DECISION DELEGATED TO HEAD OF PLANNING
DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H12-1107-22**	**Applicant:**	**Mr & Mrs S Sleight**
Proposal:	Extension and alterations including demolition of rear extension		
Location:	The Grange Marriots Gate Lutton		
Terminal Date:	12th January 2023		

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
28	The Natural 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 15 - Conserving and enhancing the natural 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 a householder application seeking permission for a ground floor side extension to create a study, w/c and garage on the ground floor, demolition of single storey element to the rear and erection of two storey rear extension to create an open plan kitchen/dining/living area and a w/c and changing area on the ground floor. on the first floor a 4th bedroom with an en-suite bathroom, dressing room and balcony would be created. The application also proposes to increase the gravelled driveway area and install black wrought iron railings on top of the existing low level wall along the front elevation standing at an overall height of 1.4 metres (existing wall is 0.4 metres).

The side extension would be constructed from farmhouse style bricks and grey slate rooftiles with block wood cladding on the rear elevation. The rear extension would have a cream render finish with grey slate roof tiles and dark grey door and windows.

SITE DESCRIPTION

The application site is located on Marriots Gate in Lutton. It is located outside any defined settlement boundary and within the open countryside. The site comprises a two storey red brick built detached dwelling. The dwelling is double fronted with bay windows on the ground floor front elevation. The site benefits from a large driveway to the front/side providing off-street parking provision for several vehicles. The immediate area comprises a variety of dwellings, agricultural buildings and open fields.

RELEVANT PLANNING HISTORY

No relevant planning history

REPRESENTATIONS

South Holland Internal Drainage Board

No objections subject to compliance with the Boards Bylaws.

PLANNING CONSIDERATIONS

Principle of development

The site is outside any defined settlement boundary, however, 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 extensions are somewhat on the large side, however, the dwelling sits on a generous sized plot therefore the proposals would not result in overdevelopment of the site. The extensions would sit lower in height to the existing house therefore there would be an element of subservience. In addition, the extension would be sited at a significant distance from the public realm therefore the development would not appear overly prominent in the street scene.

Whilst extensions are usually required to have matching external materials, in this instance the proposed use of render and cladding are considered acceptable given the semi-rural character of the area and use of varying materials in the immediate area. As such the proposed materials can on balance be accepted.

The proposed railings along the front would be low level therefore the element of openness would remain.

Increasing the size of the gravelled area to the front is not considered to unacceptably change the overall appearance of the site as large areas of soft landscaping would still be retained.

As such the extensions 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 to the north-east of the application site. The proposed side extension would not be visible to this neighbour as it would be blocked by the applicants existing house. The proposed rear extension would be located at least 10 metres from the shared boundary with the neighbour to the north-east. This separation distance is considered sufficient as to not result in any overbearing impact or unacceptable overshadowing. No new windows are proposed in the side elevation facing this neighbour therefore there are no overlooking or loss of privacy concerns.

All other neighbours are located a significant distance from the proposed development therefore no unacceptable overshadowing, overbearing impact or unacceptable overlooking 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).

Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed scheme would increase the number of bedrooms in the property from 3 to 4, increasing the parking requirement for the site from 2no spaces to 3no. The proposed garage would meet the size requirements for enclosed parking spaces and there is extensions parking in the driveway to the front. As such the scheme is considered to comply with the current parking standards.

Drainage

South Holland Internal Drainage Board has not raised any objections to the proposed scheme. It has advised that a drainage strategy should be provided for the site. If the applicant proposes to discharge surface water to a watercourse, consent would be required under Byelaw 3. Please note that any discharge should be in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), therefore the Board is unlikely to grant consent for discharges in excess of greenfield rate. It is noted that the applicant has not indicated how they propose to dispose of foul water from the development. If the applicant proposes to discharge treated foul water to a watercourse, consent would be required under Byelaw 3. It further advised that the applicant should confirm if there are any riparian owned/maintained watercourses within or adjacent to the site boundary. Should the applicant's proposals include works to alter a watercourse, or if works are proposed to alter a watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4). An informative has been attached to the decision notice advising the applicant of the Boards Bylaws.

Planning Balance

The proposal will not materially harm the character or appearance of the locality, the amenity of nearby residents or result in parking, biodiversity or drainage 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, 28 and 36 of the South East Lincolnshire Local Plan (2019) and Sections 12, 14 and 15 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.