DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H13-0741-23**	**Applicant:**	**S Barker**
Proposal:	Extension & Alterations		
Location:	Laburnum House Loosegate Road Moulton Seas End		
Terminal Date:	16th October 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2023

Section 12 - Achieving well designed places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

The is a householder application seeking permission for extension and alterations to Laburnum House in Moulton with the extension only taking place on the first floor and alterations taking place throughout the dwelling.

Site Description

The site is located outside of any settlement boundary as outlined in the South East Lincolnshire

Local Plan, 2019 (SELLP). Thus, the site is considered part of the countryside. The locality is characterised by scattered development comprising rural cottages and farmhouses within agricultural holdings. The wider area consists of open agricultural fields. A rural track from Wood Lane further to the east is bordering the site to the south. Laburnum House is a two storey cottage that sits in close proximity to the junction between Loose Gate and Wood Lane. A range of outbuildings varied in design and scale are located to the south of the site. Paddock land extends further to the east.

History

H13-0969-18 - Extensions and alterations - Approved

H13-0804-19 - Proposed extension and alterations - Approved

Consultation Responses

No consultation responses received.

Evaluation

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

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms 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 (updated 2023) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Planning Considerations

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

Paragraph 130 of the National Planning Policy Framework (NPPF), 2023 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.

All materials would match the host dwelling. As such, the extension would appear well blended into the host, ensuring visual consistency is maintained.

The extension will protrude 2875mm from the east elevation and run slightly further back from the existing dwelling (5040mm) matching the ground floor area. At the rear, the width is 6650mm and will attached to the existing landing. It will be level with the eaves and ridge height of the existing dwelling and therefore these measurements as a whole will be acceptable and provide adequate extra floor space.

As part of the application there will be some alterations taking place both internally and externally. On the ground floor the existing shower room will be shortened and will now just be a WC thus making the utility slightly larger. On the first floor there will be a new landing as part of the extension which leads to a new bedroom with an en-suite, this new area features three new windows with the en-suite being obscure glazed due to the nature of the room. On the front elevation three of the upstairs windows will be slightly altered to now feature a gable edged roof which matches the roof design of the property. Most of these changes do not require planning permission but have been included on the plans and therefore listed in the report.

Impact on Residential Amenity/Land Users

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.

No overshadowing will arise despite the minimal distance between the proposal and the northern curtilage, the positioning of the extension means that no significant shadow would be cast onto the immediate neighbour to the north. It could be considered that due to the proposed new window within the landing there will be some overlooking issues that will arise due to it directly facing the neighbour to the north. However, it is considered that the area in which it overlooks is not an area of common use and appears to be for storage mostly and therefore no extreme loss of privacy will occur. This neighbour also has a window facing the application site in a similar way to the proposed and therefore any issues will then negate each other.

It is therefore considered that the proposal is acceptable and conforms to Policy 2 & 3 of the SELLP and Section 12 of the NPPF in terms of its impact on resident amenity.

Planning Balance

As detailed above, Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, 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 outside 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 South East Lincolnshire Local Plan and the provisions of the National Planning policy Framework when viewed as a whole.

Conclusion

Taking into consideration these factors, the proposal is considered to comply with Policies 1, 2, 3, and 36 (Appendix 6) SELLP, plus advice within the National Planning Policy Framework (NPPF), 2021. The are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

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 recommendation is for a delegated approval.