

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H13-0455-19 **Applicant:** Mr & Mrs J West
Proposal: Rear single-storey extension
Location: Mulberry Lodge 85 Shivean Gate Moulton
Terminal Date: 24th June 2019

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 2019

Section 12. Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application for a rear single-storey extension to the property Mulberry Lodge at Shivean Gate, Moulton, Spalding.

Site Description

Shivean Gate bounds the northern part of the built-up area of Moulton to the west. Open fields are opposite the road. Mulberry Lodge is a large house sit in a widely spacious plot. The site is heavily concealed on the front boundary. There is a gravel drive surrounding a tiny roundabout. A detached garage is near the southern side elevation. The rear garden is bounded by a nearly 2 metre high timber close board fence with mature trees and shrubs that greatly obscure views from

the rear and southern boundaries.

History

None

Consultation Responses

Moulton Parish Council

No objection

Planning Considerations

Principle of development

The site is within the settlement boundaries of Moulton as per Inset Map 19 of South East Lincolnshire Local Plan, 2019. The principle of development is therefore acceptable unless other material considerations indicate otherwise as laid down in section 70(2) of the Town and Country Planning Act 1990.

Size and scale

The proposed extension would project nearly 7 metres from the original rear wall of the dwelling. It would measure 6.07 metres in width and slightly more than 4 metres in apex height. The eaves would be 2.45 metre high.

Having regard to the dimensions of the house, it is concluded that the intended extension would be subservient to the host property in terms of scale, massing and bulk.

Layout and design

The floor plan reveals that the domestic extension is proposed to create a large family room which would be acceptable given the use of the property.

A gable roof would be on top of the extension in keeping with the existing roof style of the building. The development would be fairly centred at the middle of the rear elevation with the roof pitch strategically placed between the longest separations between upper windows. In doing so, the highest part of the extension roof would overlap with any part of the upper windows.

The proposed fenestration consists of 2 no. windows on each side elevation, 4 no. Velux roof lights and a pair of French doors facing onto the rear boundary. The detailing of the window lintels is such that the proposed works would deliver a higher design quality to the development.

The external materials are confirmed to match as close as possible those existing in the property. Thus, the visual amenity would not result in being undermined after carrying out the proposal.

Impact upon residential amenity

The layout of the fenestration is well regarded as it would enhance the enjoyment of daylight for the users of the intended family.

Trees and shrubs would absolutely block any view onto the extension from the adjacent properties to the south. There is a 2 metre high timber close board fence with vegetation falling under the highest point of the fence.

In view of the considerable separation distances with the site boundaries as well as the scale of the extension, the development would not be detrimental to the amenity standards of the residents living in the adjacent properties of Mulberry Lodge.

Conclusion

In light of considerations above, the proposed development is in accordance with Policy 1, 2 and 3 of South East Lincolnshire Local Plan, 2019 and Section 12 of National Planning Policy Framework,

2019.

It is therefore 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 to grant permission 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 to grant permission 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 to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.