

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H13-0700-19 **Applicant:** Mr & Mrs S Forsyth
Proposal: Proposed double garage and garden room extensions
Location: 38 Broad Lane Moulton Spalding
Terminal Date: 23rd October 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 proposed double garage and garden room extensions at 38 Broad Lane, Moulton, Spalding.

Site Description

The site is part of frontage development on the eastern side of Broad Lane. The area is solely residential. Individually designed detached houses standing within rectangular shaped plots is the most common development in the vicinity. The application site has a large and spacious rear garden laid to lawn. The property is a modern two-storey 'brick-and-tile' house with subsequent extensions.

History

H13-1523-07 - Proposed two-storey extension and alterations - Refused & Appeal Dismissed
H13-0189-08 - Proposed two-storey extension and alterations (re-application of H13/1523/07) - Approved

Consultation Responses

Moulton Parish Council

No objection.

Planning Considerations

Design and layout

The proposed development would represent the erection of two single-storey extensions, one to the side used as a garage and one further to the rear of the property mainly used as a sun room.

The side extension would protrude slightly more than 5 metres from the existing extension on the south-western elevation. It would measure 10.60 metres in depth and 5 metres in maximum height. The height of the rear extension would be similar. This house addition would measure nearly 12 metres in depth and 13.45 metres in width. Having also regarded the dimensions of the house, it is considered that the development would be subservient to the host property in terms of scale, mass and bulk. The rear garden is spacious and the development would sit well within the site.

A gable pitched element would protrude slightly on the north-eastern elevation of the rear extension with bi-fold doors and a gable window above. This element would provide a higher quality design in comparison with a more standard layout for a brick walled sun room. There are further bi-fold doors on the rear elevation.

Whilst facing brickwork matching that existing in the property is the proposed wall treatment for the side extension, vertical timber cladding would be installed on the external walls of the rear extension excepting a plinth of matching brickwork.

On balance, the resulting appearance of the development as well as the design and layout would be in keeping with the house.

Impact upon residential amenity

A nearly 2 metre high timber close board fence is erected on the site boundaries. Both extensions would be less than 1 metres away from the boundaries. However, no overbearing impact or material loss of light is anticipated in view of the single-storey nature of the development and distances with opposing elevations of adjacent properties.

The position of the proposed garage would appear to obscure any views between the proposed garden room and windows of the adjacent dwelling. It is therefore not considered that there would be a material overlooking impact.

Conclusion

Taking into account the considerations above, the proposal complies with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019 and Section 12 of the National Planning Policy Framework, 2019.

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.