DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H21-0491-22**	**Applicant:**	**Mr M Melton**
Proposal:	Proposed extensions & alterations		
Location:	7 Station Road Tydd Gote Wisbech		
Terminal Date:	7th July 2022		

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
29	The Historic Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 2. Achieving sustainable development.
Section 4. Decision making.
Section 12. Achieving well-designed places.
Section 14. Meeting the challenge of climate change, flooding and coastal change.
Section 15. Conserving and enhancing the natural environment.
Section 16. Conserving and enhancing the historic environment.

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for extensions and alterations to 7 Station Road, Tydd Gote.

Site Description

No. 7 Station Road is situated to the rear (north) of existing frontage development and a play area off Station Road and is set in spacious landscaped grounds. It is accessed via a private roadway, which also provides access to Robin Hood Cottage, in addition to 11 Station Road near the entrance point which is immediately adjacent to the highway.

Residential properties are situated to the south fronting Station Road and a church hall further to the south-west. Residential properties are also situated to the west off Main Road (A1101).

The site is outside Tydd Gote Conservation Area.

Relevant Planning History

H21-0484-15 - Full - Proposed single detached dwelling - Refused. Allowed on appeal 17 February 2016 (ref. APP/A2525/W/15/313491).

H21-0316-16 - NMA - Proposed single detached dwelling - H21-0484-15 Allowed at Appeal (Reference APP/A2525/W/15/3134914)- Amendment to move dwelling and garage south on site - Approved 14 April 2016.

H21-0318-16 - C/C - Details of materials schedule (Condition 3 of H21-0484-15 Allowed on Appeal - Reference APP/A2525/W/15/3134914) - Approved 14 April 2016.

H21-1020-16 - NMA - Proposed detached dwelling - approved under H21-0484-15 appeal decision - Amendment to include rear extension - Approved 2 November 2016.

H21-1073-21 - Outline - Erection of Single Storey Dwelling - Refused 7 December 2021. Allowed on appeal 24 June 2022.

Consultation Responses

Tydd St Mary Parish Council

No observations.

Public

No observations received.

Planning Considerations

The main issues in this case are:
- Policy/principle;
- Character/appearance;
- The likely impact upon the amenity of nearby residents;
- Other material considerations such as highway safety, flooding and drainage.

Policy/Principle

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 site is outside Tydd Gote Settlement Limit as defined in the South East Lincolnshire Local Plan (SELLP), 2019. It is therefore within an area regarded as countryside. Policy 1 (Spatial Strategy) of the Local Plan states that "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".

In this case, it has previously been established that the site is in a sustainable location. Moreover, the proposal is solely an extension. Given the ancillary nature of the development, the proposal cannot be located elsewhere within a settlement boundary. Therefore, the principle of development for the proposal is acceptable and does not materially conflict with Policy 1 of the SELLP.

Character/Appearance

Policies 2 and 3 of the SELLP 2019, amongst other matters, seek to ensure that development respects the character and appearance of the area and the relationship to existing development and land uses. They are consistent with advice within the National Planning Policy Framework (NPPF), 2021. Paragraph 130 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.

The proposal is for a side extension incorporating a garden room, dog room and porch, plus rear first floor extension incorporating two additional bedrooms and a bathroom. They would be constructed in facing bricks to match those used for the existing house and in matching roofing tiles.

The proposed alterations are considered sympathetic and subservient and would not materially harm the character/appearance of the locality, nor affect the setting of Tydd Gote Conservation Area.

The proposal therefore satisfactorily complies with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 in this respect.

Amenity

Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) set out residential amenity and the relationship to existing development and land uses as main considerations when making planning decisions. They are consistent with advice within the National Planning Policy Framework (2021). Paragraph 130, amongst other matters, seeks places with a high standard of amenity for existing and future users.

Residential properties are situated to the south fronting Station Road and a church hall further to the south-west. Residential properties are also situated to the west off Main Road (A1101).

The proposal includes new openings on the side elevations and a bathroom window at the rear. However, they are some distance from neighbouring residential property. It is considered that the amenity of nearby residents would not be materially harmed in terms of overlooking, lack of privacy, overshadowing, overbearing effect, noise/disturbance, etc.

The proposal therefore satisfactorily complies with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 in terms of amenity.

Highway Issues

Policies 2 and 3 of the SELLP indicate that sustainable development considerations should be met in terms of access and vehicle generation levels and layout of car parking. Policy 36 and Appendix 6 set out the minimum standards for parking provision based upon the use class. Two spaces for dwellings with 3 or less bedrooms should be provided within the curtilage. Three spaces for dwellings with 4 or more bedrooms should be provided within the curtilage.

An existing access would be utilised. Satisfactory on-site parking is available. No objections are therefore raised on highway safety grounds.

The proposal satisfactorily complies with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan, 2019 in terms of highway safety/parking issues.

Flood Risk

The proposal is a householder scheme so is not subject to the sequential or exceptions tests. In any

case, the site is located within Flood Zone 1 (low risk) on the Environment Agency maps. It is also within an area designated as no hazard with the South East Lincolnshire Strategic Flood Risk Assessment. The proposal satisfactorily complies with Policy 4 of the South East Lincolnshire Local Plan, 2019 in terms of flood risk.

Planning Balance

It is considered that the proposal would not materially harm the existing character/appearance of the property, nor affect the setting of Tydd Gote Conservation Area. The amenity of nearby residents would not be materially harmed and there are no objections on highway safety or flood risk grounds. The proposal is in accordance with the South East Lincolnshire Local Plan, 2019. There are no material considerations that outweigh factors in favour of the scheme.

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

For the reasons outlined above the planning balance lies in favour of the scheme.

Recommendation

The application be approved under delegated powers.