

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H13-0737-21 **Applicant:** Mrs A Walters
Proposal: Extension & Alterations
Location: 2 Station Road Moulton Spalding
Terminal Date: 9th September 2021

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development

National Guidance

National Planning Policy Framework 2021

Section 12
Section 15

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 householder application seeking permission for a single storey replacement side extension to create a study and sun room. It would measure 5.1 (width) metres x 5.8 metres (depth) and standing at 4.1 metres in height. The external materials would match the existing dwelling.

SITE DESCRIPTION

The application site comprises a large detached dwelling located on Station Road in Moulton. The site benefits from a large gravelled driveway to the front providing off-street parking provision for several vehicles. There are a number of protected trees along the northern site boundary. The site is enclosed by a high hedge. The immediate area comprises a mixture of dwellings varying in size

and character.

RELEVANT PLANNING HISTORY

H13-0103-21 - Works to Moulton Tree Preservation Order No 12 2004 - Approved

H13-1035-10 - Proposed side and rear extension and erection of detached double garage/garden room - Approved

REPRESENTATIONS

No representations received.

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; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting; and 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 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 extension is considered proportionate to the existing dwelling. Its footprint does not appear overly prominent in relation to the existing dwelling. The side projection is similar to the existing extension and not significantly different to the previously approved scheme which has now expired but was not implemented. Furthermore the use of matching external materials and roof design would ensure the extension is in keeping with the character of the existing dwelling.

As such the extension would comply with the aforementioned policies on design, layout and impact upon the character of the local area.

Impacts upon Residential Amenity

The application dwelling occupies a corner plot and the extension would sit adjacent to the road therefore no neighbours would be impacted by the proposed development.

As such the proposal would accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Trees

There are a number of trees along the northern boundary and adjacent to the proposed extension which are subject to Tree Preservation Orders. The Council's Tree Officer has not commented on the proposal, however, the tree protection measures detailed within the Arboricultural Report & Impact Assessment are considered satisfactory and it is not considered that the protected trees will be impacted by the proposed development.

Planning Balance

The proposal will not materially harm the character or appearance of the locality or amenity of nearby residents. The planning balance is therefore considered to be in favour of the proposal.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and Sections 12 and 15 of the National Planning Policy Framework (2021).

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.

RECOMMENDATION

The application can be approved under delegated powers.