

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H11-1142-21 **Applicant:** IMN Properties Ltd.

Proposal: Extensions & alterations to form 2no. 2 bed flats and 2no. 3 bed 2 storey houses

Location: The Old Royal Standard 114 London Road Long Sutton

Terminal Date: 17th January 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
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
28	The Natural Environment
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 2 - Achieving sustainable development
Section 3 - Plan Making
Section 4 - Decision making
Section 5 - Delivering a sufficient supply of homes
Section 11 - Making effective use of land
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	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
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a full application which seeks a first floor rear extension, single storey front extension and alterations to the existing building to form 2no. 2 bed flats and 2no. 3 bed 2 storey houses. Associated amenity areas are proposed to the front/side of the building. The proposal also includes 8no parking spaces at the rear of the site.

Site Description

The application site is located on London Road, within the Long Sutton settlement boundary. It is positioned on the corner of London Road and Royal Standard Close which is a private road. The site comprises of a former pub building which has long been converted to residential use and accommodates 3 flats (2 x 3-bed units and 1 x 2-bed unit). The existing building is 2-storey detached and finished in cream paint and render. There is an informal parking area to the rear of the building. The boundaries are open to the front of the site and there are walls and fencing on the south, and part of the north, east and west respectively. The site is located within Flood Zone 3 of the Environment Agency Flood Maps for Planning.

History

H11-0289-99 - Erect bungalow, chalet with garages and construct private carriageway - Approved

H11-0737-97 - Residential development for four dwellings (renewal of application H11/0843/94) - Approved

H11-1063-94 - Convert rear part to flat - Approved

H11-0843-94 - Residential development for four dwellings - Approved

H11-0233-94 - Elevation drawings showing new windows and doors (Condition 3 of H11/1181/93) - Approved

H11-1181-93 - Conversion of existing public house to flats - Approved

Consultation Responses

South Holland Internal Drainage Board

No comments as the proposed application does not meet our threshold for commenting as per our Planning and Byelaw Strategy.

LCC Highways/SUDS Authority

Does not wish to restrict the grant of permission.

Environmental Protection

No objections but has suggested a standard contamination condition.

Planning Considerations

Principle of development

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 site is within the Long Sutton Settlement Limit as defined in the South East Lincolnshire Local Plan (SELLP), 2019. Policy 1 indicates that within the settlement boundaries of the 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. No objections are therefore raised on locational grounds.

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. 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 land uses.

As existing the site comprises 1no 3 bed and 2no 2 bed flats. The proposal would essentially create one additional 3 bed unit on the site. The small front extension is considered minor and would not significantly alter the overall appearance of the site. The main changes would be to the rear of the site where a first floor extension would be erected above the existing single storey flat roof element.

There is no strong built character form in the immediate area and the area comprises dwellings of varying design/sizes therefore the proposed scheme is not considered to be unacceptably out of character. Furthermore the site has previously been granted planning permission for 4nodwellings, albeit this was not under the current development plan.

Whilst it is accepted that the site is relatively small to accommodate 4no individual units, the proposed scheme is considered well designed and would greatly improve the overall appearance of the site. The existing flat roof element to the rear is not considered to have a positive impact and to some extent detracts from the site/area. The proposed first floor element is sympathetically designed and would create a more attractive building.

In addition, the proposed scheme would provide allocated parking and amenity areas for each unit. Internally, all the proposed bedrooms would be above the minimum space standards and the future householders would enjoy good living conditions. As such the proposed scheme is not considered to result in overdevelopment of the site.

As such, on balance, the proposed development is considered acceptable in terms of its appearance and impact on the street scene.

Flood risk and drainage

The site is located within Flood Zone 3 of the Environment Agency's Flood Maps. A sequential test therefore needs to be undertaken. The Sequential Test is a decision making tool designed to ensure that areas at little or no risk of flooding are developed in preference to areas of higher risk. For development to pass the sequential test it has to be demonstrated that there are no reasonably available alternative sites appropriate for the proposed development located in areas with a lower risk of flooding.

The Environment Agency's Flood Maps have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences. Also, large parts of the South Holland District lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth Maps) within the South Holland Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test.

The proposed development is not in a Functional Floodplain. It is located in the Passive Floodplain protected by the River Nene tidal defences and the South Holland Internal Drainage Board to a 1 in 200 year return period (0.5%).

The site is in Flood Zone 3 of the Council's Residual Depth Flood Zone map with the actual risk of the site flooding from any Environment Agency river system being very low (less than 0.5%). The site has also been identified as liable to flooding of between 0.00 - 0.25m depth due to the failure of the River Nene tidal defences on both the Environment Agency Tidal Hazard Mapping and the Council's SFRA Residual Flood Depth Maps.

Although the site is located within an Internal Drainage District with a minimum standard of drainage of 1 in 50 years, this accords with Defra guidelines for rural development. Freeboard to design water level of 900mm to lowest land level is available for events greater than 1 in 50 years providing further storage within the drainage channels.

The FRA indicates that subject to mitigation measures such as raised floor levels there would low or no risk of flooding. The development passes the Sequential Test and Exception Test and is therefore suitable for the proposed location.

On site rainwater from the development will be discharged via soakaway drainage to BRE365 design requirements and hence to IDB main drain system. South Holland Internal Drainage Board has not commented on the proposal.

Given the above and subject to the suggested mitigation measures within the submitted Flood Risk Assessment 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.

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 at the adjacent dwelling at no.116 London Road located towards the east of the application site. The proposed extensions would be located a significant distance from this neighbour therefore no overbearing impact or unacceptable overshadowing would result. First floor windows are proposed facing this neighbour, however, given they would face this neighbours blank side elevation no unacceptable overlooking or loss of privacy would result.

With regards to the neighbours at no.2 Royal Standard Close (south-west) and no.1 Royal Standard Close (south-east) the proposed development would be located a sufficient distance away therefore no overbearing impact or unacceptable overshadowing would result. No first floor windows are proposed directly facing these neighbours therefore there are no overlooking or loss of privacy concerns. It is also not considered that there would be any significant increase in noise levels or traffic from the additional dwelling proposed on the site.

The neighbour to the west would not be impacted by the proposed development as the extensions would be located a significant distance from this neighbour and although rooflights are proposed at first floor level of the proposed extension facing this neighbour, they would not offer any direct views. As such no overlooking or loss of privacy would result.

As such 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).

Highway safety and car parking provision

In conjunction with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum standards for parking provision upon the use class. Two spaces for dwellings/flats with up to 3 bedrooms should be provided within the curtilage. Each proposed flat/dwelling is required to have 2no off-street parking spaces therefore a total of 8no off-street parking spaces are required. The proposed parking court is shown to have 8no parking spaces therefore the site would meet minimum parking

standards.

In addition, the Local Highway Authority has not objected to the scheme. The existing access arrangements remain unchanged and are considered sufficient for this proposal as are the allocated parking spaces for the proposed dwellings. The LHA has advised that as Royal Standard Close is a private road the Highway Authority have no jurisdiction over the use of this road therefore the LPA should consider the suitability of the parking spaces and access etc.

The access is considered satisfactory and the proposal is considered to improve the parking for the site as currently there is no formal allocated parking for each flat.

As such the scheme is not considered to result in any highway safety impacts.

Waste

No details have been submitted with regards to the storage/collection of waste associated with the proposed dwelling. In order to ensure that adequate facilities are made available for refuse storage and disposal to avoid pollution, to protect residential amenity, and in the interests of the appearance of the site and the area within which it is set, in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 a condition is proposed requiring the submission of the means of storage and disposal of refuse and recycling, as well as appropriate management and maintenance.

Planning balance

The principle of developing the residential scheme is acceptable at such location given the site is within the Long Sutton settlement boundary. The proposed extensions are sympathetic and considered to improve the overall appearance of the site. The footprints of the flats and proposed dwellings would on balance be acceptable considering the existing site layout. No undue harm would occur upon the amenity standards of adjacent neighbours. On-street parking would be prevented by appropriate car parking arrangement within the plot and no cumulative impact upon highway safety is anticipated by the proposal.

On balance, no adverse impact of granting planning 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 complies with Policies 1, 2, 3, 4, 10, 11, 17, 28, 36 and Appendix 6 of South East Lincolnshire Local Plan (2019) as well as Sections 2, 3, 4, 5, 11, 12 and 14 of National Planning Policy Framework (2019).

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

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.