

DECISION DELEGATED TO DEVELOPMENT MANAGER**DECISION DELEGATED TO DEVELOPMENT MANAGER**

Application No: H12-0391-20 **Applicant:** Mr A Hefford

Proposal: Proposed extensions and alterations

Location: 84 Garnsgate Road Long Sutton Spalding

Terminal Date: 24th July 2020

Planning Policies**South East Lincolnshire Local Plan - Adopted: March 2019**

01 Spatial Strategy
03 Design of New Development
02 Development Management
36 Vehicle and Cycle Parking
APPENDIX 6 Parking Standards

National Guidance**National Planning Policy Framework 2019**

Section 12. Achieving well-designed places

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
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application that seeks permission for proposed extensions and alterations to the dwelling at 84 Garnsgate Road, Long Sutton, Spalding.

The residential property is a bungalow. Two extensions are proposed, one on the south-eastern side elevation and one further on the rear elevation. Internal alterations will be made to provide access between the new rooms and the existing space of the bungalow.

Site Description

The site is nearly triangular. The access is from Garnsgate Road to the west. A long gravel lane serves access to the site. Lutton Drain bounds the site to the south. The dwelling is a detached bungalow built circa 1980s facing south-west.

There is a wide range of mature and younger trees across the site, especially the ashes and oaks along the southern boundary adjoining the drain. Most of them are protected under TPO Lutton No.1 (1959). From the dwelling to the east and north, the land is grassed and the appearance is more domestic and residential. A nearly 2 metre high fence is visible on the northern boundary with bushes and planting adjacent to it. Further to the rear, there is The Shrubberies Nature Reserve which is subject to Policy 28: The Natural Environment of South East Lincolnshire Local Plan (SELLP), 2019.

History

None relevant.

Consultation Responses

SHDC Tree Conservation Officer

No objection.

Requests to restrict the grant of permission to the implementation of root protection measures as set out in BS 5837: 2012 during construction works.

Members of the public

One resident has made a representation stating that consideration should be given to the TPO trees on the site when assessing the proposals.

South Holland IDB

No objection. Reminds to comply with the Board's byelaw and other legislation.

Planning Considerations

Principle of development

The site is within the settlement boundaries of Long Sutton as set out in the South East Lincolnshire Local Plan (SELLP), 2019. The principle of an extension that is incidental to the enjoyment of a dwelling house 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 127 of National Planning Policy Framework (NPPF), 2019 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; and 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 SELLP states 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.

The proposed side extension will protrude 4 metres from the original south-eastern wall of the bungalow and will extend mostly along the length of this wall. The rear extension will protrude 4.40 from the original rear wall of the bungalow and will constitute an enlargement of the northern side wall. It will be 7.10 metres wide. The eaves of both extensions will be as high as the existing ones in the house and the apex height of the side extension will fall under the bungalow ridgeline. The height of the roof of the rear extension would match that of the host dwelling, but as it is located to the rear this is not an issue visually. Overall, the development will be subservient to the host property in terms of scale, mass and bulk.

Internally, the rear extension will allow to add further floorspace to the existing kitchen and utility room to create an open plan kitchen/diner room. The side extension will accommodate one further ensuite bedroom and open dressing room for one of the adjacent rooms that the bungalow currently has. The intended use of additional floorspace will meet the increasing needs of the dwelling occupiers and be in keeping with the residential character of the property and area.

The physical constraints to the proposed extensions might be the TPO protected trees as well as other non-protected trees across the site. The nearest tree to the development is presumably a cherry tree which is approximately 9 metres away from the south-eastern part of the bungalow although the canopy is already encroaching onto the rooftop of the bungalow. The proposed works include the removal of this tree. Most of the protected trees are ashes and oaks adjoining the Lutton Drain (No. 25 to 36 in TPO Lutton No.1, 1959). The separation distances of the nearest TPO trees with the side extension approximately range between 13 and 17 metres. At such distance, no unacceptable harm will be created to the protected trees.

SHDC Conservation Tree Officer has raised no objection to the proposals should permission be granted and subject to the implementation of BS 5837: 2012 protection measures during construction works. No concern has been expressed regarding the presumably cherry tree to remove. Given the scale of the development, no impact is anticipated upon The Shrubberies Nature Reserve which is in the locality, further to the east.

Paragraph 175 of NPPF (2019) which states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. As demonstrated above, there is no significant harm neither lack of adequate measures and therefore the proposals accord with this policy.

Concerning the external layout and appearance of the development, a gable pitch will be formed on top of each extension. The proposed roof will be sympathetic with the existing gable pitch on the front elevation and the hip roof across most of the footprint of the property. The detailing of the proposal will upgrade and enhance the appearance of the bungalow. A gable window with oak joinery will be formed on the rear extension overlooking the rear garden of the site. This fenestration will increase the enjoyment of daylight in the dining room.

The proposed external materials were listed in the application form but further details about appearance and location have been provided via subsequent correspondence with the applicant. All external walls of proposed extensions will be coated with Marley Cedral Slate Grey whereas Weberend white scratch finish will be applied on all existing external masonry walls of the bungalow. Green Oak Frame will be on the new gable window. Grey pantile tiles will match the existing. The fenestration will be made of Anthracite UPVC whereas the gable window on the rear extension will be made of as mentioned above. The Anthracite colour will contrast the existing white material of the windows and doors but this is not considered to be at odds with the existing appearance.

The resulting appearance is deemed to upgrade appropriately the aesthetics of the property with a more contemporary appearance. On balance, the visual amenity of the proposals will be aesthetically pleasant and also in keeping with the residential character of the area.

In summary, the design and layout of the development will relate well with the host property, site features and the character of the area and therefore the application will accord with the

aforementioned policies.

Residential amenity

The site is sizeable and the property is greatly separated from the nearest properties. There is a separation distance of approximately 22 metres with No. 86, 34 metres with No. 90, and 35 metres with No. 90, all of them to the west of the bungalow.

At such distances, the erection of single-storey extensions will not create any adverse impact upon the amenity of the residents nearby by reason of overbearing, overlooking and overshadowing effect. Accordingly, the development complies with residential amenity which is one of the key principles of design and development management as set out in Policies 2 and 3 of SELLP (2019).

Flood risk and 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).

According to the Environment Agency's Long Term Flood Risk database, there is no flood risk from surface water runoff where the extension are proposed. Any flood risk nearby is confined to the Lutton Drain. In any case, flooding from surface water is difficult to predict as rainfall location and volume are difficult to forecast. The runoff from the proposed extension will be collected and discharge to a soakaway. In doing so, the design of the development is appropriately resilient to the effects of flood risk and overall climate change following Policy 4 of SELLP. No evidence of poor soil permeability is known in the locality. In any case, the suitability of a soakaway will be tested and subsequently approved at a later stage by SHDC Building Control.

Car parking provision

The proposed works will entail the net increase of 1 bedroom up to a total of 3 bedrooms. Appendix 6 of SELLP sets out minimum requirements for parking provision. 2 spaces should be provided for dwellings with up to 3 bedrooms. In view of the dimensions of the site and spacious gravelled drive to the front of the property, there will be availability to accommodate sufficient number of cars within the curtilage and the proposal therefore accords with Appendix 6 of SELLP.

Conclusion

In summary, the scale of the development will be commensurate with the host property. The extensions will provide further space that serve the functional needs of the household. The external layout and appearance will be sympathetic with the bungalow and overall the residential character of the area. No detrimental impact will occur to the TPO trees and the loss of one non-protected tree is on balance acceptable given the preservation of the remainder of vegetation.

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2, 3, 36 as well as Appendix 6 of the South East Lincolnshire Local Plan (SELLP), 2019; and also Sections 12 of the National Planning Policy Framework (NPPF), 2019.

It is accordingly recommended to approve this planning 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.