DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H12-0684-22**	**Applicant:**	**S Yardley & S Morris**
Proposal:	Demolition of old store/kennel and erection of single storey extension and re-build car port to create garage		
Location:	87 Garnsgate Road Long Sutton Spalding		
Terminal Date:	5th September 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
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

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 householder application seeking permission to demolish the old store/kennel to the rear, erect a single storey rear extension to create a store and replace carport to the side with a garage. The extensions would be built from bricks and roof tiles to match the existing dwelling and dark grey

woodgrain effect cladding.

SITE DESCRIPTION

The site is located Garnsgate Road in Long Sutton. It comprises a two storey red brick built newly constructed dwelling. There is a double attached garage and a single carport to the side. To the front is a gravelled driveway. The site backs onto open countryside.

RELEVANT PLANNING HISTORY

H12-0003-13 - Proposed cottage - Approved

H12-0661-11 - Erection of detached garage and extension to dwelling to form sun lounge - Approved

H12-0423-10 - Residential development - detached bungalow and garage - Approved

REPRESENTATIONS

No representations received.

PLANNING CONSIDERATIONS

Principle of development

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

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; 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 development would result in little discernible difference to the front elevation therefore there would be no unacceptable impact on the street scene. The only visible difference would be the addition of a garage door on the front elevation which is considered minor and would not unacceptably change the overall appearance of the dwelling.

The proposed replacement extensions to the rear would have a similar footprint to the existing and are considered proportionate and sympathetic to the existing dwelling and the overall site. These elements would not offer any prominent views from the main public realm therefore no unacceptable impact would result on the street scene.

As such the proposed development would comply with the aforementioned policies on design, layout and impact upon the character of the local area.

Impacts upon 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 West Winds located to the north of the application site. The relationship with this neighbour would not significantly change as the new extensions would be sited the same distance as the existing elements. The only element visible to this neighbour would be the increase in height which would be an infill between the existing carport roof and the shed/store towards the rear. Given the height of this element would not sit higher than the existing carport and the shed/store to the rear no unacceptable overbearing impact is considered to result and any potential impact would be minimal and within acceptable tolerances.

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).

Parking/Highway Safety

Policies 2 and 3 of the SELLP indicate that sustainable development considerations should be met in terms of access and vehicle generation levels and layout of car parking. Policy 36 and Appendix 6 set out the minimum standards for parking provision based upon the use class. Three spaces for dwellings with 4 or more bedrooms should be provided within the curtilage.

The proposed scheme would not increase the parking requirement for the site and sufficient parking would be retained within the site. As such the proposal is considered to satisfactorily comply with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan, 2019 in terms of parking/highway safety.

Drainage and Flood Risk

The site is located within Flood Zone 3 of the Environment Agency's Flood Maps. Given no additional primary living accommodation is proposed in the extensions a full flood risk assessment is not deemed necessary. In addition, the applicant has stated that they would register for flood warnings therefore it is not considered that the proposed development would result in any unacceptable flood risk.

As such the proposal is considered to comply 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.

Planning Balance

The proposal will not materially harm the character or appearance of the locality, the amenity of nearby residents or result in parking/flood risk issues. The planning balance is therefore considered to be in favour of the proposal.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 1, 2, 3, 4, 36 and Appendix A of the South East Lincolnshire Local Plan (2019) and Sections 12 and 14 of the National Planning Policy Framework (2021).

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.