

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H13-0999-20 **Applicant:** Ms L Anglum
Proposal: Proposed first floor side extension and new entrance porch.
Location: 40a Broad Lane Moulton Spalding
Terminal Date: 4th January 2021

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 2019

Paragraph 127 of 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 planning application that seeks permission for proposed first floor side extension and new entrance porch at 40A Broad Lane, Moulton, Spalding.

Site Description

The site forms part of the built-up area of Moulton. It is within the frontage development stretching along the northern-east side of Broad Lane. The area is purely residential.

The property is a 3-bedroom two-storey detached house probably built in 1980s. It has a single-storey flat roof element that hosts the lobby and study room (probably former garage). The appearance is traditional 'brick-and-tile' type with light oak UPVC fenestration. To the south-west, a two-storey high pitched dwellinghouse. To the north-east, a large two-storey hip roofed house. There is a certain range of designs, appearances and ages along the road because most of the plots were individually designed.

To the rear of the application property, a large garden laid in grass and slabbed patio area adjacent the rear wall. A 2 metre high timber closeboard fence encloses the garden.

History

None.

Consultation Responses

None.

Planning Considerations

Principle of development

The site is within the settlement boundaries of Moulton as set out in the South East Lincolnshire Local Plan (SELLP), 2019. Irrespective of spatial strategy considerations, the principle of developing an extension and a porch that are incidental to the enjoyment of a dwelling house is acceptable.

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise. The key material considerations are addressed below.

Design and layout

Paragraph 127 of 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 SELLP, 2019 goes on to say that considerations shall be met about size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses. In this regard, Policy 3 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 existing single-storey flat roofed elements extends from front to the rear on the northern-east elevation. The proposed extension will entail an enlargement above this element. The footprint of the extension will be tantamount to it. The apex height will increase up to 6.35 metres. The proposed front porch will be visibly of small scale. Having regard to the dimensions of the house, it is considered that the proposals will be subservient to the host property in terms of scale, mass and bulk.

The roof of the first-floor extension will have a gable pitch with the end facing north-east. The ridgeline will be one metre below the hipped ridge of the existing house. A gable window will be formed on the front elevation. The remainder of the roof will be flat along the extension which will be as high as the house eaves. With regards to the porch, there will be a gable pitched roof and has glazing across all elevations expecting the main door. Fake timber features will be at the gable end.

Two-storey flat roofed development is usually prevented to ensure good design standards. In this case, the gable pitch on the front will obscure the bulk of the flat roofed section of the extension. Furthermore, there is extant permission for proposed double garage in the adjacent property No. 38 (H13-0170-20) which would be of similar height and narrowly separated from the proposed

extension. Therefore, on balance, the proposed flat roof might be acceptable.

The walls of the extension will be white rendered matching the existing finish on the ground floor walls of the house. Asbestos slates will be replaced for grey artificial slates excepting the flat roof where grey fibreglass will be used. Other roof elements and rainwater goods will be made of white UPVC and fenestration in light oak UPVC matching the existing. In view of the material schedule, the development will be fairly matching the existing fabric of the house and no harm is anticipated upon the visual amenity.

Internally, the current front doors will be removed to accommodate the front porch. On the first floor level, a new bathroom will be created and one ensuite bedroom. The existing landing window will be removed and two shallow steps will be provided to ensure access to the landing that leads to the new rooms.

In summary, the scale and height of the development will be commensurate with the dwellinghouse. The proposals will meet the increasing needs of householders for further floorspace and will be in keeping with the residential use of the land and its setting. The design standards will be fairly good and the external appearance will accord with the semi-rural character of the location. For these reasons, this application complies with the aforementioned policies on design, layout and character of the local area.

Residential amenity

No fenestration will be proposed on the northern-east wall of the extension. Therefore, no overlooking effect will occur towards No. 38. Should the approved garage be built, windows would have been a blank wall in a short distance which might have undermined the enjoyment of daylight to the occupiers of the application property.

The separation distances between the proposed extension and the footprint of No. 38 range between 3.25 metres and 2.10 metres. Should the approved garage not be built, the bulk of the intended development will not appear excessively overbearing for the residents of No. 38. Otherwise, the first-floor extension will not be perceived from the house at No. 38.

Given the position of the buildings within the sunpath, the height of the first-floor extension will not cast any overshadowing to No. 38.

In summary, the development complies with residential amenity which is one of the key principles of design and development management as set out in Policies 2 and 3 of SELLP (2019).

Car parking provision

In conjunction with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum standards for parking provision upon the use class.

Three spaces should be provided within the curtilage for dwellings with 4 or more bedrooms. The number of bedrooms will increase up to 4 after developing the extension.

The drive area to the front is visibly spacious to accommodate three spaces. All motor vehicles could egress the site in a safe and forward manner. Therefore, the proposals accord with Appendix 6 of SELLP, 2019.

Planning balance

The two-storey flat roof might not be ideal in terms of design standards. However, as described above, no adverse impact of granting permission to the proposals would significantly and demonstrably outweigh the benefits of doing so, when assessed against the planning policies taken as a whole.

Conclusion

The proposals are considered to comply with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan (SELLP), 2019; and Paragraph 127 of the 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.