DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0557-24**	**Applicant:**	**Mr & Mrs A Boor**
Proposal:	Extension & alterations - re-submission of H16-0246-24		
Location:	Bridge Farm Old Fendike Road Weston Hills		
Terminal Date:	20th August 2024		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2023

Section 9 - Promoting sustainable transport
Section 12 - Achieving well designed and beautiful places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Description of Proposal

The proposal seeks householder planning permission for a series of extensions and alterations at Bridge Farm. The works would result in five extensions, producing approximately 311sqm of space (however, approximately two-thirds of this space would be occupied by non-living space). A wall of height 1.5 metres is proposed along the front barrier.

A two-storey front extension is proposed. This would measure, internally, 1.275 metres by 2.871 metres. The extension would feature a dual pitched roof, with a ridge height of 6.2 metres. The ground floor would be utilised as a porch, while the first floor would feature a bathroom. This aspect of the propsoal has been amended, to reduce the use of extensive glass work.

A flat roof rear extension is proposed. The extension would measure 6.558 metres (width) by 8.078 metres (depth). The extension would have a height of 3.15 metres. The roof would feature a large skylight.

A rear two storey extension is also proposed. This would replace the existing porch and utility room, forming instead a ground floor utility room and a first-floor bedroom extension. The extension would measure internally 3.1 metres (depth) by 3.972 metres (width). The ridge height of the extension would be 6.56 metres, marginally lower than the host roof. A Juliette balcony is proposed, overlooking the garden.

It is proposed that the garage would be extended also. The garage itself would be extended to the rear, with a second smaller extension to form a store coming off of this. The main garage extension would measure 5.29 metres (depth) by 7.566 metres (width). The roof height would be consistent with the host at 5.5 metres. The store would measure 5.85 metres (width) by 5.86 metres (depth). The roof would be lower here at 5 metres.

It is proposed that the extensions would be constructed of brick and tiles to match the host. Windows and doors would be black UPVC.

Site Description

The site is lies outside of the settlement boundaries outlined within the South-East Lincolnshire Local Plan, 2019. The site is approximately 100 metes west of Weston Hills, and is therefore, within the open countryside. The site is surrounded by agricultural land, giving a distinctively rural character. A medium sized agricultural building is located to the south-east.

The property itself features red-brown brick work with brown pan tiles. Brown-stained timber casement windows are present. A sizeable driveway is located to the front. A light post and rail fence demarcates the boundary.

Relevant History

H16-0246-24 - Full. Extensions and alterations. Refused 14/05/24. Appeal ongoing.

H16-0441-05 - Full. Erection of replacement dwelling and detached double garage. Approved 18/05/05.

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Cllr Ashby

"Not my Ward"

South Holland Internal Drainage Board

"To reduce the likelihood of localised flooding, we recommend that the applicant prepares a drainage strategy for the surface water disposal from the additional impermeable area associated

with this proposed development. The viability of any disposal via infiltration (soakaway) ought to be underpinned with ground investigations to determine infiltration potential, followed by testing in line with BRE Digest 365 if the ground conditions are considered to be favourable for infiltration.

If infiltration is not feasible at this site, following the drainage hierarchy we would expect the applicant to propose to discharge surface water to a watercourse. In this case, the Board's prior consent would be required under Byelaw 3. Kindly note that we recommend that any discharge is in line with the 'Non Statutory technical standards for sustainable drainage systems' (SuDS) and the Board is unlikely to grant consent for discharges in excess of greenfield rate. A surface water development contribution is likely to be payable as a condition of any consent granted under Byelaw 3 in line with the WMA's Development Control Charges and Fees.

We note the applicant's intention to install a new package treatment plant in the north-west corner of the plot to serve the dwelling. The fate of the treated effluent is unclear. If the applicant intends to discharge treated foul water to a local watercourse, the Board's prior consent will be required under Byelaw 3. Furthermore, if any discharge pipe is directed into the Board's arterial watercourse on the opposite side of Old Fendike Road the Board's prior consent will be required for this drainage infrastructure (relaxation of Byelaw 10). "

Highway and Lead Local Flood Authority

"No objection:
The proposal is for an extension & alterations to the existing dwelling and it is a resubmission of 0246-24. There will be no increase in bedroom numbers and the parking/access is not affected. The proposal will not have an adverse impact on the public highway."

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Key Planning Considerations

Evaluation

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

The adopted South-East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is 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, December 2023 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Principle of Development

Policy 1 of the SELLP sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

The site is outside of any defined settlement boundaries. As such, it is considered to be within the open countryside from a planning perspective.

In any event, the proposal solely relates to the extension of an existing and established residential dwelling and therefore, the principle of such development is considered to be appropriate, comprising an appropriate form of development for the location.

As such, the proposal is considered to be in accordance with the requirements of the SELLP when viewed in principle. This is subject to the assessment against site specific criteria; including (but not limited to) the impact of the proposal on the character or appearance of the area, impact on the residential amenities of neighbouring occupiers, and impact on highway safety, which are discussed in turn in the following sections.

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

Section 12 of the NPPF, "Achieving well-designed and beautiful places", states 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 NPPF, 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. Developments 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, among other considerations.

Likewise, Policy 2 of the SELLP outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 of the SELLP 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 NPPF 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 proposed use of materials to match the host would help to integrate the extensions with the host property. While the window materials would be different from the host, it is not considered that this would significantly harm the character of the property.

The proposed scale of extensions, while significant, are not considered to be overly large, and would not result in a fundamental alteration to the character of the dwelling. Comparable two-storey front components are fairly typical, helping to naturalise the proposal. The use of materials to match the host prevents it from being overly dominant. In any event, Paragraphs 44 and 60 of the National Design Guide enable the introduction of new elements to reflect a changing environment. The proposed window here complements the rustic design philosophy of the dwelling, while its limited scale reduces its visual impacts upon the development. This less contemporary approach to the window helps to tie the extension into the host dwelling.

The rear extensions would not be visible from the road, and as such, would have a limited character impact. As such the works would not be considered unacceptable from a visual perspective.

The proposed wall would have a limited character impact. Features such as low level brick walls are common within the wider area and this typicality would reduce its character impact. That being said, the wall is relatively low lying, reducing the visual impacts of the development.

Taking account of the design, scale, and nature of the development, as detailed above, the proposal is considered to be unacceptable. The proposal would have adverse impact to the character and appearance of the area and would therefore be contrary to Policies 2 and 3 of the SELLP and Section 12 of the NPPF.

Impacts Upon Resident Amenity

Paragraph 135 of the NPPF 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.

Policies 2 and 3 of SELLP sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

At a distance of 100 metres to the nearest dwelling, it is not anticipated that the works would have any adverse impact upon residential amenity. No windows would overlook nearby dwelling and at such a significant distance no overshadowing would occur.

As detailed above, the scale and design of the proposal is considered to have 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 Section 12 of the NPPF and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.

Highway Safety and Parking

Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this, Paragraph 115 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. Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the SELLP, in conjunction with Appendix 6, sets out minimum vehicle parking standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

No additional bedrooms would be created, and therefore, no additional parking would be required. The proposal is not considered to 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 Policies 2, 3, 33 and 36 of the SELLP, as well as Section 9 of the NPPF.

Drainage

In addition to its focus on flood risk management, Policy 4 of the SELLP concerns site drainage. In line with this policy, the comments made by the IDB have been noted; however, given the scale of the development, it is considered unreasonable to request a full drainage scheme in this instance. Ample space has been provided on the site to enable the drainage of any additional surface water run off created by the development. Any increase in surface water provisions would be solely within the applicant's land, reducing the impacts of any potential minor increase in levels. In any event, the applicant is encouraged to discuss the proposal with the IDB prior to the commencement of development.

The proposal is considered to be consistent with Policy 4 of the SELLP with regards to site drainage.

Other Matters

The consultation response from the Local Ward member (Cllr Ashby) was as follows "not my ward". For clarification, the site is within the Cllr's Ward, although is on its periphery. The Cllr commented on the previous application on this site.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, 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 provides adequate parking, whilst conforming with the SELLP and the provisions of the NPPF when viewed as a whole.

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 these factors into consideration, the proposal is considered to be in accordance with Policies 1, 2, 3, 4, 33 and 36 of the SELLP as well as Section 9 and 12 of the NPPF. The recommendation is

for delegated approval.