

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H11-0700-22 **Applicant:** Mr W Delahoy

Proposal: Proposed extension & alterations - approved under H11-1320-16.
Modification of Condition 2 to allow amendments to previously approved plans.

Location: 116 London Road Long Sutton Spalding

Terminal Date: 7th September 2022

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

- 01 Spatial Strategy
- 02 Development Management
- 03 Design of New Development

National Guidance

National Planning Policy Framework 2021

12 - Achieving well designed places.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a Section 73 application at 116 London Road Long Sutton for a proposed extension & alterations - approved under H11-1320-16. This application seeks modification of Condition 2 to allow amendments to previously approved plans. The eastern projection on the previously approved plans will be removed and an additional side elevation first floor window will be provided on the eastern elevation for an en-suite. Rooflights will also be installed in bedroom 2. These rooflights are over 2 metres above floor level. A south facing Juliet balcony serves bedroom 2 on the first floor with bifold doors serving the downstairs garden room. Render and roof tiles will remain the same. This application is retrospective.

SITE DESCRIPTION

The proposal is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and designs. The site is in Environment Agency Flood Zone 3 and in a "Danger for All" hazard area with a maximum predicted flood depth of 2 metres on the 2115 South Holland Strategic Flood Risk Mapping. As the proposal is for an extension there is not a requirement to raise finished floor levels to address flood risk.

RELEVANT HISTORY

H11-1249-99

Full - Proposed extension to dwelling - Approved - 02 February 2000

H11-1109-02

Full - Extension and alterations - Approved - 03 December 2002

H11-1643-04

Full - Proposed two-storey side and ground floor rear extensions - Approved - 04 February 2005

H11-1320-16

Full - Proposed extension and alterations - Approved - 13 April 2017

CONSULTATION RESPONSES

None

PLANNING CONSIDERATIONS

Principle of development

The proposal is for residential development on residential land within defined settlement limits. The principle of development in this location is considered to be acceptable.

Assessment against SELLP Policy 2 - Development Management

When assessed against the relevant criteria the following can be observed:

1. The, size, scale and layout is a reduction on the design previously approved under H11-1320-16. No trees have been removed to facilitate this proposal. There is not considered to be a material impact on the character and amenity of the surrounding area from the proposed amendment.
2. The amended design removes the west elevation projection and improves the overall appearance of the dwelling.
3. Render and tiling will remain as previously approved to match that of the existing dwelling.
4. The existing access will not be altered and the site can accommodate three off road parking spaces which is the minimum requested for dwellings with four bedrooms or greater under Appendix 6 of the SELLP.
5. The capacity of existing community services and infrastructure will not be impacted by this proposal.
6. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion the following can be observed:

Overdevelopment - The proposal is not considered to represent overdevelopment. The proposed extension is reduced in size from the previously approved extension of H11-1320-16. Ample space remains to the front, rear and sides of the property.

Overshadowing - The eastern elevation projection of the extension has been removed and therefore the potential for overshadowing has been reduced.

Overlooking - The new fenestration is to serve a first floor eastern elevation en-suite window. As the window is to be obscure glazed and there is already existing first floor fenestration at eastern elevation first floor windows there is not considered to be a material overlooking impact. The rooflights in the new extension will be located more than 2 metres above floor level, therefore these windows are not considered to constitute an overlooking impact.

7. The site is in Environment Agency Flood Zone 3 and in a "Danger for All" hazard area with a maximum predicted flood depth of 2 metres on the 2115 South Holland Strategic Flood Risk Mapping. As the proposal is for an extension there is not a requirement to raise finished floor levels to address flood risk. Foul water and surface water drainage will be addressed by existing mains drainage and soakaways.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

This proposal is assessed against SELLP Policy 3 titled - Design of New Development. This policy states:

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. 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.

Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:

1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
2. distinguishing between private and public space;
3. the landscape character of the location;
4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;
5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;
8. crime prevention and community safety;
9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;
10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);
13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;
14. the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;
15. the appropriate use or reuse of historic buildings.

When assessed against the relevant criteria the following can be observed:

1. The, size, scale and layout is a reduction on the design previously approved under H11-1320-16. No trees have been removed to facilitate this proposal. There is not considered to be a material impact on the character and amenity of the surrounding area from the proposed amendment. A sense of place is not considered to be impacted by this proposal.

5. Ample space remains on site for cycle and bin storage. The existing access will not be altered and the site can accommodate three off road parking spaces which is the minimum requested for

dwelling with four bedrooms or greater under Appendix 6 of the SELLP.

11. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion the following can be observed:

Overdevelopment - The proposal is not considered to represent overdevelopment. The proposed extension is reduced in size from the previously approved extension of H11-1320-16. Ample space remains to the front, rear and sides of the property.

Overshadowing - The eastern elevation projection of the extension has been removed and therefore the potential for overshadowing has been reduced.

Overlooking - The new fenestration is to serve a first floor eastern elevation en-suite window. As the window is to be obscure glazed and there is already existing first floor fenestration at eastern elevation first floor windows there is not considered to be a material overlooking impact. The rooflights in the new extension will be located more than 2 metres above floor level, therefore these windows are not considered to constitute an overlooking impact.

12. The site is in Environment Agency Flood Zone 3 and in a "Danger for All" hazard area with a maximum predicted flood depth of 2 metres on the 2115 South Holland Strategic Flood Risk Mapping. As the proposal is for an extension there is not a requirement to raise finished floor levels to address flood risk. Foul water and surface water drainage will be addressed by existing mains drainage and soakaways.

This application accords with SELLP Policy 3.

PLANNING BALANCE

The proposed extension is appropriately sited and the amended size does not lead to a character, overlooking or overshadowing impact. This application accords with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2021.

CONCLUSION

This application is recommended for approval.

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.