DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H13-0772-20**	**Applicant:**	**Mr & Mrs J Scarsbrook**
Proposal:	Proposed Extension & Alterations		
Location:	7 Shivean Gate Moulton Spalding		
Terminal Date:	9th November 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

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	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a proposed extension and alterations to the dwelling at 7 Shivean Gate, Moulton.

Site Description

The property is a detached dwelling, situated central to the settlement of Moulton, and sits on a spacious plot. Shivean Gate lies to the west of the property. There is a public footway to the south, which connects Shivean Gate to All Saints Close. The property faces towards this footway. The dwelling is set back from Shivean Gate. and has s a large gravelled driveway with a turning point. Further to this, there is a large grassed front garden with a 1.5m hedging to the south and west as a boundary treatment.

The surrounding properties within All Saints Close are of a similar age and design, which contrasts with the properties along Shivean Gate which are of a variety of ages and designs.

History

No relevant planning history.

Consultation Responses

No consultation responses received.

Planning Considerations

Layout, Design, Size and Scale

Paragraph 127 of the National Planning Policy Framework (NPPF), 2019 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 proposal is for a two-storey side extension which will protrude from the north eastern elevation of the property. It will extend approx. 2m towards the north eastern boundary. The depth of the extension will be 6.8m which will be the same as the existing side wall to the south eastern elevation. The proposed height will raise from ground level to join the existing ridgeline.

Having regard to the existing dimensions of the house, the proposed addition is acceptable in terms of scale, mass and bulk.

A gable pitch will be formed on top of the extension and the ridgeline accordingly extended as an enlargement of the existing roof structure on the property.

Bricks, tiles and windows will match those existing in the property. Thus, the development will appear well blended with the fabric of the house and the visual amenity will not be undermined.

Internally, the purpose of the development is to gain further floorspace to enlarge and creating new rooms inside the house. To the ground floor, the extension will enlarge the existing dining room and add a utility room and a w/c off the existing kitchen. At first floor there will be an extension to the second bedroom and creation of an ensuite bathroom.

Overall, the proposals will ensure good living conditions of the house occupiers and are in keeping with the residential use of the property.

Taking the above into account, the proposed extensions are deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2019 in terms of layout, design, size and scale.

Residential Amenity

New windows on both the front and rear walls of the two-storey extension will not overlook unacceptably to any residential plot neither habitable rooms of other dwellinghouses. The rear windows would be obscure glazed (bathroom and ensuite) and the front windows would be in line with other existing windows. No openings will be created on the side elevation.

Moreover, taking into account the scale as well as the position of the proposed extension and the closest neighbouring property within the sun path, no unacceptable overshadowing will be casted to habitable spaces of No. 6. An attached double garage would be adjacent to the extension. For this reason there would also be no overbearing impact.

Taking the above into account, the proposed extension is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2019 in terms of residential amenity.

Conclusion

In light of the considerations above the proposed development is considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and of Section 12 of the National Planning Policy Framework (2019).

The recommendation is therefore for a delegated approval.

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.