DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H02-1042-23**	**Applicant:**	**Mrs J Henfrey**
Proposal:	Proposed Extensions & Alterations		
Location:	Greystones Common Drove Crowland		
Terminal Date:	19th January 2024		

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
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2023

Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed and beautiful places
Section 14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

H02-1042-23

Description of Proposal

This is a full application, seeking extensions and alterations to Greystone, Common Drove.

The extension would increase the height of the dwelling by approximately 1.5 metres. The extension would measure approximately 8.7 metres (width) by 11 metres (depth). One additional bedroom would be created. All materials would match the host. A balcony would be created to the rear.

Site Description

The site outside of the settlement boundaries outlined within the South-East Lincolnshire Local Plan, 2019. Greystones is a two-storey detached house with subsequent extensions. It benefits from a spacious drive area to the front and a garden laid to lawn to the rear. The residential plot abuts the crossroads of Crowland Common (east) and an unadopted track that borders the curtilage (south). Open agricultural fields predominate the character of the area. To the rear of the residential plot, a set of containers and timber sheds are located along the southern boundary which is ancillary to the horse stables further back. A row of timber structures and dog runs with metal fencing to the rear adjoins the northern boundary. A yard area with untreated surface is at centre of the curtilage.

Relevant History

H02-0113-22 - Full. Proposed extension and alterations. Approved 30/3/22.

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Crowland Parish Council

The Parish Council have no objections.

Welland and Deeping Internal Drainage Board

"Thank you for your consultation. I have held informal discussions with the agent who informed me that foul provisions are to discharge to the existing septic tank and surface water provisions are to discharge to existing soakaways. If either of these proposals should change at any point in the future then I would wish to be reconsulted at that time."

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Key Planning Considerations

Evaluation

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The adopted South-East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, December 2023 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Principle of Development

Policy 1 of the SELLP sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

The proposed works would occur entirely within the residential curtilage of Greystones. The works would not be tantamount to the creation of a new dwelling in the countryside.

Therefore, the proposal is considered to be in accordance with Policy 1 of the SELLP. The principle of development on this site is considered acceptable subject to other material considerations being met.

Layout, Design, Scale and Consideration of the Character of the Area

Section 12 of the NPPF, "Achieving well-designed and beautiful places", states that " creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the NPPF, states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality, to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing. Developments 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 outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 of the SELLP requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the NPPF and require 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. Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design, and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

The large plot size would take the extension well, ensuring that the proposal not result in overdevelopment or the building appearing incongruous. Within the wider area of Common Drove, there are already a number of larger dwellings which would naturalise the proposed extension.

The increase in height would also not result in the extension appearing incongruous. The dwelling is well set back and is slightly lower than the road, ensuring that the visual impacts of the height increase are not significant. Again, the existing larger homes in the area would naturalise the height increase.

All materials would match the host, ensuring the extension appears well blended into the property.

Taking account of the design, scale, and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with Policies 2 and 3 of the SELLP and Section 12 of the NPPF.

Impacts Upon Resident Amenity

Paragraph 135 of the NPPF states that development should 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.

Policies 2 and 3 of SELLP sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The scheme would not increase overlooking. The proposed balcony to the rear of the property would face the field/ paddock to the rear of the property, which is owned by the applicant. The balcony would not offer views of any other property. Similarly, the skylights all face towards the rear field, away from any properties. The side elevation window proposed would also face onto an adjoining field/paddock and is located over 150 metres from the nearest residential dwelling. At this distance, and with the levels of screening present between the two sites, no overlooking would occur. The proposed front elevation window would also face onto agricultural land.

The distances present between the Greystones and the adjacent dwellings are substantial enough as to prevent overshadowing. The alterations to the design and height of the property would not exacerbate any amenity concerns due to this significant distance.

As detailed above, the scale and design of the proposal is considered to have no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the Section 12 of the NPPF and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.

Highway Safety and Parking

Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this, Paragraph 116 advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal. Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the SELLP, in conjunction with Appendix 6, sets out minimum vehicle parking standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

The site benefits from a large driveway, which could accommodate the required three parking spaces. The proposed alterations and extensions would not impact upon highway safety.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3, 33 and 36 of the SELLP, as well as Section 9 of the NPPF.

Flooding Considerations

Policy 4 of the SELLP, in conjunction with Section 14 of the NPPF, concern flood risk. All proposals should be safe from flooding for their lifetime, without increasing the risk of flooding elsewhere.

The site lies within Flood Zones 3 of the Environment Agency's Flood Maps. These have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences.

It is worth noting that large parts of the district of South Holland lie within Flood Zone 3. It is

therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the Strategic Flood Risk Assessment as a basis to of judgement. The site is within an area identified as "Danger for Most" with flood depths of between 0.5 and 1 metre.

The works would be set at a level to match the host, ensuring the extension is not at an increased risk of flooding. No new bedroom would be created on the ground floor, reducing the potential impacts of flooding. A suitable safe haven is provided via the first and second floor in the event of a flood.

The Internal Drainage Board has raised no objections to the proposal, being satisfied with the proposed drainage arrangements.

Overall, when considering the development on balance, it is considered, given the mitigation measures detailed and recommended by condition, that the proposal accords with Policies 2, 3 and 4 of the SELLP and the intentions of the NPPF with regards to flood risk.

Planning Balance

As detailed above, Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposal represents appropriate development within residential curtilage. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking, whilst conforming with the SELLP and the provisions of the NPPF when viewed as a whole. The alterations made to the previously approved scheme would not significantly detrimentally harm the area.

Conclusion

Taking these factors into consideration, the proposal is considered to comply with Policies 1, 2, 3, 4, 33 and 36 of the SELLP, as well as Sections 9, 12 and 14 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.

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.