DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H14-0054-24**	**Applicant:**	**Mr M Yould**
Proposal:	Proposed Extensions to Existing Dwelling		
Location:	Shetland Cottage Mill Green Road Pinchbeck		
Terminal Date:	19th March 2024		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2023

Section 12 - Achieving well designed and beautiful places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a proposed extension to the existing dwelling at Shetland Cottage, Mill Green Road.

Site Description

The site is located around 20m outside the defined settlement boundary of Spalding as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP). Shetland Cottage is a semi-detached two storey property sharing its boundary with Conifer Cottage, to the rear there appears to be various out buildings with recent application to convert existing agricultural buildings into dwellings.

History

No relevant planning history.

Consultation Responses

Pinchbeck Parish Council

The proposal is in keeping with the street scene.

Welland & Deepings Internal Drainage Board

I have held informal discussions with the agent who informed me that currently surface water provisions are to connect to the existing system. It is possible that the existing foul septic tank might be upgraded to a package treatment plant but this has not yet been determined.

If at any point in the future either a surface water or treated effluent discharge is proposed into any watercourse then I would wish to be reconsulted at that time as the Board's prior written consent would be required.

Lincolnshire County Council Highways Authority

No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Comments:

The proposal is for extensions to existing dwelling, the bedrooms will increase from 3 to 4 and sufficient parking has been demonstrated. There is no change to the access and the proposal will not have an adverse impact on the public highway.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

South Holland District Council Environmental Protection

No comments regarding land contamination.

Key Planning Considerations

The main issues and considerations in this case are (but not limited to):

- Layout, design and impact on the character of the area
- Impact on neighbouring residents/ land users/ land use

Evaluation

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework (updated 2023) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Planning Considerations

Layout, Design and Consideration of the Character and Appearance of the Area

Section 12 of the National Planning Policy Framework (December 2023) specifically relates to 'Achieving well-designed and beautiful places' and details that "The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the National Planning Policy Framework (December 2023), states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing.

Development proposals should also ensure that developments 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 South East Lincolnshire Local Plan outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework, in that it requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the National Planning Policy Framework and require 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.

Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

The walls shall be made from a mixture of brick and render, the roof shall be slate and flat and both the windows and doors will be white uPVC. These materials will match the existing throughout, by being in keeping it ensures it matches the dwelling and no visual discrepancies will arise. The new vehicle access area will be gravel to make it a permeable parking area and there shall be external energy efficient LED lighting on each door. The materials are considered to be acceptable.

The front part shall protrude from the side by around 4800mm and has a length of 7320mm, to the rear of this a smaller side extension shall project by around 2450mm and has a length of 5180mm.

Whilst not being level in width the two sections will make a total length of around 12500mm. On the first floor the extension will have the same foot print as the front section protruding from the side by 4800mm and has a total length of 7320mm. The extension shall be level to the eaves and ridge (4300mm and 6500mm) but the smaller section of the extension to the rear will be about half the height of the main dwelling having eaves to 2400 and a ridge to 3250mm. These measurements are considered to be acceptable and proportionate in comparison to the host dwelling and neighbouring plot be providing adequate extra floor space for residents.

There shall be alterations taking place both internally and externally as part of this extension. Internally, the front room shall be converted into a reception hall with the stairs being relocated into this room from previously being in the middle room. The middle room shall be converted to a dining room with access being provided to the side extension which shall act as a new living room, the existing dining room and pantry shall be a kitchen with bi-fold doors providing external access through the extension in this part. At the very rear the existing bathroom, kitchen and boiler will be converted into a utility with a WC. As the stairs will be repositioned one bedroom on the first floor is to be shortened in size and one shall be removed to allow for a larger landing and shared bathroom with access to other bedrooms on this floor. The rear most bedroom will remain unaltered with two bedrooms going in the side extension and one shall feature an en-suite. Externally, there will be changes to the front access door and windows, similar alterations will be made to the windows on both the side and rear elevations also.

Taking account of the design, scale and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with policies 2 and 3 of the South East Lincolnshire Local Plan and Section 12 of the National Planning Policy Framework (December 2023).

Impact on Residential Amenity/ Land Users

Paragraph 135 of the National Planning Policy Framework (December 2023) states that development should 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

There will be no overshadowing concerns due to the positioning of the dwelling having no property to the northern side where the extension will be located. Additionally, the positioning would mean a shadow could be to the east and west but there are no dwellings in these directions, therefore no material loss of light shall occur.

There are also no concerns surrounding overlooking as there will be new windows on the front side and rear however there are no dwellings in these directions and therefore no significant loss of privacy shall arise following development.

As detailed above, the scale and design of the proposal is considered to be such that there would be no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the provisions of the Section 12 of the National Planning Policy Framework (December 2023), and Policies 2 and 3 of the Local Plan.

Highway Safety and Parking

Section 9 of the National Planning Policy Framework (December 2023) specifically relates to 'Promoting sustainable transport'. Paragraph 115 of the National Planning Policy Framework (December 2023) advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met,

specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

Further, policy 36, to be read in conjunction with Appendix 6 of the South East Lincolnshire Local Plan, sets out minimum vehicle parking standards and requires at least three spaces for dwellings with four or more bedrooms. Following the development being carried out there will be four bedrooms where as the existing has three, an access along the side of the property leads to the rear parking area which can adequately store up to three vehicles away from the highway. Furthermore, Lincolnshire County Council Highways Authority raised no objection following their consultation stating that 'Sufficient parking has been demonstrated. There is no change to the access and the proposal will not have an adverse impact on the public highway'

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Local Plan Policies 2, 3 and 36, and Section 9 of the National Planning Policy Framework (December 2023).

Planning Balance

As detailed above, Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposal represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, and causes no unacceptable impact on the highway, whilst conforming with the South East Lincolnshire Local Plan and the provisions of the National Planning policy Framework when viewed as a whole.

In this instance, there are no material considerations that weigh significantly against the proposal and as such, the planning balance is in favour of the development.

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.

Conclusion

Taking into consideration these factors, the proposal is considered to comply with Policies 2, 3, 36 and Appendix 6 of the South East Lincolnshire Local Plan (SELLP), 2019; in addition to the identified sections contained within the National Planning Policy Framework (NPFF) (December 2023). The are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.