

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H13-1055-19 **Applicant:** Mr & Mrs J Lumley
Proposal: Two-storey extension and alterations
Location: 16 Harrox Road Moulton Spalding
Terminal Date: 10th January 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
29	The Historic Environment

National Guidance

National Planning Policy Framework 2019

Section 12 - Achieving well-designed places
Section 16 - Conserving and Enhancing the Historic Environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This application is for Full Planning permission for a two storey extension and alterations.

The extension element of the proposals is manifested in 2 distinct portions, a 1st floor extension

above the current garage that will additionally extend the footprint of that part of the building out further out to the Southern elevation to match the current extent of the overhanging roof pitch. Additionally, this element of the extension will include a single-storey flat-roofed rearwards extension to the Western end of the rear of the property to create an extended utility room and study. The 1st floor extension will replace the current single storey roof with a North/South ending dual-pitched roof, similar to East/West ending roof that is currently employed on the rest of the property.

The second portion is a further large 1st floor extension above the front elevation lounge which currently sports a flat roof. The extension will mean a small enlargement of the footprint of this area of the building, extending it outwards slightly so that the area occupied by the lounge becomes flush with the Western elevation wall of the frontage protrusion. This extension will create an enlarged lounge on the ground floor and a large, master bedroom featuring large en-suite bathroom on the first floor. Again, this extension will be roofed with a South ending dual pitched roof that will be merged with the extant roof in a visually satisfactory manor.

Both extensions feature uPVC windows and doors where used and none of the proposed new roofs will exceed the overall height of the property as it currently stands.

In addition to the extensions, it is proposed that a set of uPVC French doors be located on the Eastern end of the rear of the property where a single door currently exists and also that a set of uPVC bi-fold doors be installed, again, to the rear of the property at the centre where currently two ground floor windows exist

Site Description

The site is a large, mid-late C20 residential property within a large plot. Adjacent to the East of the property is the Moulton River which is an IDB adopted watercourse. The river acts as a boundary to the conservation area, so the property, whilst not within the Conservation area of Moulton (MCA) is adjacent to the MCA and the works proposed are very close to the border. The immediate area surrounding the property is characterised by both the Moulton River and the residential development of which this property was a part. Harrox Road features a wide range of properties in terms of both design and scale. Both immediate neighbours are large houses, but Harrox Road at large features chalet style bungalows, large executive homes, large bungalows e.t.c.

History

None relevant.

Consultation Responses

South Holland Internal Drainage Board

The site falls within the area of control of the IDB. As this is the case, the applicant will need to be aware of the following;

- As the applicant has not provided or identified a drainage strategy, if a surface water discharge is proposed to a watercourse, then the proposed development will require land drainage consent in line with the board's byelaws (specifically Byelaw 3). Any consent will likely be conditional, pending the payment of a Surface Water Development Contribution fee.
- If the applicant wishes to dispose of treated foul water from their site into a watercourse, this will require land drainage consent in line with the board's Byelaws (specifically Byelaw 3).
- Should the applicants proposals ever change to include works within 9 metres of a watercourse, consent would need to be obtained to relax Byelaw 10 (no works within 9 metres of the edge of drainage or flood risk management infrastructure).
- Whilst not currently proposed, should the applicant's proposals change to include works to the adjacent watercourse, consent would be required under the Land Drainage Act 1991 (and Byelaw 4).

Moulton Parish Council

No objections

Planning Considerations

Residential Amenity

The local planning authority does not deem that there will be any risk to the local residential amenity. No local residents at the time of this decision (which is after the statutory 21 day consultation period) have provided any objections to the proposals. Firstly, the proposals do not represent an increased risk of overlooking from the property as it currently stands. This is because no new windows are proposed on the Western or Southern elevations of the 1st floor, meaning that there is no increased risk of overlooking to either of the neighbouring properties.

Additionally, it is not felt that there will be a substantial risk of overshadowing of the neighbouring properties, particularly not the Western neighbour who would be the most vulnerable to overshadowing. Whilst the proposals do include the extension of the 1st floor closer towards the West, it is clear that the separation between the buildings will remain extensive and due to the single storey nature of the closest element of the neighbouring property, the 'sky-gap' will remain substantial.

Heritage Impact

The local planning authority does not feel that there would be any negative impact upon the local historic environment. Whilst the site is not in the MCA, the planning authority must also take into account views out of the conservation area. With this in mind, it is suggested that there will be no negative impact upon views out of the conservation area, primarily because the property cannot be viewed from the public realm within the MCA and also because the proposals are in keeping with the property and the surroundings at large.

For these reasons, it is determined that the proposals help to CONSERVE the historic environment.

Trees and Nature

The site does not contain any trees which are protected under a Tree Preservation Order. However, the proposals do encroach upon the existing tree and hedge line along the western border. However, the Trees and Nature Conservation Officer has not submitted any objections to the proposals and the development will remain a sufficient distance away from the boundary to present a risk to the flora currently present.

Design and Layout

The Local Planning Authority does not seek any amendment to the design or layout of the proposals. This is because it is felt that the design of the extensions and alterations is wholly in keeping and appropriate to the property and the residential area. In addition, it is felt that the proposed layout is suitable to service the proposed uses of the new floor space; Lounge, Garage, Study, Utility Room and Bedrooms.

Conclusion

For the reasons listed above, it is determined that this application is in accordance with policies, 1, 2, 3 and 29 of the South East Lincolnshire Local Plan (2019) and Sections 12 and 16 of the National Planning Policy Framework (2019). Therefore, this application is recommended for 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.