DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H11-0640-24**	**Applicant:**	**Mr J Hook**
Proposal:	Single & two storey side extension & alterations		
Location:	14 Little London Long Sutton Spalding		
Terminal Date:	30th September 2024		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019	
01	Spatial Strategy
02	Development Management
03	Design of New Development
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2023

Section 12 - Achieving well designed and beautiful places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a single and two storey side extension and alterations at 14 Little London, Long Sutton.

Site Description

The site is located within the defined settlement boundary of Long Sutton as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP). The building used to be operated as a hair salon but was granted permission in 2006 to be used as a residential flat, the front elevation still features the large glass window on the ground floor which gives it a commercial building look. Other buildings in the surrounding area are standard residential dwellings of varying designs, some being two storey of both detached and semi-detached designs.

History

H11-1213-06 - Change of use of hair salon to residential flat - Approved

H11-1647-06 - Details of sound insulation and storage of waste (Conditions 3 and 4 of H11/1213/06) - Approved

Consultation Responses

Lincolnshire County Council Highways Authority

Recommendation:

No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Comments:

The proposal is for a single & two storey side extension & alterations. The proposal will increase the bedrooms from four to five. They currently have no parking other than a garage. The garage will be changed to a car port. The property fronts the street and they tend to park parallel to the garage door but it is restricted. Vehicles can park safely along Little London. The proposal will not have an adverse impact on the public highway or surface water flood risk.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

South Holland Internal Drainage Board

No comments.

Public Representations

In this instance, one letter of objection has been received and is summarised as follows -

- Traffic problems with schools and nurseries
- No parking
- Noise of construction to elderly local residence
- Access very limited

Key Planning Considerations

The main issues and considerations in this case are (but are not limited to):
- Principle of Development and Sustainability
- Layout, Design, and Impact on the Character of the Area
- Impact on Neighbouring Residents/Land Users/Land Uses
- Highway Safety and Parking

Evaluation

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework (December 2023) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Planning Considerations

Principle of Development and Sustainability

The South East Lincolnshire Local Plan (2019) sets out the settlement hierarchy in respect of delivering sustainable development that meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local housing need, whilst making more sustainable use of land and to minimise the loss of high-quality agricultural land by developing in sustainable locations and at appropriate densities.

Policy 1 of the South East Lincolnshire Local Plan (2019) sets out a spatial strategy for delivering sustainable development across South East Lincolnshire to 2036. Policy 1 (Spatial Strategy) expresses this sustainable framework of settlements, ranking the settlements deemed to be most sustainable in descending order.

Policy 1 (Spatial Strategy) of the South East Lincolnshire Local Plan (2019) indicates that within Main Service Centres, development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities.

The application site in this instance is in Long Sutton as detailed by Policy 1. Regardless of such, the proposal solely relates to the extension of an existing and established residential dwelling and therefore, the principle of such development is considered to be appropriate, comprising an appropriate form of development for the location.

As such, the proposal is considered to be acceptable with the requirements of the South East Lincolnshire Local Plan (2019) when viewed in principle. This is subject to the assessment against site specific criteria; including (but are not limited to) the impact of the proposal on the character or appearance of the area, impact on the residential amenities of neighbouring occupiers, and impact on highway safety, which are discussed in turn as follows.

Layout, Design and Consideration of the Character and Appearance of the Area

Section 12 of the National Planning Policy Framework (December 2023) specifically relates to 'Achieving well-designed and beautiful places' and details that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the National Planning Policy Framework (December 2023), states that new development should function well and add to the overall quality of the area

(including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing.

Development proposals should also ensure that developments 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 South East Lincolnshire Local Plan outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework, in that it requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the National Planning Policy Framework and require 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.

Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

The materials used for the extension will match the existing throughout, this ensures that it will be in keeping with the host dwelling and create no material visual discrepancies within the street scene and locality.

The extension will protrude from the side elevation by around 5850mm and will have a total length of 10000mm, on the first floor it will project from the side by 3150mm and will have a length of 4700mm. The single storey section of the extension will feature a flat roof and have a height of 2900mm and the two storey extension will be level to the eaves of the existing dwelling sitting at around 5660mm with the ridge height being subservient and less than the main house being approximately 7100mm. It is considered that the extension in this instance is acceptable and proportionate to the host property, the ground floor extension could be considered somewhat large, however, the host dwelling itself is large in length and runs a total of 24000mm prior to the construction of any extension. Furthermore, the construction of this extension will vastly improve the design of 14 Little London further improving the outlook of the street scene and locality.

Some internal alterations are proposed under this extension, these include altering the existing kitchen to a dining area which will flow into the extension which is an open plan kitchen, breakfast are and family room. Furthermore, a new entrance area is located adjacent to this. On the first floor the new extension will be used as a shared bathroom as well as an en-suite for the rear most bedroom. To the front, a further en-suite will be fitted as well as converting an existing shared bathroom into a bedroom. These alterations are not considered to cause any material harm to the area and are therefore acceptable in this regard.

Taking account of the design, scale and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with policies 2 and 3 of the South East Lincolnshire Local Plan and Section 12 of the National Planning Policy Framework (December 2023).

Impact on Residential Amenity/Land Users

Paragraph 135 of the National Planning Policy Framework (December 2023) states that development should 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

Following the construction of this extension, no windows should provide any views which could materially harm privacy of surrounding neighbouring properties. No windows are located on the side elevations of the ground floor and first floor extension, importantly, the first floor windows are on the front and rear elevations are both serving the house as bathrooms and therefore will be obscure glazed - a condition will be imposed on the decision notice should approval be granted to ensure this. On the ground floor, the front and rear windows should also not materially overlook due to the positioning of them on this level.

With respect to the potential for overshadowing, the first floor extension is lower than the existing height of the host property and therefore there should be no new issues and there will be no adverse impact from the extension. In addition to this, there are no windows located on the side elevation of the nearest neighbour, No. 12.

Whilst there will be some noise during the construction process, this should be during a minute time frame due to the nature of the application and this does not hold enough weight in its own right to refuse the application despite the following objection being submitted 'Noise of construction to elderly local residence'.

As detailed above, the scale and design of the proposal is considered to be such that there would be no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the provisions of the Section 12 of the National Planning Policy Framework (December 2023), and Policies 2 and 3 of the Local Plan.

Highway Safety and Parking

Section 9 of the National Planning Policy Framework (December 2023) specifically relates to 'Promoting sustainable transport'. Paragraph 115 of the National Planning Policy Framework (December 2023) advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

Further, Policy 36, to be read in conjunction with Appendix 6 of the South East Lincolnshire Local Plan, sets out minimum vehicle parking standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

Despite there being no off street parking within this plot in the form of a driveway, it would be unjust for the Local Planning Authority to refuse the application on this basis as permission was granted in 2006 for the conversion of this building to a residential flat under the same parking provisions at the time. In addition to this, following the case officers site visit it is apparent that it is common for vehicles to park on the road along Little London despite having off street parking available to them - therefore this would not increase any harm to the street scene.

With respect to the following comments received through public representation 'Traffic problems with schools and nurseries and no parking', the above considerations and justifications outline that the proposal should be acceptable. Lincolnshire County Council Highways comments also raised no objections stating 'The proposal will increase the bedrooms from four to five. They currently have no parking other than a garage. The garage will be changed to a car port. The property fronts the street and they tend to park parallel to the garage door but it is restricted. Vehicles can park safely along Little London. The proposal will not have an adverse impact on the public highway or surface water flood risk'.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact

on highway safety in accordance with Local Plan Policies 2, 3 and 36, and Section 9 of the National Planning Policy Framework (December 2023).

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposal represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, whilst conforming with the South East Lincolnshire Local Plan and the provisions of the National Planning policy Framework when viewed as a whole.

In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

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.

Conclusion

Taking the above considerations into account, the proposal is considered to be in accordance with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan (SELLP) (2019), along with the identified sections contained within the National Planning Policy Framework (NPFF) (December

2023). Whilst not technically conforming to Policy 36 and Appendix 6, it is still considered to not create adverse harm to the highway.. The are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.