DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H07-1067-20**	**Applicant:**	**Mr C Britton**
Proposal:	Extension to dwelling to provide self-contained annexe		
Location:	72 West Drove North Gedney Hill Spalding		
Terminal Date:	27th January 2021		

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
30	Pollution
32	Community, Health and Well-being
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 2, 4, 5, 8, 12 and 14

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for a self-contained two storey residential annexe for family members.

Site Description

The dwelling is located on the eastern side of West Drove North and forms part of Gedney Hill Golf Club.

The nearest dwellings are located to the north off West Drove North, also associated with the golf course, and further to the east off North Road.

Recent History

H07-0545-17 - Full - Proposed change of use of vacant premises from D1 Use Class to C3 Use Class (Residential) to create 3 no. dwellings - Granted 2 August 2017.

H07-0497-20 - Full - Proposed extension to golf clubhouse facility - Granted 14 August 2020.

Consultation Responses

Gedney Hill Parish Council - No response.

LCC Highways/SUDs - Does not wish to restrict the grant of permission

South Holland Internal Drainage Board - the applicant intends to discharge surface water to existing soakaways and foul water to an existing package treatment plant. Please ensure that these have enough capacity for the additional surface water and foul water generated by the new extension and that they are working efficiently.

Environmental Protection - Request note.

Planning Considerations

The main issues in this case are:

- Principle;
- Character/appearance;
- Impact upon nearby residents;
- Highway issues

Principle/Policy

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 site is outside a settlement boundary as defined in the South East Lincolnshire Local Plan, 2019. Therefore, the site is located within the countryside. Policy 1 of the Local Plan states that "in the Countryside development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits".

In this case, the proposal is for a self-contained annexe to the existing dwelling, which is linked to the golf course business and is now home to three generations of the Britton family. The Design and

Access Statement indicates that given the family's active involvement in that business, as well as the Demolition Business which has a yard adjacent to the golf course, there is a need for additional family accommodation. It goes on to stress that it would enable the family to remain as a family unit whilst providing a degree of independence by way of an attached annexe. The proposal has a linking door.

Given the ancillary nature of the development, the proposal cannot be located elsewhere within a settlement boundary. Therefore, the principle of development for the proposal is acceptable unless material considerations indicate otherwise, according to section 70(2) of the Town and Country Planning Act 1990. This is subject to a condition restricting occupation to family members only.

The proposal is in accordance with Policy 1 of the South East Lincolnshire Local Plan, 2019.

Character/Appearance

The proposal is two storey and incorporates 3 bedrooms. However, the existing dwelling is relatively large. The extension would be in character with it in terms of scale and design, including similar fenestration and matching materials. The proposal would be partially concealed from public view due to existing buildings and planting. It is considered, on balance, that it would not materially harm the street scene or the character or appearance of the locality.

Consequently, the proposal does not materially conflict with Policies 2 and 3 of South East Lincolnshire Local Plan, 2019 in this respect.

Residential Amenity

The proposal would be set at the side of the property and well away from nearby properties to the north and east. It would not materially harm the amenity of nearby residents in terms of overbearing effect, overlooking, lack of privacy, noise and disturbance, etc.

The proposal is in accordance with Policies 2 and 3 of South East Lincolnshire Local Plan, 2019 in this respect.

Highway Safety

Ample car parking is available upon the site and would not be prejudiced. There are therefore no highway safety issues in this case.

The proposal is in accordance with Policies 2, 3 and 36 of South East Lincolnshire Local Plan, 2019 in this respect.

Flood Risk

Paragraph 164 of the National Planning Policy Framework, 2019, indicates that applications for minor development such as this should not be subject to the sequential or exception tests.

Planning Balance

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.

Given the ancillary nature of the development, the proposal cannot be located elsewhere within a settlement boundary. The principle of development for the proposal is therefore considered acceptable, subject to a condition restricting occupation to family members only.
It is considered that the proposal would not materially harm the character/appearance of the locality or amenity of neighbouring residents in terms of overlooking, lack of privacy, overshadowing, overbearing effect, noise and disturbance etc. There are no highway issues in this case.

The proposal therefore satisfactorily complies with Policies 1, 2, 3, 4 and 36 of the South East Lincolnshire Local Plan (SELLP), 2019, plus advice within the National Planning Policy Framework (NPFF), 2019. There are no significant factors in this case that indicate against the proposal and outweigh factors in favour of the proposal and the policies referred to above.

Conclusion

The planning balance lies in favour of the proposal. It is therefore recommended that the application be approved under 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.