DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H22-0023-22**	**Applicant:**	**Mr & Mrs S Skerritt**
Proposal:	Extension, Alterations & Garage		
Location:	Sunnyfield House Wragg Marsh Spalding		
Terminal Date:	9th March 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
28	The Natural Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
RESIDENTS	0	1	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for two storey side and single and two storey rear extensions and a large balcony to the rear. A detached double garage is also proposed to the front measuring 6.5 metres x 6.5 metres and standing at 4.7 metres in height (2.5 metres to the eaves). All external materials are proposed to match the existing dwelling.

SITE DESCRIPTION

The application site is located on Marsh Road in Weston. It is outside any defined settlement boundary and within the open countryside. To the rear of the site is a nursery and there are 2no dwellings to the south-west of the site. The rest of the immediate area is characterised by open countryside. The application site comprises a detached two storey dwelling of red brick construction. To the front is a large gravelled driveway providing off-street parking provision for several vehicles. the site is enclosed by fencing and hedging.

RELEVANT PLANNING HISTORY

H22-0511-20 - Single storey flat roof rear extension - Approved

REPRESENTATIONS

South Holland Internal Drainage Board

If a surface/foul water discharge is proposed to a watercourse, then the proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3). There is a watercourse which has not been adopted by the Board (a riparian watercourse) adjacent to the site boundary. Whilst not currently proposed, should the applicant's proposals change to include works to alter the riparian watercourse, consent will be required under the Land Drainage Act 1991 (and byelaw 4).

Resident

One letter has been received from the adjacent neighbour (Herons Way) supporting the scheme as there is a 6 feet high fence and considerable expanse of garden between the proposed development and this neighbour therefore there are no privacy issues.

PLANNING CONSIDERATIONS

Principle of development

The site is outside any defined settlement boundary however, the proposed extensions would be sited within the residential curtilage of the existing dwelling therefore the principle of extending the existing dwellinghouse 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.

Layout, Design, Size and Scale

Paragraph 130 of the National Planning Policy Framework (NPPF), 2021 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. Likewise, Policy 2 of the SELLP states 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.

The proposed development would considerably increase the footprint of the dwelling and change its overall appearance. However, the existing dwelling sits on a generous sized plot therefore it can

comfortably accommodate the extensions/garage without resulting in overdevelopment of the site. The proposed extensions are considered well design and in keeping with the design of the existing dwelling. The garage would be sited approximately 5.7 metres from the front boundary and the extension closest to the front boundary would be approximately 8.5 metres away. As such they would not appear overly prominent in the street scene. In addition, the use of matching external materials would ensure the extensions and garages are in keeping with the existing dwelling.

As such the proposal would on balance comply with the aforementioned policies on design, layout and impact upon the character of the local area.

Impacts upon Residential Amenity

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

The closest neighbour is to the south-west of the application site (Herons Way). This neighbour has commented in support of the application. There is a significant separation distance between the application site and this neighbour therefore the proposed extensions and balcony would not result in any overbearing impact or unacceptable overshadowing.

Only one new first floor window is proposed directly facing this neighbour, however, this would serve a bathroom and would therefore be obscure glazed therefore there are no overlooking or loss of privacy issues. The balcony would be located well within the plot and a significant distance from this neighbour therefore it is not considered that any unacceptable overlooking would result from this.

As such the proposal would accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed scheme would increase the number of bedrooms within the property therefore the parking requirement would also increase. A maximum of 3no off-street parking spaces are required for the site which can be accommodated in the driveway. An additional 2 parking space would also be created in the proposed garage. As such the scheme would improve the parking situation for the site.

Drainage

Policy 4 of the SELLP relates to flood risk management and states that new development will be permitted if appropriate flood resistance and resilience measures are proposed (criterion c); it 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).

I note that the applicant has indicated that they intend to dispose of surface water resulting from the new impermeable area via infiltration. South Holland Internal Drainage Board has advised that in order to ensure the existing soakaways can accommodate the increased discharge or a new soakaway would be effective on site. If there is to be a new soakaway proposed, infiltration testing is recommended in line with BRE Digest 365 (or equivalent) to be undertaken to determine its efficiency. If (following testing) a strategy wholly reliant on infiltration is not viable and a surface water discharge is proposed to a watercourse, then the proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3). There is a watercourse which has not been adopted by the Board (a riparian watercourse) adjacent to the site boundary. Whilst not currently proposed, should the applicant's proposals change to include works to alter the riparian watercourse, consent will be required under the Land Drainage Act 1991 (and byelaw 4). An informative has been attached advising the applicant of this.

Subject to the above the proposal is considered to be in accordance with Policies 2, 3 and 4 of the Local Plan and Section 14 of the National Planning Policy Framework (2021) with regard to their provisions on flood risk and drainage.

Planning Balance

The proposal will not materially harm the character or appearance of the locality, the amenity of nearby residents or result in drainage/parking/highway implications. The planning balance is therefore considered to be in favour of the proposal.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 1, 2, 3, 4, 28 and 36 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2021).

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.

RECOMMENDATION

The application can be approved under delegated powers.