DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H13-0446-24**	**Applicant:**	**Woodola Group Ltd**
Proposal:	Proposed two storey rear extension, including demolition of existing single storey rear projection		
Location:	24 Broad Lane Moulton Spalding		
Terminal Date:	7th August 2024		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2023

Section 9 - Promoting Sustainable Transport
Section 12 - Achieving Well Designed and Beautiful 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

Description of Proposal

The proposal seeks householder planning permission for the erection of a two-storey rear extension at 24 Broad Lane, Moulton. The proposed extension would replace an existing single-storey rear extension.

The existing single storey projection has a depth of 5300mm, with a width of 3200mm. The existing extension features a dual pitched roof, with a height to eaves of 2100mm, rising to 3200mm at its peak.

The proposed extension would be shallower, with a depth of 3950mm; albeit being two storey in scale. The width of the extension would be increased, covering the majority of the width of the building at 5675mm (representing a 300mm indent on the southern elevation). The roof of this new component would be set approximately 300mm below the host, although this would be well intergrated into this host design. The extension would be covered in white monocouche render, with a scraped finish. All other materials would match the host.

A window is proposed within the south facing elevation of the host property. It is proposed that the window would be obscure glazed. The proposal would not increase the number of bedrooms and instead simply provide further internal space for existing rooms. A bathroom window and a Juliette balcony would face the rear garden, in a comparable alignment to what is in situ currently. Bifold doors are proposed on the ground floor.

The proposed development has been amended during the applciation process. The abvoe description details that as amended.

Site Description

The site is within the settlement boundaries of Moulton, as outlined within the South East Lincolnshire Local Plan, 2019. The location is fairly central, being located approximately 100 metres east of The John Harrox Primary School. The area is characterised by a mixture of residential developments, although there is a preference towards two-storey, red-brick houses.

24 Broad Lane is fairly typical of the area, being a two-storey red brick house with significant garden space to the front and rear. The plot benefits from a fairly sizeable distance between dwellings. White UPVC doors and window frames are present, again this is consistent with the wider area.

Relevant History

H13-0406-23 - Outline. Erection of one dwelling. Approved 14/06/23.

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

South Holland Internal Drainage Board

"Thank you for your consultation on Householder planning application H13-0446-24. This site is located within the Internal Drainage District of the South Holland Internal Drainage Board. We have reviewed the submitted information. The proposals do not meet our threshold for commenting as per our Planning and Byelaw Strategy. For this reason the Board has no comments"

Highway and Lead Local Flood Authority

"The proposal is for a two-storey rear extension, including demolition of existing single storey rear projection. The extension will form extra living space and enlarged first bedroom, facilities and study to the first floor. It will not have an impact on the parking or the access therefore there are no objections from the Highway Authority"

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Key Planning Considerations

Evaluation

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, December 2023 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Principle of Development

Policy 1 of the SELLP sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

The site is within the settlement of Moulton which is classed as a minor service centre within Policy 1. As such development will be permitted that supports Moulton's role as a service centre, helps sustain existing facilities or helps meet the service needs of other local communities.

In any event, the proposal solely relates to the extension of an existing and established residential dwelling and therefore, the principle of such development is considered to be appropriate, comprising an appropriate form of development for the location.

As such, the proposal is considered to be in accordance with the requirements of the SELLP when viewed in principle. This is subject to the assessment against site specific criteria; including (but are not limited to) the impact of the proposal on the character or appearance of the area, impact on the residential amenities of neighbouring occupiers, and impact on highway safety, which are discussed in turn as follows.

Layout, Design, Scale and Consideration of the Character of the Area

Section 12 of the NPPF, "Achieving well-designed and beautiful places", states that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the NPPF, states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality, to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing. Developments should 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 outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 of the SELLP requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the NPPF and require 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. Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design, and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

The proposed scale of the extension is well proportioned to the existing dwelling, appearing as a natural addition and subservient to the host. The integration of the roof pitch ensures the proposal appears well blended and maintains visual subservience.

It is noted that the extension will be readily visible form vantage points along the highway. However, the reduced scale following amendments and the proposed pitch, reduces the visual bulk of the development, ensuring that it would not reuslt in an unacceptable detrimental imapct upon the character of the area.

While the proposed render is not present on the site currently, it would provide a visually appealing contrast to the existing materials. The proposed render and brickwork would sit well together on the building. Render is not uncommon within the area, and this typicality would go some way to naturalise the proposal.

Taking account of the design, scale, and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with Policies 2 and 3 of the SELLP and Section 12 of the NPPF.

Impacts Upon Resident Amenity

Paragraph 135 of the NPPF states that development should 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.

Policies 2 and 3 of SELLP sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The proposal would not increase overlooking concerns. The proposed rear facing windows would offer no greater views of neighbouring dwellings than the existing arrangement, and any views offered would be either at an oblique angle or at a suitable distance. The proposed window in the side elevation would be of obscured glass, with this being secured via condition. As such, no views would be obtained from this window.

The proposal would not significantly increase overshadowing to the northern neighbour. Any overshadowing here would fall primarily upon the driveway and parking area of 22 Broad Lane, preventing a significant detrimental impact.

As for the southern neighbour, while the proposed extension would be in close proximity to the boundary, it is not considered that the development represents a significant overshadowing concern. The positioning of 24 Broad Lane to the north means that the actual level of shadow cast would be low, as the sun would be rarely oriented in this direction. Therefore, despite the close relationship the two share, it is unlikely the development would significantly detrimentally impact the living standards of 20 Broad Lane.

As detailed above, the scale and design of the proposal is considered to have no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the Section 12 of the NPPF and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.

Highway Safety and Parking

Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this, Paragraph 115 advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal. Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the SELLP, in conjunction with Appendix 6, sets out minimum vehicle parking standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

As no amendments to the access are proposed, it is considered that the proposal would have negligible impact upon the highway network. Furthermore, as no additional bedrooms would be created, there is no additional need for parking. In any event, there is ample room for at least three vehicles on the site, even when the altered parking arrangements under H13-0306-23 are considered.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3, 33 and 36 of the SELLP, as well as Section 9 of the NPPF.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposal represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking, whilst conforming with the SELLP and the provisions of the NPPF when viewed as a whole.

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.

Conclusion

Taking these factors into consideration, the proposal is considered to comply with Policies 1,2, 3, 33 and 36 of the SELLP, as well as Sections 9 and 12 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.