DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-0282-23**	**Applicant:**	**Mr C Merrick**
Proposal:	Proposed extension and alterations to existing dwelling, reclad of existing shed, demolition of glasshouses and erection of storage/garage building		
Location:	Elmhurst 58 Dog Drove North Holbeach Drove		
Terminal Date:	22nd May 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
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 the demolition of the existing glasshouses, recladding of the existing shed, erection of a storage/garage building with single and two storey extensions to the existing house.

The garage/storage building would replace the existing greenhouses and the replacement building would measure 18 metres x 15 metres and stand at 5.3 metres in height (3.5 metres to the eaves). It would have a profiled metal composite panel roof in mushroom colour finish and olive green finish metal composite walls.

SITE DESCRIPTION

The application site is located on Dog Drove North in Holbeach Drove. It is sited outside any defined settlement boundary and is surrounded by open countryside. The property is a two storey detached red brick built dwelling with a single attached flat roofed garage to the side. There is a large brick built storage building and a number of shed/greenhouses.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

South Holland Internal Drainage Board

Advises that a drainage strategy should be submitted for the site. If the applicant proposes to discharge surface water to a watercourse, consent would be required under Byelaw 3. Any discharge should be in line with the non-statutory technical standards for sustainable drainage systems (SuDS), therefore the Board is unlikely to grant consent for discharges in excess of greenfield rate. If the applicant proposes to discharge treated foul water to a watercourse, consent would be required under Byelaw 3.

PLANNING CONSIDERATIONS

Principle of development

The site is outside any settlement boundary but given the proposed development would be within the residential curtilage of and ancillary to the existing dwelling on the site the principle of the proposed development 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 house extensions would significantly increase the footprint of the dwelling and change its appearance and it is debateable whether the development is tantamount to a new dwelling given the significant changes. However, it can on balance be accepted as extensions/alterations to an existing dwelling instead of a new build as the main structure of the house, specifically the ground floor element would remain. Furthermore the site retains its permitted development rights therefore the footprint of the house can be increased quite significantly under

permitted development therefore it would be difficult to resist on this basis. The proposed changes are welcome as they would result in more symmetry and a visually pleasing frontage. The introduction of render would ensure there is no mismatch of old and new bricks. The extensions would sit well within the site, whilst retaining adequate amounts of amenity space.

Recladding the existing shed would also improve the overall appearance of the site as the existing shed is rather run-down and detracts from the appearance of the site.

The proposed garage/storage building to replace the existing greenhouses would have a significant footprint, however, given it would be smaller in footprint than the greenhouses which are to be demolished it could not reasonably be resisted. In terms of its appearance, it would not be out of character with the rural area as these type of buildings are very common in the countryside.

As such the extensions would on balance comply with the aforementioned policies on design, layout and impact upon the character of the local area.

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.

Given the remote location of the site there are no immediate neighbours. The closest neighbour is no.61 Dog Drove North located to the south-east and given this neighbours closest boundary is sited some 36 metres from the development no unacceptable impact is considered to result on the amenity of this neighbour.

Given the above 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 4, increasing the parking requirement for the site from 2 to 3 spaces. The property benefits from a large driveway to the front which can accommodate at least 3no vehicles therefore the scheme complies with the current parking standards.

Drainage

Policy 4 of the SELLP relates to flood risk management and states that new development will be permitted if appropriate flood resistance and resilience measures are proposed (criterion c); it incorporates the use of Sustainable Drainage Systems (SuDS) (criterion e); and demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development (criterion g).

South Holland Internal Drainage Board advises that a drainage strategy should be submitted for the site. If the applicant proposes to discharge surface water to a watercourse, consent would be required under Byelaw 3. Any discharge should be in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS) , therefore the Board is unlikely to grant consent for discharges in excess of greenfield rate. If the applicant proposes to discharge treated foul water to a watercourse, consent would be required under Byelaw 3. There are watercourses which are not maintained by the Board (riparian watercourses) adjacent to the northern and southern site boundaries. Whilst not currently proposed, should the applicant's proposals change to include works to alter the riparian watercourses, or if works are proposed to alter the watercourses at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4). There are no Board maintained watercourses within or adjacent to the site boundary therefore Byelaw 10 does not apply to the proposed development. There is however a Board Maintained watercourse (Division Drain) adjacent to the applicant's blue line boundary, therefore the applicant should be aware that no works are permitted within 9 metres of this watercourse under Byelaw 10 without prior written consent from the Board. An informative have been attached to the decision notice advising the application of this.

Subject to a suitable drainage strategy and compliance with the Boards Bylaws 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 drainage.

Planning Balance

The proposal will not materially harm the character or appearance of the locality, the amenity of nearby residents or result in parking/biodiversity or drainage 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 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.