

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H20-0099-20 **Applicant:** Mr & Mrs Newton
Proposal: Proposed single storey side/rear extension
Location: 1 Birds Drove Sutton St James Spalding
Terminal Date: 7th May 2020

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
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Section 12. Achieving well-designed places

Section 14. Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application that seeks permission for proposed single storey side/rear extension to the dwelling at 1 Birds Drove, Sutton St James, Spalding.

Site Description

The site lies in the countryside. The property is a traditional 'brick-and-tile' semi-detached dwellinghouse. There is one further pair of semi-detached properties to the south. Dracaena is a large two-storey detached house a few metres up the road on the opposite site. The surrounding area is characterised by Fenland flat agricultural fields.

The drive and parking area is laid in gravel. A nearly 2 metre high timber close board fence stands along the site boundaries as well as between the front drive and the rear garden. A timber gate serve access between both parts of the site. The property benefits from a subsequent flat roof rear extension. Paving slabs are near the rear extension and fence.

History

None.

Consultation Responses

Sutton St James Parish Council

Supports this application.

Planning Considerations

Principle of development

The site lies on the countryside as set out in the South East Lincolnshire Local Plan (SELLP), 2019. The principle of an extension that is incidental to the enjoyment of a dwelling house is acceptable.

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise. The key material considerations are addressed below.

Design and layout

Paragraph 127 of National Planning Policy Framework (NPPF), 2019 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting; and 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. According to Policy 2 of the SELLP, 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.

The proposed extension will protrude approx. 6.10 metres from the existing side elevation and approx. 4.50 metres further than the line of the original rear wall. The total depth will be approximately 10 metres. The apex height will be 3.55 metres and the eaves will measure 2.40 metres. Given these dimensions, the development is deemed to be subservient to the host property in terms of scale, bulk and massing.

The resulting footprint of the house extension will be easily accommodate within the site having regard to the site area and separation distances with the boundaries. The distances with the northern boundary will range between 4.79 and 4.41 metres from front to rear. 25 metres will be roughly provided between the development and the rear site boundary. These separation distances indicate that the form of development sits well within the site.

Internally, the extension will accommodate an open space for kitchen and family room. The existing kitchen/dining room will be only used as a dining after developing the intended extension. The current window on the side elevation will be removed and alterations will be carried out to create a walk through between the dining and the extension. In view of the proposed floor layout, the proposed works are acceptable and the development is in keeping with the residential use of the building.

A hip roof will be replicating the roof layout on top of the house. The external walls will have facing brickwork and the roof tiles will match those existing in the property. The openings will have brick

lintels above which will somewhat enhance the detailing of the development. One of the existing upper windows on the side elevation will be replaced to install a new 1050mm deep window. Such new opening will allow the developer to keep a 22 degree pitch on the proposed extension.

As a result of the proposed extension, the property would no longer mirror the adjacent semi-detached dwelling in terms of appearance. However, given that it is only single storey in nature, it is not considered that there would be an impact so detrimental as to warrant refusal.

Overall, the form of development and external appearance will be of acceptable design quality without causing any detrimental impact upon the host property and, by extension, the local character of the area. Thus, the proposals comply with the aforementioned policies concerned on design, layout and character of the local area.

Residential amenity

In addition to the above-mentioned distance, the extension will be approximately 6.36 metres away from the adjacent property No. 2 to the south. This is such a considerable distance for a single-storey extension to cause any adverse impact to the occupiers of the dwellinghouse No. 2 in terms of loss of light or overbearing effect. No windows are proposed facing the direction of the neighbouring property.

The development will run in parallel with the current rear extension within a 1 metre separation distance. Albeit such close proximity, no significant overbearing or overshadowing effect will be created upon the residents when staying within the rear extension. There is a utility room and a toilet and both as non-habitable rooms should not be taken into amenity considerations.

Therefore, the development complies with residential amenity which is one of the key principles of design and development management as set out in Policies 2 and 3 of SELLP (2019).

Car parking provision

Appendix 6 of SELLP sets out minimum requirements for parking provision. It is unknown the number of bedrooms within the site, hence a conservative approach is taken. 3 spaces are required for dwellings with 4 or more bedrooms.

The proposed layout show 3 no. car parking spaces on the drive from where motor vehicles will enter and egress the site in a safe manner. Therefore, the proposed development will be in accordance with Appendix 6 of SELLP.

Flood risk and drainage

Policy 4 of SELLP is concerned on flood risk management and states that new development will be permitted if appropriate flood resistance and resilience measures are proposed (criterion c); incorporates the use of Sustainable Drainage Systems (SuDS) (criterion e); and demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development (criterion g).

It is proposed the installation of a 1 cubic metre capacity soakaway at least 10 metres away from the proposed extension. The soakaway will manage sustainably the surface water runoff coming from the development. In doing so, the design of the development is appropriately resilient to the effects of surface water flood risk and overall climate change following Policy 4 of SELLP. No evidence of poor soil permeability is known in the locality. In any case, the suitability of a soakaway will be tested and subsequently approved at a later stage by SHDC Building Control.

Conclusion

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2, 3, 4, 36 and Appendix 6 of the South East Lincolnshire Local Plan (SELLP), 2019; as well as Sections 12 and 14 of the National Planning Policy Framework (NPPF), 2019.

It is accordingly recommended to approve this planning application via delegated powers.

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.