DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H11-1109-21**	**Applicant:**	**Miss K McCole & Mr C Stubbings**
Proposal:	Single storey extension to form annexe		
Location:	9 London Road Long Sutton Spalding		
Terminal Date:	24th December 2021		

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
29	The Historic Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 16 - Conserving and enhancing the historic environment

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 an application seeking planning permission to demolish the existing detached garage/outbuilding and erect a single storey side extension to create an annex for a family member, comprising an open plan kitchen/living/dining room and 1 bedroom with an en-suite shower room. The extension would measure 11.6 metres (width) x 7.7 metres (depth) and stand at 5.1 metres in height (2.1 metres to the eaves).

Site Description

The site comprises a detached bungalow located on London Road, within the Long Sutton settlement boundary. It is located within the Long Sutton conservation area and is in close proximity to several listed buildings. The bungalow is a mixture of red facing bricks and render. The site has a detached garage to the south-west and a paved driveway to the front. The site forms backland development and is accessed via a private driveway off London Road. A recreation ground is located to the eats of the site and a football ground to the south. The rest of the immediate area is primarily residential.

History

H11-1046-10 - Proposed extension to dwelling - Approved

H11-0182-03 - Proposed extension to bungalow - Approved

Consultation Responses

South Holland Internal Drainage Board

If surface water/foul 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 there are any riparian owned/maintained watercourses within or adjacent to the site boundary and the proposals involve the alteration of a watercourse, consent would be required under the Land Drainage Act 1991 (and Byelaw 4).

Principle of development

The site is within the Long Sutton settlement boundary and the proposed extension 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.

Design and layout

Paragraph 130 of 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. Paragraph 197 of the NPPF states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

Policies 2 and 3 of SELLP 2019 amongst other matters seek to ensure that development respects the character and appearance of the area and the relationship to existing development and l and uses. Policy 29 of the SELLP states that development proposals will conserve and enhance the character and appearance of designated and non-designated heritage assets including conservation areas.

The proposed annex building would comprise an open plan kitchen/living/dining area, 1 bedroom and an en-suite bathroom. The gross floorspace is adequate per each room to ensure good living

conditions to the annexe occupier. The parking and amenity areas would be shared with the main dwelling.

The proposed extension would essentially replace the footprint of the detached outbuilding, albeit it would infill the gap and create a wide frontage. However, given the application site is located to the rear of no's 9 and 11 London Road there are no prominent views of the site from the public realm.

The Council's Conservation Officer has not commented on the application. The scheme is considered acceptable given its relatively modest footprint, single storey nature of the extension and use of sympathetic external materials. It is considered that the proposal would not materially harm the character or appearance of the existing bungalow or the locality. Overall, the size and external appearance of the proposal would not be at odds with the existing dwelling on the site or the immediate area.

As such the principle of development is considered acceptable in terms of its impact on the conservation area and the character of the existing bungalow and therefore accords with Policies 2, 3 and 29 of the SELLP and the NPPF.

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 neighbour closest to the proposed development is no.15a London Road located to the south-west of the application site. The proposed extension would bring the application dwelling closer to this neighbour, however, the proposed extension would be similar to the outbuilding currently located along the shared boundary with this neighbour therefore the proposal is not considered to significantly or unacceptably change the relationship with this neighbour. In addition, the extension would be single storey with the pitch of the roof facing way from this neighbour therefore it would not appear overbearing or result in any unacceptable overshadowing. No windows are proposed in the side elevation therefore there are no overlooking or loss of privacy concerns.

As such, the proposals are not considered to unacceptably harm the residential amenity of adjacent neighbours by reason of unacceptable overshadowing or overlooking.

Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed scheme would create an additional bedroom on the site, however, the parking requirement would not increase and a maximum of 3no off-street parking spaces would be required. At least 3no parking spaces would be retained in the driveway to the front/side. As such the scheme is considered to comply with the current parking standards.

Drainage

Policy 4 of SELLP is concerned on flood risk management and states that new development will be permitted if appropriate flood resistance and resilience measures are proposed (criterion c); 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 not raised any objections to the scheme but has advised that should surface/foul water discharge be proposed to a watercourse, then the proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3). Any alterations to a watercourse will require consent from the Board Byelaw 4). An informative has been appended to this effect advising the applicant of the Boards Byelaws.

Subject to the above advice the proposal is considered to be in accordance with Policies 2, 3 and 4 of the Local Plan with regard to their provisions on flood risk and drainage.

Planning Balance

The principle of an annexe outbuilding that is incidental to the enjoyment of a dwelling is acceptable.

The scale and height of the outbuilding is subservient to the plot and the host building. The proposed materials would deliver an external appearance matching with the current fabric of the building. It is considered that the development would not harm the amenity of residents nearby. The additional bedrooms are not anticipated to increase the pressure on the car parking demand within the curtilage.

On balance, no adverse impact of granting permission would significantly and demonstrably outweigh the benefits of doing so, when assessed against the planning policies taken as a whole.

Conclusion

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.

Taking into account the above, this application accords with Policies 1, 2, 3, 4, 29, 36 and Appendix 6 of South East Lincolnshire Local Plan (2019) as well as Sections 12, 14 and 16 of National Planning Policy Framework (2021).

Accordingly, it is recommended to approve this application via delegated powers.

Additional Considerations

None.

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.