

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H17-0769-20 **Applicant:** Mr & Mrs Smith

Proposal: Proposed single storey extension to dwelling, extension and conversion of garage to self contained unit.

Location: 9 Surfleet Road Surfleet Spalding

Terminal Date: 19th November 2020

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 2019

Section 12 of the National Planning Policy Framework (2019)

12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full application for a proposed single storey extension to dwelling, extension and conversion of garage to self contained unit at 9 Surfleet Road, Surfleet. The proposal seeks to

provide a porch to the front elevation, a single garage to the side of the living room, the conservatory is now to have brick walls with two rooflights in the roof slope. A combined kitchen and dining area extension is to be provided to the rear of the building. Finally the existing detached garage to the rear of the property is to be converted and extended to the rear to provide an annexe for a family member. The annexe will contain a bedroom, shower room and combined kitchen and living space. Proposed render, brickwork and tiling is to match that of the existing dwelling and would be conditioned as such.

SITE DESCRIPTION

The proposal is within the defined settlement limits of Surfleet and the surrounding area is characterised by dwellings of varying ages and designs. The proposal site is in Environment Agency Flood Zone 3 and in a low hazard area, with a maximum predicted flood depth of 0.25 metres on the 0.1% 2115 South Holland Strategic Flood Risk Mapping.

HISTORY

H17-0845-06

Full - Erect single-storey extension to rear of dwelling - Approved - 26 July 2006.

CONSULTATION RESPONSES

LCC - Historic Environment Officer

No archaeological impact.

Surfleet Parish Council

Support.

PLANNING CONSIDERATIONS

Principle of development

The proposal is for residential use on residential land within defined settlement limits. Therefore, the principle of development is considered to be acceptable.

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."

1. The size, scale and layout is considered to be commensurate with the size of the plot and the host dwelling. There is not considered to be an impact on amenity as the proposal is single storey in nature and there is to be a separation distance of approx. 6.8m from the extension to the dwelling to the nearest property (to the south), and the extension to the detached garage is to be located towards the end of the rear garden. The south facing bedroom window of the annexe would be at such an angle in relation to the neighbouring property's first floor windows that overlooking would not be an issue. No trees are to be lost as a result of development, and as the majority of development is to the rear of the property, the character and appearance of the area is considered not to be materially affected. The gable roof of the garage would be in keeping with that of the existing dwelling.

2. The design is considered to meet the necessary requirements of the applicant without materially altering the design of the dwelling. The orientation is largely unaltered as the width of the plot has not been extended, and only existing buildings are to be altered.

3. Whilst sustainable materials are not to be utilised, the applicant seeks to use matching materials to ensure the works are in keeping with the existing built character of the dwelling and surrounding area.

4. The number of off road parking spaces remains at 4 as the converted garage space lost will be fulfilled by the new attached single garage to the side of the living room.

5. The proposal is not considered to impact existing community services and infrastructure.

6. The proposal is not considered to impact neighbouring land uses from noise odour, disturbance or visual intrusion.

7. The proposal will not materially impact sustainable drainage and flood risk on site as the extensions are modest in scale. The proposal site is in Environment Agency Flood Zone 3 and in a low hazard area, with a maximum predicted flood depth of 0.25 metres on the 0.1% 2115 South Holland Strategic Flood Risk Mapping, so there is not considered to be a need to increase internal finished floor levels.

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

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

It is considered that the proposal accords with the criteria contained within Policy 2 of the South East Lincolnshire Local Plan.

Proposed annexe use

As the converted garage is to be used for a family member, a condition will be put on preventing rental, lease or sale as an independent living unit.

CONCLUSION

The proposal accords with Policies 1, 2, 3, 36 and Appendix 6 of the South East Lincolnshire Local Plan, 2019, as well as

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.