DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H01-1266-21**	**Applicant:**	**Mr & Mrs Negus**
Proposal:	Erection of two storey side extension and single storey rear extensions.		
Location:	Croft House 98 Stone Gate Cowbit		
Terminal Date:	2nd February 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
28	The Natural Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 12. Achieving well-designed places.
Section 14. Meeting the challenge of climate change, flooding and coastal change
Section 15. Conserving and enhancing the natural environment

Representations:

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for a two storey side and single storey rear extensions. On the ground floor a lounge, dining room, garden room, games room, utility and a w/c would be created. On the first floor 2 new bedrooms would be created. The ground floor rear extension would have a depth of 3.3 and 7.7 metres. The two storey side extension would have a width of 4 metres and a depth of 8.3 metres. The external materials would match the existing dwelling.

SITE DESCRIPTION

The application site comprises a two storey detached dwelling located on Stone Gate in Cowbit. The site is in the open countryside and east of the Cowbit settlement boundary. There is a detached garage towards the rear and a large driveway to the front/side. The site is well enclosed by high level boundary trees/hedges. The site is surrounded by open countryside and there are no immediate neighbours.

RELEVANT PLANNING HISTORY

H01-0220-13 - Proposed extension, alterations to house and fence - Approved

REPRESENTATIONS

South Holland Internal Drainage Board

The applicant has not identified or provided a drainage strategy for the site within their application. 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).

Should the applicant's proposals change to include works to alter the riparian watercourse, consent will be required under the Land Drainage Act 1991 (and byelaw 4).

PLANNING CONSIDERATIONS

Principle of development

The site is outside any defined settlement boundary, however, the proposed extensions would be sited within the residential curtilage of the existing dwelling therefore the principle of extending the existing dwellinghouse 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.

Layout, Design, Size and Scale

Paragraph 130 of the National Planning Policy Framework (NPPF), 2021 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 proposed side extension is not considered subservient, especially given its ridge height, however, given the fact it would sit well within the site and a significant distance from the front boundary it would not be overly prominent in the street scene. In addition, the site is well enclosed by high level trees/hedges along the front boundary. As such there would not be any prominent views from the public realm.

The rear extension is considered proportionate and sympathetic to the existing dwelling. Sufficient outdoor amenity space would be retained therefore it would not result in overdevelopment of the

site. In addition, the use of matching external materials would ensure the extensions are in keeping with the existing dwelling.

The proposed development is therefore considered to comply with the aforementioned policies on design, layout and impact upon the character of the local area.

Impacts upon Residential Amenity

There are no immediate neighbours given the remote location of the property therefore no unacceptable impact would result on neighbouring amenity.

As such the proposal would accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed scheme would increase the number of bedrooms in the property from 3 to 5 therefore the parking requirement for the site would also increase to 3no spaces. The site benefits from extensive parking to the front/side which would be retained. As such the scheme is considered to comply with the current parking standards.

Planning Balance

The proposal will not materially harm the character or appearance of the locality, amenity of nearby residents or result in highway implications. The planning balance is therefore considered to be in favour of the proposal.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 1, 2, 3, 4, 28 and 36 of the South East Lincolnshire Local Plan (2019) and Sections 12, 14 and 15 of the National Planning Policy Framework (2021).

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 application can be approved under delegated powers.