DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H12-0586-23**	**Applicant:**	**Mr & Mrs N Wyatt-Grainge**
Proposal:	Proposed Rear & Side Extensions		
Location:	Picardy Lutton Bank Lutton		
Terminal Date:	22nd August 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019	
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
32	Community, Health and Well-being
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

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

CASE OFFICER ASSESSMENT

Proposal

Proposal is for a side and rear extension, forming a new bedroom and living room. The rear extension is minor in nature, representing approximately a 1.3m total width extension (30cm to the north, 100cm to the south). This extension is in order to create more conservatory space.

The side extension would measure 6.4m (depth) by 8.5m (width). The extension would feature a dual pitched roof, with a peak height of 4.4m. The height to the eaves would be 2.2m. This dual pitched roof is to be incorporated into the existing design of the dwelling's roof.

All materials would match the host property. A chimney stack, which has previously been bricked up, will be removed to make way for the extension. A portion of the garage, currently used as a storage space, will also be removed.

Site Description

The site is outside of the settlement boundaries outlined within the South-East Lincolnshire Local Plan, 2019 (SELLP). The dwelling is one of several within a linear form of development on the western side of Lutton Bank.

The dwelling itself is a light brown brick, with white UPVC window frames. A large, detached garage is present to the south of the dwelling. There is a significant driveway/ parking are to the front of the property. To the rear is a substantial garden, leading onto fields. The area to be occupied by the extension is abutted by a 1.8-metre-high boundary fence, alongside significant hedging, and trees.

Relevant History

H12-0432-90 - Full. Extension to bungalow and erection of garage. Approved 16/05/90,

H12-0293-99 - Full. Convert ex kitchen and bathroom to form new dining room and construct new kitchen and bathroom, bedroom and build new garage. Approved 17/05/99.

Consultation Responses

South Holland Internal Drainage Board

"The Board's Officers have reviewed the documents submitted in support of the above planning application. Officers have noted works which may require Land Drainage Consent from the Board as outlined in the table below and detailed overleaf. Please be aware of the potential for conflict between the planning process and the Board's regulatory regime.

Planning Considerations

Layout, Design, Size and Scale

Paragraph 130 of the 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, that they are visually attractive, as a result of good architecture, and are sympathetic to local character. 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 use of materials to match the host property will ensure the extensions appear well blended into the fabric of the property. Similarly, the incorporation of the roof design into the existing property will ensure a continuity of appearance. The loss of the chimney stack will not appear incongruous within the locale.

The extensions would not be visible from either Lutton Bank or any adjacent properties. The existing garage will obscure all views from the road, while the significant boundary treatments will reduce visibility from the adjacent dwelling to the south.

The size of the extensions is proportionate to the host. The rear extension is minor in scale, and as such, would appear virtually unnoticeable. The side extension, while significant in scale, would not appear out of proportion to the host.

The proposed scale and design of the extension satisfactorily conforms to Policy 2 of the SELLP.

Impacts Upon Resident Amenity

Paragraph 130 of the NPPF amongst other matters, seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of the SELLP set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

The proposal does not raise significant amenity concerns. One window is proposed on the southern elevation, which will face the garden of the neighbour. However, due to the low-lying nature of the development, coupled with the significant boundary treatments present, this window does not represent a significant overlooking concern. Furthermore, a window already exists on this elevation, so the relative increase in overlooking potential is lowered further.

The potential for overshadowing is mitigated via the boundary treatments. The trees and hedging present are taller than the proposed extension, therefore ensuring no overshadowing falls onto the adjacent garden.

The proposal therefore conforms to Polices 2 and 3 of the SELLP in terms of amenity impact.

Flood Risk and Drainage

Policy 4 of the SELLP concerns flood risk and drainage.

The site is within Flood Zone 3. Within the local Strategic Flood Risk Assessment, the site is classed as "danger for most" with expected flood depths of between 0.5m and 1m. Ordinarily, with these flood risk concerns in mind, a proposal would require some form of flood risk mitigation (e.g., raised floor levels). However, as the proposed use would not be more vulnerable than the existing use and due to the potential negative outcomes if floor levels were raised (e.g., increased overlooking, increased overshadowing, and the potential for the extension to appear incongruous), it is considered inappropriate to request floor levels to be significantly raised here.

Therefore, despite the lack of mitigation, it considered that the proposal does still conform to Policy 4 of the SELLP in terms of flood risk.

Parking

The addition of a fourth bedroom requires the addition of a third parking space under Policy 36 and Appendix 6 of the SELLP. Due to the double garage and the large driveway, it is considered that there is ample room for an additional vehicle to be parked on the site.

The proposal therefore conforms to Policy 36 and Appendix 6 of the SELLP in terms of parking.

Planning Balance

The proposed extension would appear well-blended into the existing dwelling. The scale of the development is proportionate to the needs of the occupants and the current built form. The use of matching materials and a complementary design would further ensure the property appears well blended.

Due to the sizeable boundary treatments present as well as the orientation of the building, no significant amenity impacts are anticipated.

While ordinarily, a scheme in a high flood risk area without appropriate mitigation would be unacceptable, it is considered that there are extenuating circumstances here. Firstly, the raising of the floor levels by the required 1metre would make the extension appear incongruous and out of character with the host dwelling. Any amenity concerns would be significantly exacerbated by the raising of the floor levels. Furthermore, the extension would be at no greater risk of flooding than the host. It is therefore considered that the proposal does conform to Policy 4 of the SELLP on flood risk.

An additional parking space will be required. There is ample room within the curtilage of the dwelling to accommodate this.

Attention is drawn to the comments of South Holland Internal Drainage Board. The applicant is reminded of the need to comply with the byelaws of the Board on all drainage matters and to seek their consent if required.

The planning balance is in favour of the proposal.

Conclusion

The recommendation is for delegated 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.