DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H13-0777-20**	**Applicant:**	**Mr & Mrs J Thorpe**
Proposal:	Detached double garage with annexe above (part retrospective) as well as retrospective amendments and alterations to the main dwelling		
Location:	Wishing Well Woodhouse Lane Moulton Seas End		
Terminal Date:	10th November 2020		

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 2019

Sections 12 & 14 of the National Planning Policy Framework (2019)

12 - Achieving well-designed places
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
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is an application for detached double garage with annexe above (part retrospective), as well as retrospective amendments and alterations to the main dwelling at Wishing Well, Woodhouse Lane, Moulton Seas End.

The proposal seeks to provide a two-storey double garage building. This building is almost completed and will house a garage, store and a hobby room at ground floor level, with a living room, store, shower room and bedroom forming an annexe at first floor level. As the entirety of the annexe would be sited at first floor level, there is not a requirement to amend the finished floor levels of garage to mitigate against flood risk for habitable rooms.

The amendments to the main dwelling are sited in the two storey extension to the rear. At ground floor level the breakfast area, utility and wc is to be used as a family room with utility beyond. The rear elevation north facing window at the utility room is to be widened. At first floor level a master bedroom and en-suite will still be provided, however, the en-suite is now to be sited in the roofspace above the utility room. An east facing first floor side elevation window will now be removed. The roof pitch will be raised to facilitate the en-suite in the roof space and no windows will be sited in the en-suite.

SITE DESCRIPTION

The proposal site is outside of defined settlement limits and the surrounding area is predominately rural, characterised by buildings of varying ages and designs. The site is in Environment Agency Flood Zone 3, and has a Danger for Some hazard area, with a maximum predicted flood depth of 0.5 metres on the 2115 South Holland Strategic Flood Risk Mapping. As the entirety of the annexe would be sited at first floor level, there is not a requirement to amend the finished floor levels of garage to mitigate against flood risk for habitable rooms.

HISTORY

H13-0604-14

Full - Replacement Dwelling - Approved - 29 October 2014.

H13-0319-15

Full - Replacement Dwelling, re-application following approval on H13-0604-14 - Approved - 11 May 2015

H13-0498-15

Section 73 Continuation - Replacement dwelling, re- application following approval of H13-0604-14 - approved under H13-0319-15. Modification of Condition 2 to allow amendments to previously approved plans - Refused - 24 July 2015.

H13-1191-16

Full - Rear extension and alterations - Approved - 29 December 2016.

CONSULTATION RESPONSES

South Holland Internal Drainage Board

Do not request a drainage strategy as the footprint of the building is not being increased.

PLANNING CONSIDERATIONS

Principle of development

Assessment against SELLP Policy 2 - Development Management

This proposal is assessed against SELLP Policy 2 titled - Development Management. This policy states:

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:
1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets;
9. impact on the potential loss of sand and gravel mineral resources."

When assessed against the above criteria the following can be observed:

1. The size, scale and layout of the proposal is not materially altered. The height of the roof pitch to the rear of the dwelling is raised slightly. This is to facilitate an en-suite in the roof space. This amendment is considered to materially improve the amenity of the occupant, and does not impact the character of the surrounding area as it is sited to the rear, and the property does not have any neighbours in close proximity. The use of the garage roofspace as an annexe is subservient in size to the main dwelling and does not impact the amenity or character of the surrounding area.

2. The design is not significantly altered from that of the originally approved dwelling and garage. The orientation and footprint of the buildings has not been materially altered.

3. The proposal does not seek to maximise the use of sustainable materials and matches that of the existing dwelling.

4. The proposal does not impact off road parking provision. The site is still able to afford the requested minimum of three parking spaces in accordance with Appendix 6 of the SELLP.

5. The proposal will not impact local services and infrastructure.

6. The proposal will not impact neighbours through noise, odour, disturbance or visual intrusion. The annexe is served by rooflights but they are to be sited approximately 1.8 metres above floor level, so it is not considered that any overlooking impact will be present. Additionally the site does not have any immediately adjacent residential neighbours.

7. The site is in Environment Agency Flood Zone 3, and has a Danger for Some hazard area, with a maximum predicted flood depth of 0.5 metres on the 2115 South Holland Strategic Flood Risk Mapping. As the entirety of the annexe would be sited at first floor level, there is not a requirement to amend the finished floor levels of garage to mitigate against flood risk for habitable rooms. Sustainable drainage is not impacted by these amendments as the footprints of the buildings has not been increased. South Holland Internal Drainage Board has no objections to the works.

8. Natural habitats, historical buildings and heritage assets will not be impacted by this proposal.

9. Sand and gravel mineral resources would not be impacted by this proposal.

When assessed against the above criteria the proposal is considered to be accordance with Policy 2 of the SELLP.

Assessment against SELLP Policy 3 - Design of New Development

This proposal is assessed against SELLP Policy 3 titled - Design of New Development. This policy states:

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. 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.

Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:
1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
2. distinguishing between private and public space;
3. the landscape character of the location;
4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;
5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;
8. crime prevention and community safety;
9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;
10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);
13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;
14. the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;
15. the appropriate use or reuse of historic buildings.

When assessed against the above criteria the following can be observed:

1. The proposal respects the density and scale of the site, as well as the massing of neighbouring buildings and the surrounding area.

2. There is fencing around the perimeter of the site and there is adequate distinction between private and public space.

3. The landscape character of the location is unaffected by this proposal.

4. The site is currently solely accessible via private motor vehicle as it is located on a narrow countryside lane.

5. The provision of storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking is easily afforded by the size of the plot without impact on amenity or character.

6. The lighting of public spaces is unaffected by this proposal.

7. The proposal does not affect the accessibility of public spaces.

8. The proposal does not impact crime prevention or community safety.

9. The buildings have not been orientated to best facilitate low carbon technologies, but to ensure an appropriate frontage development.

10. The proposal is residential development and therefore facades and frontage are not affected.

11. Residential amenity is unaffected by this proposal are there are no dwellings immediately adjacent to the property.

12. The site is in Environment Agency Flood Zone 3, and has a Danger for Some hazard area, with a maximum predicted flood depth of 0.5 metres on the 2115 South Holland Strategic Flood Risk Mapping. As the entirety of the annexe would be sited at first floor level, there is not a requirement to amend the finished floor levels of garage to mitigate against flood risk for habitable rooms. Sustainable drainage is not impacted by these amendments as the footprints of the buildings has not been increased. South Holland Internal Drainage Board has no objections to the works.

13. The proposal seeks to utilise materials that match the existing dwelling and water take is unaffected by amendments to fenestration.

14. Landscaping has not been amended in this proposal and the previous scheme is unaffected by the submitted plans.

15. Historic buildings have not been affected by this proposal.

When assessed against the above criteria the proposal is considered to accord with Policy 3 of the SELLP.

CONCLUSION]

The proposed annexe use and amendments to the rear elevation are considered to accord with Policies 1, 2, 3, 4, 36 and Appendix 6 of the South East Lincolnshire Local Plan, 2019, as well as Sections 12 and 14 of the National Planning Policy Framework, 2019.

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.