DECISION DELEGATED TO DEVELOPMENT MANAGER

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| **Application No:** | **H17-0529-21** | **Applicant:** | **Mr & Mrs M Emery** |
| **Proposal:** | Elevate existing dwelling | | |
| **Location:** | 29 The Reservoir Surfleet Spalding | | |
| **Terminal Date:** | 6th July 2021 | | |

**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 |

**National Guidance**

**National Planning Policy Framework 2019**

Sections 12 and 14 of the National Planning Policy Framework (2021)

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 |
| ENVIRONMENT AGENCY | 1 | 0 | 0 | 0 |
| HIGHWAYS & SUDS SUPPORT | 0 | 0 | 0 | 1 |
| SOUTH HOLLAND INTERNAL DRAINAGE BOARD | 0 | 0 | 0 | 1 |

## CASE OFFICER ASSESSMENT

## PROPOSAL

This is a householder application to elevate the existing dwelling at 29 The Reservoir, Surfleet. None of the internal or external appearance of the dwelling will be altered, save for the dwelling being increased in height by 1.5 metres to address flood risk.

## SITE DESCRIPTION

The property is outside of the defined settlement limits of Surfleet in a functional floodplain to the south of the River Glen. There are predominately single storey buildings of varying ages and designs in the surrounding area along the north and south banks. The dwelling 3.5 metres to the west at 30 The Reservoir is approximately 3 metres higher than the current dwelling and has no windows on its eastern elevation. The dwelling 10.5 metres to the east at 27 The Reservoir is approximately 1 metre higher than the current dwelling and has one window that faces the dwelling. The proposed boarding material will be white colour fibre cement board. The supporting columns for the raised dwelling are likely to be steel and they will be hidden from view by the hit and miss perimeter cladding.

## HISTORY

H17-0764-13

Full - Removal of flat roof and change to pitched roof - Approved - 25 October 2013.

## CONSULTATION RESPONSES

LCC - County Highways & SUDS Officer

Does not wish to restrict the grant of permission.

Environment Agency

Initially objected due to the lack of an FRA. After further discussions they have rescinded their objection and are satisfied with the proposed finished floor levels.

South Holland Internal Drainage Board

"Having screened the application, the site in question lies outside the Internal Drainage District of the South Holland Drainage Board and as per our Planning and Byelaw Strategy the proposed application is classed as a minor development and does not meet our threshold for commenting. Therefore the Board has no comments to make."

## PLANNING CONSIDERATIONS

Assessment against SELLP Policy 1 - Spatial Strategy

This proposal is assessed against SELLP Policy 1 titled - Spatial Strategy. The relevant section in this policy is titled Countryside. This section of the policy states:

The rest of the Local Plan area outside the defined settlement boundaries of the Sub-Regional Centres, Main Service Centres, Minor Service Centre and Other Service Centres and Settlements is designated as Countryside.
In the Countryside development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits.

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

The proposal seeks to extend the life of an existing dwelling by raising finished floor levels. It is therefore considered to be essential in this location. The proposal does not seek any additional

dwellings in the countryside.

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 relevant criteria the following can be observed:

1. The size of the property will be increased by 1.5 metres in height, and the internal layout will not be altered. The dwelling 3.5 metres to the west at 30 The Reservoir is approximately 3 metres higher than the current dwelling and has no windows on its eastern elevation. The dwelling 10.5 metres to the east at 27 The Reservoir is approximately 1 metre higher than the current dwelling and has one window that faces the dwelling. The proposed raised finished floor level is therefore not considered to materially impact the character and appearance of the surrounding area.

2. Save for raising the dwelling, the overall design will not be altered. The orientation and footprint will not be altered.

3. The exact materials of construction would be addressed by planning condition but it is understood that it is the intention to raise the dwelling on steel columns with the structure screened from view by cladding such as fibre cement board, thus being flood resistant.

4. Access and vehicle generation levels will not be impacted by this proposal.

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

6. There is not considered to be an impact to neighbouring land uses from noise, odour or disturbance. The dwelling 3.5 metres to the west at 30 The Reservoir is approximately 3 metres higher than the current dwelling and has no windows on its eastern elevation. The dwelling 10.5 metres to the east at 27 The Reservoir is approximately 1 metre higher than the current dwelling and has one window that faces the dwelling. The existing window at 27 is already visible from the existing four eastern side elevation windows so there is not considered to be an increase is visual intrusion from the proposal.

7. The property is outside of the defined settlement limits of Surfleet in a functional floodplain to the south of the River Glen. The Environment Agency initially objected due to the lack of an FRA. After further discussions they have rescinded their objection and are satisfied with the proposed finished floor levels of 1.5 metres above ground level. Flood resistant materials would be used to raise the dwelling.

This application accords with SELLP Policy 2.

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 relevant criteria the following can be observed:

1. A sense of place is not considered to be impacted by the proposal. The dwelling will be at a height that is more in keeping with the dwellings to the east and west, and will not looking out of keeping with the character of the surrounding area.

5. Recycling bins, bicycle storage and car parking provision are not impacted by this proposal.

11. There is not considered to be an impact to neighbouring land uses from noise, odour or disturbance. The dwelling 3.5 metres to the west at 30 The Reservoir is approximately 3 metres higher than the current dwelling and has no windows on its eastern elevation. The dwelling 10.5 metres to the east at 27 The Reservoir is approximately 1 metre higher than the current dwelling and has one window that faces the dwelling. The existing window at 27 is already visible from the existing four eastern side elevation windows so there is not considered to be an increase is visual intrusion from the proposal. The dwelling would remain approx 8.7m from the eastern boundary, thus there should not be a material overshadowing or loss of light impact to the neighbouring property in that direction.

12. The property is outside of the defined settlement limits of Surfleet in a functional floodplain to the south of the River Glen. The Environment Agency initially objected due to the lack of an FRA. After further discussions they have rescinded their objection and are satisfied with the proposed finished floor levels of 1.5 metres above ground level. Flood resistant materials would be used to raise the dwelling.

This application accords with SELLP Policy 3.

## PLANNING BALANCE

The proposal to elevate the existing dwelling is not considered to generate an overlooking, overshadowing or overbearing impact and will not materially impact the character of the surrounding area. The proposal accords with Policies 1, 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019, as well as Sections 12 and 14 of the National Planning Policy Framework (2021)

## CONCLUSION

This application is recommendation 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.