

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H13-0947-19 **Applicant:** Mr & Mrs J West
Proposal: Proposed rear single-storey extension (re-application of H13-0455-19)
Location: Mulberry Lodge Shivean Gate Moulton
Terminal Date: 13th November 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	1	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

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

Planning permission was granted under planning ref. H13-0455-19. The reason of this re-submission is seek permission for alterations on the dimensions, design and layout of the rear extension.

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

H13-0455-19 - Rear single-storey extension - Approved

Consultation Responses

Moulton Parish Council

No objection.

Planning Considerations

Design and layout

The house extension would remain in the same position on the rear elevation of the property but with a marginal increase in width (approx. 0.1m). The protrusion from the rear wall of the house would decrease from 6.97 metres to 4.49 metres. The ridge height would also drop from 4 metres to 3.60 metres.

The roof would be flat instead of pitched. Fenestration would remain with regards to the number of openings albeit different scale and type, two windows on each side elevation of the extension and doors to the rear. The roof lights on each roof slope would be replaced for one conservatory lantern on top of the flat roof. The daylight enjoyment would be equally likely for the users of the family room despite this arrangement on roof fenestration.

The detailing on the fascia and window lintels would enhance the design standards of the householder development. The external materials would remain matching those existing in the house.

The depth and height have been reduced in comparison with the former proposal so that there is no concern on the scale and height of the extension and it would be a subservient form of development when considered in relation to the host property. No evidence of poorer design has been identified and the resulting appearance would be in keeping with the main building.

Residential amenity

As the proposal is to reduce the depth and height of the extension and the width would only be marginally increased, it is anticipated that there would be no impact upon the amenity standards of residents in the vicinity.

Conclusion

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan (SELLP), 2019 and Section 12 of National Planning Policy Framework (NPPF), 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.