DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H06-0326-23**	**Applicant:**	**Ms C Wellavize**
Proposal:	Proposed annexe extension		
Location:	Ravenswing Ryefield Lane Gedney		
Terminal Date:	14th June 2023		

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
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

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is an application seeking permission for a single storey side/rear extension to create an annex

containing 2no bedrooms, a bathroom and an open plan lounge/kitchen/diner. The annex would be linked to the existing bungalow via an internal opening in the existing kitchen/diner. The external materials would match the existing dwelling on the site.

SITE DESCRIPTION

The site is located on Ryefield Lane in Gedney, outside any defined settlement boundary and within an area regarded as open countryside. It comprises a detached rendered bungalow. There are high level trees along the north-east site boundary and a high level hedge along part of the front (north-west) boundary. The remaining site is enclosed by a low fence. There is a long driveway to the front/side providing off-street parking provision for several vehicles. There are a small number of dwellings and agricultural units in the immediate vicinity.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

Gedney Parish Council

Supports the scheme.

Local Highway and Lead Local Flood Authority

No objections as the existing access remains unaltered.

PLANNING CONSIDERATIONS

Principle of development

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.

The site is outside any defined settlement boundary, however, given the proposed development would be sited within the residential curtilage of the existing dwelling and used as ancillary accommodation in association with the existing dwelling on the site the principle of development for the proposal is acceptable unless material considerations indicate otherwise. This is subject to a condition restricting occupation to family members only.

Layout, Design, Size and Scale

Paragraph 130 of 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. Policies 2 and 3 of SELLP 2019 amongst other matters seek to ensure that development respects the character and appearance of the area and the relationship to existing development and land uses.

The proposed extension would have a large footprint, however, it would not dominate the existing bungalow and would appear as a relatively modest addition. The extension would be set back from the road by some 19 metres therefore it would not appear overly prominent in the street scene. The side projection is relatively modest in comparison to the existing bungalow. It is considered that the proposal would not materially harm the character or appearance of the locality. Overall, the size and external appearance of the proposal would not be at odds with the existing bungalow on the site or the immediate area. The proposed annex is considered to relate well to the existing house as it would be linked to the existing bungalow, albeit it would also have a separate front door, the access, parking and garden would be shared.

In summary, the proposals are visually acceptable within the locality and comply with Policies 2 and 3 of the SELLP and Section 130 of the NPPF.

Impacts upon Residential Amenity

Paragraph 130 of National Planning Policy Framework (2021) amongst other matters seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of South East Lincolnshire Local Plan (2019) set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

The closest neighbour to the proposed development is Brooklands located to the north-east of the application site. The proposed annex extension would be sited approximately 1.2 metres from the shared boundary with this neighbour and at least a further 8 metres from its nearest elevation. Given the high level trees along the north-east boundary the proposed extension would be well screened from this neighbour therefore no unacceptable overshadowing, overlooking or loss of privacy would result. In any case if the trees were removed in the future there would still be no unacceptable impact on the amenity of this neighbour given the relationship and the separation distance.

With regards to the neighbour to the south-west (Ryecroft) the proposed extension would be sited 23.2 metres from the shared boundary with this neighbour. This separation distance is considered sufficient as to not result in any overbearing impact or unacceptable overshadowing.

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

The existing bungalow contains 2no bedrooms and the proposed annex would create 2no additional bedrooms, thereby increasing the parking requirement for the site from 2 to 3no spaces. Appendix 6 of SELLP 2019 sets out the highest number of car spaces is 3 for dwellings with 4 or more bedrooms. The existing driveway provides ample parking and is able to accommodate at least 3no vehicles. As such the site meets the current parking standards.

Flood Risk

Policy 4 of the South-East Lincolnshire Local Plan and Section 14 of the National Planning Policy Framework concern flood risk. The site is located within Flood Zone 3 on the Environment Agency Flood Risk Maps. This means the property is at risk of flooding. Furthermore, the site is located within a hazard area on the South-East Lincolnshire Strategic Flood Risk Assessment maps. The South-East Lincolnshire Strategic Flood Risk Assessment also shows potential flood waters of up to 0.5 metres. As such, appropriate mitigation wis required to reduce the potential impacts of flooding. Subject to floor levels being raised 300mm above ground level it is not considered that there would be any unacceptable risk of flooding. This can be secured via a condition.

Subject to floor levels being raised by 300mm the proposal is considered to be in accordance with Policies 2, 3 and 4 of the Local Plan and Section 14 of the National Planning Policy Framework (2021) with regard to their provisions on flood risk.

Planning Balance

The principle of an annex is acceptable in this location given its ancillary nature and the fact it would be sited within the existing residential curtilage of Ravenswing.

The proposal will not materially harm the character or appearance of the locality, the amenity of nearby residents or result in flood risk or highway/parking issues. 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, 36 and Appendix 6 of the South East Lincolnshire Local Plan (2019) and Sections 12 and 14 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.