19 (H13-1512-88), the existing slot window is for a bedroom and a standard-sized windows for landing. The proposals for raising the flat roof to half hip pitch on the northern side elevation will be such that the resulting height will not be excessive and, in addition to the mentioned above regarding the opposing windows, the new roof will not be significantly visible for the house occupiers of No. 19.

Given the position of the property and other building nearby, no overshadowing will be casted insofar as the amenity standards of residents result undermined.

The development therefore complies with residential amenity which is one of the key principles of design and development management as set out in Policies 2 and 3 of SELLP (2019).

### Flood risk and drainage

Policy 4 of SELLP is concerned on flood risk management and states that new development will be permitted if appropriate flood resistance and resilience measures are proposed (criterion c); incorporates the use of Sustainable Drainage Systems (SuDS) (criterion e); and demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development (criterion g).

It is proposed the installation of soakaway in the rear garden to manage sustainably the surface water runoff coming from the proposed extension. In doing so, the design of the development is appropriately resilient to the effects of surface water flood risk and overall climate change following Policy 4 of SELLP. No evidence of poor soil permeability is known in the locality. In any case, the suitability of a soakaway will be tested and subsequently approved at a later stage by SHDC Building Control.

### **Conclusion**

Taking into account the considerations above, the proposed development is considered to comply with Policies 1, 2, 3 and 4 of the South East Lincolnshire Local Plan (SELLP), 2019; and also Sections 12 and 14 of the National Planning Policy Framework (NPPF), 2019.

No representation have been made. It is accordingly recommended to approve this planning 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.