DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H23-0355-23**	**Applicant:**	**Mr & Mrs S Pearce**
Proposal:	Proposed single storey rear extension and internal alterations		
Location:	115 Broadgate Whaplode Drove Spalding		
Terminal Date:	12th June 2023		

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 2021

Section 12- Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	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 seeking permission for single storey rear extensions to create a study and a master bedroom with an en-suite. The extensions would have a rear projection of between 5.6 metres and 7.4 metres. The external materials would match the existing bungalow.

SITE DESCRIPTION

The application site is located on Broadgate in Whaplode Drove. It comprises a buff brick built detached bungalow sited some 40 metres back from the street. The property benefits from a large gravelled driveway providing off-street parking provision for several vehicles. The site is enclosed by high level trees/hedges.

RELEVANT PLANNING HISTORY

H23-0356-23 - Proposed extension to existing barn for hobby use - Pending consideration

REPRESENTATIONS

Whaplode Parish Council

Supports the scheme.

South Holland Internal Drainage Board

No objections subject to compliance with the Boards Byelaws.

Highway and Lead Local Flood Authority

No objections as the access remain unchanged.

PLANNING CONSIDERATIONS

Principle of development

Part of the site is located outside the Whaplode Drove settlement boundary as set out in the South East Lincolnshire Local Plan (SELLP), 2019. However, the proposed extension would be sited within the existing residential curtilage therefore the principle of a development associated with an existing dwelling is considered 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 rear extension would not be visible from the front of the site as it would be blocked by the existing bungalow therefore it would not result in any unacceptable impact on the street scene. The extension is considered modest and proportionate to the size of the existing bungalow and the overall site. Sufficient amenity space would be retained therefore the extension is not considered to result in overdevelopment of the site. The proposed use of materials to match the existing bungalow would ensure the extension is not at odds with the existing bungalow.

As such the extension would 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 proposed extension would be sited well within the generous sized plot. Given this and the relationship with neighbouring dwellings no unacceptable impact is considered to result on neighbouring amenity.

Given the above 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 in the property from 2 to 3, however the parking requirement for the site would not increase. The site has ample off-street parking therefore the site complies with the current parking standards.

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).

South Holland Internal Drainage Board advises that a drainage strategy should be provided for the site. If the applicant proposes to discharge surface water to a watercourse, consent would be required under Byelaw 3. It is recommended that any discharge is in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), therefore the Board is unlikely to grant consent for discharges in excess of greenfield rate. It is noted that foul water will likely be disposed of in the same manner as that from the existing dwelling. If the applicant proposes to discharge treated foul water to a watercourse, consent would be required under Byelaw 3. There is a Board Maintained watercourse (DRN195P0403 - D04 Division Drain) adjacent to the blue line boundary. Whilst not currently proposed, should the applicant's proposals change to include works to alter the watercourse, or if works are proposed to alter the watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4). An informative have been attached to the decision notice advising the application of this.

Subject to a suitable drainage strategy and compliance with the Boards Bylaws 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 drainage.

Trees

There are no protected trees within or adjacent the application site. There are a number of trees within the site, however none would be impacted by the proposed development.

Planning Balance

The proposal will not materially harm the character or appearance of the locality, the amenity of nearby residents or result in parking/drainage issues. 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, 36 and Appendix 6 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.