DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H11-0071-23**	**Applicant:**	**Mr R Wilkin**
Proposal:	Proposed side and rear extension - re-submission of H11-0103-22		
Location:	Dalspa 45 Delph Road Long Sutton		
Terminal Date:	22nd March 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

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 re-submission seeking permission to demolish the existing single storey

element to the side and erect a single storey side extension to create a bedroom with a dressing room en-suite shower room, w/c and a utility room. The extension would measure 4 metres (width) x 12 metres (depth) and standing at 3.6 metres in height (2.6 metres to the eaves). All external materials would match the existing dwelling.

The application is a re-submission of a previously approved scheme (H11-0103-22) which seeks to change the roof from flat to hipped, increasing the overall height from 2.6 metres to 3.6 metres.

SITE DESCRIPTION

The application site comprises a detached two storey dwelling located on Delph Road in Long Sutton. The site is located outside any settlement boundary and within the open countryside. The dwelling is buff brick built with white door/window frames. There is a single flat roofed garage to the side and a gravelled driveway to the front providing off-street parking provision for several vehicles. the front boundary is enclosed by heavy planting. To the north/north-west of the site is open countryside. The immediate area is primarily residential comprising dwellings of varying sizes and styles.

RELEVANT PLANNING HISTORY

H11-0103-22 - Proposed extension to side & rear of dwelling - Approved 28/03/2022

H11-0126-23 - Proposed garage - Pending consideration

REPRESENTATIONS

South Holland Internal Drainage Board

No objections subject to compliance with the Boards Bylaws and provided ground investigation is carried out to determine the infiltration potential of the site and the dept of water.

PLANNING CONSIDERATIONS

Principle of development

The site is outside the Long Sutton settlement boundary, however, the proposed extensions would be sited within the residential curtilage of the existing dwelling therefore the principle of extending the existing dwellinghouse 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 proposal to change the roof from flat to hipped is considered more in keeping with the design of the existing house. The use of matching external elevational materials would further ensure the extension is not at odds with the existing dwelling.

The footprint of the extension remains the same as previously approved and is therefore acceptable.

As such the proposal would 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.

The overall height of the extension would increase from 2.6 metres to 3.6 metres, however the eaves would remain the same. The additional bulk of the roof would face away from both neighbours on either side. Given this and the separation distance to both neighbours it is not considered that any overbearing impact or unacceptable overshadowing would result.

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

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. As per the previously approved scheme the proposed scheme would create an additional bedroom within the property. It is not clear how many bedrooms the existing dwelling has and whether the proposed scheme would increase the parking requirement for the site. A maximum of 3no off-street parking spaces would be required for the site which can be accommodated in the driveway to the front therefore the loss of the garage can be accepted. As such the scheme is considered to comply 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).

The applicant has indicated that they intend to dispose of surface water via infiltration, however no drainage strategy or plan has been provided. South Holland Internal Drainage Board has advised that
the proposed strategy should be supported by ground investigation to determine the infiltration potential of the site and the depth to groundwater. If on-site material were to be considered favourable then we would advise infiltration testing in line with BRE Digest 365 (or equivalent) to be undertaken to determine its efficiency. If (following testing) a strategy wholly reliant on infiltration is not viable and a surface water discharge is proposed to a watercourse, then the proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3). If applicant wishes to discharge treated foul water to a watercourse, then this will require land drainage consent in line with the Board's byelaws (specifically byelaw 3). There is a Board Maintained watercourse (DRN199G4301- H43 Sutton Delph Drain) adjacent to the south eastern site boundary. Whilst not currently proposed, should the applicant's proposals change to include works to alter the watercourse, or if works are proposed to alter the watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4). An informative has been attached advising the applicant of this.

Subject to the above 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 and 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/drainage implications. 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 Section 12 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.