

**DECISION DELEGATED TO HEAD OF PLANNING**

**Application No:** H14-0024-22      **Applicant:** Mr & Mrs J Molson

**Proposal:** Change of use of land from agricultural to residential, single storey side extension, replace existing bungalow tiles to match proposed extension and new treatment plant.

**Location:** Haverfield Tydd Road West Pinchbeck

**Terminal Date:** 14th March 2022

**Planning Policies**

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

01                      Spatial Strategy  
02                      Development Management  
03                      Design of New Development

**National Guidance**

**National Planning Policy Framework 2021**

12 - Achieving well-designed places

**Representations:**

|                                              | Object | Support | No Obj. | Comments |
|----------------------------------------------|--------|---------|---------|----------|
| PARISH COUNCIL                               | 0      | 0       | 0       | 0        |
| WARD MEMBER                                  | 0      | 0       | 0       | 0        |
| WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD | 0      | 0       | 0       | 1        |
| SHDC INTERNAL                                | 0      | 0       | 1       | 0        |

**CASE OFFICER ASSESSMENT**

**PROPOSAL**

This is a full planning application at Haverfield, Tydd Road, West Pinchbeck for a change of use of land from agricultural to residential, a single storey side extension, replace the existing bungalow tiles to match the proposed extension and provide a new treatment plant. The area of agricultural land to be converted to residential use is approximately 4 metres in depth by 23 metres in width, covering an area of 92 square metres in total. The single storey extension will provide a bedroom, dressing room and en-suite. The extension will project 8.89 metres southwards and be 3.70 metres in depth, have a 2.50 metre eaves height and a 4.21 metre ridge height. The proposed brick will match that of the existing dwelling, with the proposed tiling to be Calderdale Edge Dark or Calderdale Light Grey. This tiling will replace all of the existing tiling on the property. The treatment plant will be a Klargestor BioDisc Type BA and will be located at least 7 metres from all habitable buildings in the south-east corner of the site on land that will be converted to residential use.

## **SITE DESCRIPTION**

The site is outside of defined settlement limits and the surrounding area is predominately rural characterised by non-nucleated linear development of varying ages and design. A property named Newlands is 60 metres to the west at the entrance point to the access track, with Anaida House 60 metres to the north-west. The site is in Environment Agency Flood Zone 3, and is in 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 proposed extension is connected to the existing dwelling, there is not a requirement to raise finished floor levels to address potential flood depth.

## **HISTORY**

No relevant history

## **CONSULTATION RESPONSES**

### SHDC - Environmental Protection

No objections.

### Welland & Deepings Internal Drainage Board

"The agent contacted us at a pre-application stage out of courtesy to inform us that this application would be submitted to the local planning authority very soon and they wanted us to be aware in particular of the proposal to replace the existing septic tank with a new domestic sewage treatment plant."

"We discussed the need for an application for consent to discharge surface water to be made prior to site works and the agent informed us that if the scheme gets planning approval they will then come back to us accordingly and make an application. The Board have no objections in principle to this."

## **PLANNING CONSIDERATIONS**

### Principle of development

This application is for residential development on partially residential land. The area of agricultural land to be converted to residential use is approximately 4 metres in depth by 23 metres in width, covering an area of 92 square metres in total. It is considered that the loss of agricultural land to facilitate the proposal is minimal and will help aid the amenity of the site. The principle of development in this location is considered to be acceptable.

### Assessment against SELLP Policy 2 - Development Management

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

1. The size, scale and layout of the proposed extension as well as the location of the treatment plant is considered to be appropriate for the site. A small amount of shrubbery will be removed to facilitate the proposed extension. The character and appearance of the area is not considered to be impacted by the proposal.
2. The design of the extension is in keeping with the existing dwelling and the orientation best

enables the amenity of the occupants.

3. The proposed brick will match that of the existing dwelling, with the proposed tiling to be Calderdale Edge Dark or Calderdale Light Grey. This tiling will replace all of the existing tiling on the property. Exact details of tiling would be addressed by condition.

4. The existing access is not being altered, nor is the level of off road parking provision. The bungalow will contain two bedrooms with the site able to accommodate two off road parking places. This level of provision accords with Appendix 6 of the SELLP.

5. The capacity of existing community services and infrastructure is not impacted by this proposal.

6. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion the following can be observed:

Overdevelopment - Ample amenity space is retained to the western front and eastern rear of the property. This proposal is not considered to represent overdevelopment.

Overbearing / overshadowing - The nearest dwellings are 60 metres away at the nearest point. There is not considered to be an overbearing / overshadowing impact from this single storey extension which is sited to the south away from the access track to the north of the dwelling.

Overlooking - The nearest dwellings are 60 metres away at the nearest point. There is not considered to be an overlooking impact from the proposed fenestration in the single storey extension.

7. The site is in Environment Agency Flood Zone 3, and is in 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 proposed extension is connected to the existing dwelling, there is not a requirement to raise finished floor levels to address potential flood depth.

#### Assessment against SELLP Policy 3 - Design of New Development

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

1. A sense of place is not considered to be impacted by this modest extension. The size, scale and layout of the proposed extension as well as location of the treatment plant is considered to be appropriate for the site. A small amount of shrubbery will be removed to facilitate the proposed extension. The character and appearance of the area is not considered to be impacted by the proposal.

5. Cycle and bin storage is not affect by this proposal. The bungalow will contain two bedrooms with the site able to accommodate two off road parking places. This level of provision accords with Appendix 6 of the SELLP.

11. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion the following can be observed:

Overdevelopment - Ample amenity space is retained to the western front and eastern rear of the property. This proposal is not considered to represent overdevelopment.

Overbearing / overshadowing - The nearest dwellings are 60 metres away at the nearest point. There is not considered to be an overbearing / overshadowing impact from this single storey extension which is sited to the south away from the access track to the north of the dwelling.

Overlooking - The nearest dwellings are 60 metres away at the nearest point. There is not considered to be an overlooking impact from the proposed fenestration in the single storey extension.

12. The site is in Environment Agency Flood Zone 3, and is in 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 proposed extension is connected to the existing dwelling, there is not a requirement to raise finished floor levels to address potential flood depth.

## **PLANNING BALANCE**

It is considered that the proposed extension and treatment plant will not affect the character and amenity of the bungalow which is in a secluded rural location away from a public highway. The proposed brick is considered to be appropriate for the site, with exact details of tiling secured by planning condition. This application accords with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2021.

## **CONCLUSION**

This application is recommended for 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.