

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H11-0082-23 **Applicant:** Mr & Mrs P Denwood
Proposal: Rear extension & alterations
Location: 43 Lancaster Drive Long Sutton Spalding
Terminal Date: 23rd 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 application seeking permission for a single storey rear extension to create a

snug (converting the existing snug into a breakfast area). The extension would measure 3.1 metres (width) x 5 metres (depth) and stand at 2.8 metres in height (3.2 metres including roof lantern). The external materials would match the existing bungalow.

SITE DESCRIPTION

The application site is located on Lancaster Drive in Long Sutton. Lancaster Drive is a cul-de-sac street with a frontage development on each side of the highway comprising detached houses within spacious rectangular plots. The site comprises a detached bungalow with gravelled areas to the front/side providing off-street parking provision for several vehicles. The Fall Drain runs adjacent to the eastern boundary. A nearly 2 metre high timber close board fence is on the western boundary. The immediate area is residential and the site backs onto open countryside.

RELEVANT PLANNING HISTORY

H11-0813-19 - Rear extension and alterations - Approved

REPRESENTATIONS

South Holland Internal Drainage Board

No objections subject to compliance with the Boards Bylaws and provided a drainage strategy is provided for the site to show how surface water will be disposed of from the proposed additional impermeable area. If the applicant proposes to discharge surface water to a watercourse, consent would be required under Byelaw 3

PLANNING CONSIDERATIONS

Principle of development

The site is within the Long Sutton settlement boundary as set out in the South East Lincolnshire Local Plan (SELLP), 2019. The extension would be sited within the existing residential curtilage therefore the principle of a development associated with an existing dwelling is considered 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 rear extension would not be visible from the front of the site as it would be blocked by the existing bungalow therefore it would not result in any unacceptable impact on the street scene. The extension is considered modest and proportionate to the size of the existing bungalow and the overall site. Sufficient amenity space would be retained therefore the extension is not considered to result in overdevelopment of the site. The proposed use of matching external elevational materials would ensure the extension is not at odds with the existing bungalow.

As such the extension 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.

The closest neighbour to the proposed development is No.45 Lancaster Drive located to the west of the application site. The proposed extension would not be visible to this neighbour as it would be blocked by the previously approved rear projecting extension. In any case the proposed extension would not result in any unacceptable impact on the amenity of this neighbour as it would be sited approximately 8 metres from the shared boundary with this neighbour. Given the relatively modest footprint and height of the extension this separation distance is considered sufficient as to not result in any overbearing impact or unacceptable overshadowing.

With regards to the neighbour to the east at no.41 Lancaster Drive the proposed extension would be sited a significant distance from this neighbour's boundary given the two properties are separated by a drain. As such no unacceptable impact would result on 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

The proposal would not increase the number of bedrooms within the property or impact/reduce the current parking arrangements for the site therefore it is considered to comply with Policy 36 and Appendix 6 of the South East Lincolnshire Local Plan (2019).

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 has recommended that a drainage strategy is provided for the site to show how surface water will be disposed of from the proposed additional impermeable area. If the applicant proposes to discharge surface water to a watercourse, consent would be required under Byelaw 3. Please note that 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. It is noted that the applicant has not indicated how treated foul water from their site will be disposed of, however it is unlikely that any additional foul water will be created from the extension. If the applicant proposes to discharge any treated foul water to a watercourse, consent would be required under Byelaw 3. There is a Board Maintained watercourse (DRN199G1304 - H13 Falls Drain) adjacent to the 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). Whilst not currently proposed, should the applicant's proposals change to include works within 9 metres of the aforementioned Board Maintained watercourse, or if works within 9 metres of the watercourse are proposed at any time in the future, consent would be required under Byelaw 10. 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 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 Section 12 of the

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.