

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	H11-0521-22	Applicant:	Mr D Rollins
Proposal:	Increase in domestic curtilage for access to garage and garden and extension to garage/gym forming 1 bed annexe, store and additional garage		
Location:	Home Fields Jarvis Gate Sutton St James		
Terminal Date:	13th July 2022		

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
07	Improving South East Lincolnshire's Employment Land Portfolio

National Guidance**National Planning Policy Framework 2021**

Section 2 - Achieving sustainable development
Section 4 - Decision making
Section 6 - Building a strong competitive economy
Section 12 - Achieving well-designed places
Section 14 - meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for an increase in domestic curtilage for access to garage and garden and extension to garage/gym forming 1 bed annexe, store and additional garage.

The domestic curtilage would be extended so as to utilise a small part of the adjoining employment site, shown to be within the ownership of the applicant.

Site Description

The site contains a detached bungalow and is located in open countryside fronting the west side of Jarvis Gate, a narrow rural lane bordering Sutton St James. The site is surrounded on all sides by land under the control of the applicant, comprising Homefields Home Park a small touring caravan site to the south and commercial/industrial premises to the east. A range of horticultural glasshouses and paddocks lie to rear of the bungalow.

History

H11-0092-19 - Approved - Alterations and extension to bungalow, including new roof covering, brick and render facade and new roof to garage.

Note: Although there are multiple applications (primarily erection of portal frame buildings) relating to the adjoining employment site (Rollins Electrical) these are considered not to be material to this application.

Consultation Responses

Sutton St James Parish Council

The Parish Council has expressed their support.

South Holland Internal Drainage Board

The Board has not raised objection but has provided advice in respect of surface water and foul water disposal.

Public

- None received.

Planning Considerations

The principal issues relate to -

Loss of employment land

The proposed development would encroach onto adjoining employment land. The Local Plan states that a change of use of existing non-allocated employment sites to non-employment uses will be considered on merit taking account of whether the loss of land or buildings would adversely affect economic growth and employment opportunities. The plot of land that would be absorbed into the proposed extended residential curtilage would be small. It comprises hardstanding, is currently used for long term surface storage and is effectively redundant. Given the extent of the remaining available employment land within the site ownership and the potential for expansion should that be desirable, it is considered that the employment potential and day to day operation of the business would not be seriously affected. As such it is not considered there would be conflict with Policy 7 of the SELLP

Design and Layout

The proposed single storey extension would maintain eaves levels, be low profile and would integrate successfully with the host dwelling, reflecting the existing character of that property. As the extension would be located to the rear of the bungalow, it would not be highly visible from within the public domain. Existing floor levels would be maintained throughout and garage access would be

afforded by existing driveways. The provision of additional car parking is acceptable. As such it is considered to comply with Policies 2 and 3 of the SELLP

Other Matters

Flood Risk - Although the proposal comprises vulnerable development and is located within an area subject to flooding, in this instance the scale and nature of development does not warrant Flood Risk assessment or a requirement for flood resilience measures or evacuation plan.

Subject to imposition of condition requiring the annexe to remain ancillary to the principal dwellinghouse there are no issues relating to the provision of an annexe.

Drainage - Surface water drainage utilises an attenuation pond to the rear of the bungalow. Development would take place on existing hard standings and would not exacerbate current levels of run-off.

The existing bungalow is served by a septic tank. The method of foul drainage is established and capacity will be subject to Building Regulation criteria.

Planning balance & Conclusion

The proposal represents a sustainable form of residential extension that would not unacceptably prejudice the operational efficiency of the adjoining commercial site and would integrate sympathetically with the existing built form. As such it is considered to be in accordance with Policies 2, 3 and 7 of the SELLP.

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 considered that the recommendation in this case will not 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 considered that the recommendation in this case would not interfere 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 report.