DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H13-0389-23**	**Applicant:**	**Mr A Collins**
Proposal:	Proposed rear extension and single garage		
Location:	5 East Cob Gate Moulton Spalding		
Terminal Date:	19th June 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

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
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a rear extension and single garage at 5 East Cob Gate. For the rear extension the development would measure at 8000mm by 8900mm, and it will be the same height as the existing house is currently, the garage will be 5672mm by 3590mm, the height to the eaves is 2495mm and the overall height is 3666mm. The proposal also involves moving an oil tank, it will be repositioned 1800mm from the building and 760mm from the boundary.

Site Description

The site is within the settlement boundaries of Moulton , as outlined within the South-East Lincolnshire Local Plan, 2019 (SELLP). It is to the East of Moulton, approximately 45 metres from the settlement boundary. The dwelling is a bungalow and is of a similar design to the ones in this area, the properties are all on similar sized plots. It is set back from the road by around 20 metres and has a hedge at the front of the property which acts as boundary treatment. There is a gravel/grass driveway at the front of the dwelling which can be used for parking and currently has debris/rubble on it. In the rear garden there is currently a garage, this will be demolished and replaced by the new proposed garage of a similar size.

History

No relevant planning history.

Consultation Responses

South Holland Internal Drainage Board

Stated no objections, however they recommend the applicant may need to seek consent under Byelaw 3.

Lincolnshire County Council Highways

No objection.

Planning Considerations

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, that they are visually attractive, as a result of good architecture, and are sympathetic to local character. 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 garage will be situated at the rear of the dwelling in replace of the garage that is currently there, the measurements are 5672mm (length) by 3590mm (width) with a total height of 3666mm. In regard to the existing dwelling and proposed extension, the dimensions and design of the proposed garage are considered to be acceptable.

The wall will be block rendered and the roof tiles will match the extension. The extension will also be rendered and painted blockwork which means the garage will match the extension. This means the developments appearance is in keeping with the dwelling and allows it to blend in.

The existing conservatory will be getting demolished and the proposed rear extension will protrude from the rear of the property by 8000mm in length and with a width of 8900mm which is the same width as the existing dwelling. The overall height of the extension will be a similar height to that of the dwelling however they appear to be lowering the angle. The materials that the extension will made out of are fitting to the existing dwelling, the tiles and windows will match what is already there, however the walls will be changing to a rendered and painted brickwork from the current brickwork. They will be altering the existing design/pattern of the brickwork to match the design of the proposed extension. This ensures that the extension will blend in with the dwelling and won't stand out and therefore won't create any visual discrepancies.

Alongside the proposed extension, there will be some internal alterations taking place. The only

existing room that is changing location is the kitchen, this will become a utility and the new kitchen will be going in the extension, in this new utility there is the addition of an external door to allow access from the outside on the eastern elevation. The kitchen is also becoming an open room to include a dining area which backs onto the garden through bi-fold doors. The store room will open up to allow a hallway through to the extension. On the western elevation there is the addition of a new WC alongside two bedrooms. In the back bedroom it opens up to the garden in a similar way to the dining area, this time through the use of French doors.

Impacts Upon Resident Amenity

Paragraph 130 of the NPPF amongst other matters, seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of the SELLP set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

The proposed addition of windows to the western elevation are not considered to overlook into the neighbouring dwelling. As this proposal is a single storey extension the windows won't overlook the boundary fence that is currently in place and therefore causes no harm over this. Following the addition of a WC, one these windows will be obscure glazed which means there is no overlooking. On the eastern elevation there is the addition of two rooflights coming from the kitchen/dining area, these also won't have any impact on overlooking as they are facing up and therefore not directly facing the neighbouring dwelling on the east. At the rear of the property there will be a set of French doors and bi-fold doors, these will also not have any issues with overlooking at the rear or the side. The closest property to the rear of the dwelling is approximately 36 metres away.

The distance between the extension and each boundary point is, 3.5m (west), 1m (east) and 28m (rear), in regard to overshadowing the extension will come up to the same height as the already existing dwelling and therefore it won't cause any new impacts that aren't already there from the dwelling itself. The extension is the same width as the house also, so the existing boundaries won't change, and it won't be any closer than how the dwelling is already situated. There is a gap of 3m from the extension to the start of the proposed new garage, the garage has a 1m boundary to the west and an 8m boundary to the east and is approximately 17m from the property at the rear. There is already an existing garage in this location that the new one will replace; this means that there won't be any different impacts regarding overshadowing or overbearing onto the property to the west that is not already caused by the garage being there.

Parking Provision

In connection with Policy 36, Appendix 6 of the SELLP 2019, it sets out the minimum requirements for car parking provision. No. 2 spaces must be provided within the curtilage for dwellings with up to 3 bedrooms. The drive to the front and side is clearly sufficient to accommodate for the number of vehicles and ensure safe access and egress.

Planning Balance

The proposed rear extension and garage will not materially harm the character or appearance of the area. There should be very minimal impact of overshadowing onto neighbouring properties as this extension is single storey. It also won't be considered to be overbearing on the area. The overall design of the pattern on the wall will be different to what is currently there however this isn't a big impact upon the locality of the area.

This proposal is therefore considered to be in accordance with Policies 2 and 3 of the SELLP and Section 12 of the NPPF.

Conclusion

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.