DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H13-0258-23**	**Applicant:**	**Mr & Mrs Ambrose**
Proposal:	Proposed single storey extensions and internal alterations - re-submission of H13-0024-23		
Location:	7 Westmoreland Road Moulton Spalding		
Terminal Date:	11th May 2023		

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 resubmission householder application H13-0024-23 relating to proposed extensions, alterations and the erection of a single storey front porch at 7 Westmoreland Road in Moulton. The development was originally approved under application ref. H13-0024-23.

Site Description

The application site is a detached bungalow which lies on Westmoreland Road in Moulton. The site is located within a residential area and is surrounded by dwellings of varying design.

History

H13-0024-23 - Proposed Rear Extension, Garage Conversion and Internal Alterations - Approved

Consultation Responses

No consultation responses.

Planning Considerations

There is an extant planning permission (H13-0024-23) for the erection of a single storey rear extension, a garage conversion and the erection of a single storey front porch. The key matter for consideration is, therefore, whether the removal of the garage conversion and the size reduction of the rear extension, would be acceptable.

It is considered that the removal of the garage conversion and the reduction in the size of the single storey rear extension are acceptable. The change of the proposal would not have an adverse impact to the character and appearance to the area, and it is considered that there would be no unacceptable adverse impact on the residential amenities of the occupiers of adjacent properties.

The proposed extension comprises a single storey scale and would be located to the rear of the host dwelling. The extension has been designed as to consist of a flat roof and would project from the existing rear elevation by 3.3m, with a maximum height of 3.1m. The siting of the extension, when considered alongside the siting of the host dwelling, would ensure that the proposed extension would be largely screened by the host dwelling, with only a minor extent of the addition being visible from the highway, or public vantage points along Westmoreland Road. Therefore, the proposed extension, given its scale and siting, would not be a prominent or visually intrusive addition, and would not cause an adverse impact to the character or appearance of the area.

The proposal also comprises materials that would match those of the host dwelling, or be similar in appearance, outlining within the application form that the proposed extension would be constructed using "Brick to match existing". This would ensure that the extension, by way of materials, would be in keeping with the host dwelling and surrounding area. Notwithstanding the flat roof design, the extension is not considered to be a significant contrast with the existing built forms and would appropriately extend the existing property, adjoining to the existing rear roof. Furthermore, a flat roof design is not considered to comprise an unusual design, or comprise a design that is out of keeping, or at odds.

The materials to be used, coupled with the subordinate and modest scale of the extension, would ensure that the proposal would not cause an unacceptable impact to the character or appearance of the area.

The proposal also includes the erection of a single storey porch on the front elevation of the dwelling. The single storey porch has been designed to consist of a pitched roof and would project from the front elevation by 2.06m. Overall, having regard to the existing dimensions of the house, the proposed extension is acceptable in terms of scale, mass and bulk. The proposal also comprises materials that would match those of the host dwelling or be similar in appearance.

The proposal is therefore considered to be in accordance with Policy 2 and 3 of the South East Lincolnshire Local Plan (2019), as well as Section 12 of the National Planning Policy Framework (2021).

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.

It is not considered that the proposal would overshadow, overlook or be overbearing to the neighbouring properties. The proposed single storey extension would have no side windows and the

extension to the rear is only single storey.

Taking the above into account, the proposed single storey rear extension is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of residential amenity.

Parking Provision

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision.

3 no. car spaces must be provided within the curtilage for dwellings with more than 3 no. bedrooms. The host dwelling is 2 no. bedrooms only and the access and parking arrangements remain unchanged, therefore, it is considered that the proposal would not result in an unacceptable impact on highway safety.

Therefore, the proposed parking provision complies with Policy 36 and Appendix 6 in the SELLP, 2019.

Planning Balance

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 proposed extensions will not materially harm the character or appearance of the locality or amenity of nearby residents. It is therefore considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

Conclusion

Taking the above into account, the proposed modification to the extensions and alterations approved by H13-002423 is considered to be in accordance with Policy 2 and 3 of the South East Lincolnshire Local Plan (2019) as well as Section 12 of the National Planning Policy Framework (2021).

The recommendation is therefore for a delegated approval.

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.