

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H09-0192-23 **Applicant:** Mr A Clues
Proposal: Alterations and extension
Location: Landmere Cottage Main Road Holbeach Drove
Terminal Date: 9th May 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

- 01 Spatial Strategy
- 02 Development Management
- 03 Design of New Development

National Guidance

National Planning Policy Framework 2021

12 - Achieving well-designed places

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 for alterations and extensions to Landmere Cottage, Main Road, Holbeach Drove. The proposal seeks to provide a kitchen / breakfast area to the rear at ground floor level, with an additional bedroom at first floor level. The roof will be extended and the slope altered to accommodate the additional first floor room. The proposed material for the wall is chalk white render with new roof tiles to match the existing roof, as well as felt for the flat roof single storey

kitchen extension. The existing render is salmon pink in colour. Following comments received from the South Holland Internal Drainage Board, this application has been amended twice. Firstly to clarify the distance from the dwelling to the IDB maintained drain; and secondly, to remove the eastern boundary fence that was sited within the 9 metre easement distance of the drain.

SITE DESCRIPTION

The site is within the defined settlement limits of Holbeach Drove. The surrounding area is characterised by linear development of varying ages and designs. A South Holland IDB maintained drain is located to the east of the site, with an arable field and dwellings along Long Lane further beyond. Extensive garden land and arable fields are located to the south of the site, with dwellings to the west. A dwelling named Chruchfields is located on the opposite side of Main Road to the north of the site, with St Polycarp's Church to the north-east. The site is partially located in Flood Zone 2 toward the eastern boundary. The site is not subject to increased hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

RELEVANT HISTORY

H09-0837-93

Full - Extensions to form kitchen and bathroom - Approved - 11 October 1993.

CONSULTATION RESPONSES

South Holland Internal Drainage Board

"We are pleased to see that the extension has now been moved to 9 metres from the brink of the watercourse. The applicant has also approached the Board to apply for consent for the fencing and gates within 9 metres of the Board maintained watercourse, which is currently being processed under reference: 23_08220_C. As the revised site plan (4108-22, 02D, April 2023) now shows no permanent structures within 9m, and a consent application is being processed for the fence, we no longer object to this application."

"Please be aware, however, that the updated site plan provided shows that the fence is located 300-400 mm away from the brink. The Board is unlikely to grant consent for fencing any closer than 1 metre from the nearest brink of the watercourse, which has already been discussed with the applicant. As such, this distance will need to be amended on the plans for any eventual consent issued by the Board. We will leave it to the LPA to decide if this will also need changing as part of the planning application."

NOTE - Following receipt of these comments the agent has now removed the proposed fence from the eastern boundary. A relaxation application to the Internal Drainage Board is no longer required.

PLANNING CONSIDERATIONS

Principle of development

This application is residential development on residential land within defined settlement limits. The principle of development in this location is acceptable.

Assessment against SELLP Policy 2 - Development Management

This proposal is assessed against SELLP Policy 2 titled - Development Management. This policy states:

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:

1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets;
9. impact on the potential loss of sand and gravel mineral resources."

When assessed against the relevant criteria the following can be observed:

1. The size, scale and layout of the proposal is considered to be appropriate for the site and surrounding area. No trees will be removed to facilitate this proposal. The character and appearance of the area is considered to be improved by this proposal.
2. The design and orientation is considered to be improved by this proposal.
3. The proposed material for the wall is chalk white render with new roof tiles to match the existing roof, as well as felt for the flat roof single storey kitchen extension. The existing render is salmon pink in colour. The proposed materials are considered to be appropriate for the building, and improve the visual amenity of the site.
4. The existing access is not being altered, and the site has off road parking capacity for the minimum amount of two vehicles as requested under Appendix 6 of the SELLP for dwellings with three bedrooms or fewer.
5. The capacity of existing community services and infrastructure is not impacted by this proposal.
6. There is not considered to be an increased noise, odour or disturbance impact from the proposal. With regard to visual intrusion the following can be observed:

Overdevelopment - The proposal is not considered to represent overdevelopment. The dwelling retains a traditional Ferland Cottage appearance with ample amenity space retained to front, sides and rear of the site.

Overshadowing - There is not considered to be an overshadowing impact from the proposal. When right to light lines are drawn, neighbouring properties are not impacted by the extended dwelling.

Overlooking - There is not an overlooking impact from the new ground floor fenestration. There is not additional east, south or west facing first floor fenestration. The additional north facing first floor window serves a bedroom window which is 24 metres away from the single storey property at Churchfields. The existing north facing window is obscure glazed and serves a bathroom. Whilst the new bedroom window provides a new overlooking aspect, the separation distance is considered to be acceptable, and the frontage of Churchfields is easily visible beyond the low level fence fronting the public highway.

7. The site is partially located in Flood Zone 2 toward the eastern boundary. The site is not subject to increased hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. The application is for a domestic extension and there is no requirement to raise finished floor levels in this location to address flood risk.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

This proposal is assessed against SELLP Policy 3 titled - Design of New Development. This policy states:

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. 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.

Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:

1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
2. distinguishing between private and public space;
3. the landscape character of the location;
4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;
5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;
8. crime prevention and community safety;
9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;
10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);
13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;
14. the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;
15. the appropriate use or reuse of historic buildings.

When assessed against the relevant criteria the following can be observed:

1. The size, scale and layout of the proposal is considered to be appropriate for the site and surrounding area. No trees will be removed to facilitate this proposal. The character and appearance of the area is considered to be improved by this proposal. A sense of place is improved by this application.

5. Ample space remains on site for cycle and bin storage. The existing access is not being altered, and the site has off road parking capacity for the minimum amount of two vehicles as requested under Appendix 6 of the SELLP for dwellings with three bedrooms or fewer.

11. There is not considered to be an increased noise, odour or disturbance impact from the proposal. With regard to visual intrusion the following can be observed:

Overdevelopment - The proposal is not considered to represent overdevelopment. The dwelling retains a traditional Ferland Cottage appearance with ample amenity space retained to front, sides and rear of the site.

Overshadowing - There is not considered to be an overshadowing impact from the proposal. When right to light lines are drawn, neighbouring properties are not impacted by the extended dwelling.

Overlooking - There is not an overlooking impact from the new ground floor fenestration. There is not additional east, south or west facing first floor fenestration. The additional north facing first floor window serves a bedroom window which is 24 metres away from the single storey property at Churchfields. The existing north facing window is obscure glazed and serves a bathroom. Whilst the new bedroom window provides a new overlooking aspect, the separation distance is considered to be acceptable, and the frontage of Churchfields is easily visible beyond the low level fence fronting the public highway.

12. The site is partially located in Flood Zone 2 toward the eastern boundary. The site is not subject to increased hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. The application is for a domestic extension and there is no requirement to raise finished floor levels in this location to address flood risk.

This application accords with SELLP Policy 3.

PLANNING BALANCE

The proposed works and change of external render is considered to visually improve the site, and not generate a negative impact on the character and amenity of the surrounding area. This application is considered to accord with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2021.

CONCLUSION

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.