

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H23-0618-22 **Applicant:** Mr H Cooper

Proposal: Proposed rear extension with garage

Location: Olive Tree House 37 Roman Bank Saracens Head

Terminal Date: 19th August 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
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	1
WARD MEMBER	0	0	0	0
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for a single storey side extension to create a garage and a two storey rear extension to create a kitchen/dining room on the ground floor and a master bedroom with an en-suite and a walk-in wardrobe on the first floor. The side garage extension would measure 3.9 metres (width) x 6.4 metres (depth) and stand at 4 metres in height (2.5 metres to the eaves). The two storey rear extension would measure 4 metres (depth) x 7.2 metres (width). The external materials of the rear extension would match the existing dwelling and the garage would have grey composite cladding.

The proposal also involves relocation of an existing storage container along the eastern boundary and cladding the upper half of the front and part eastern elevations.

SITE DESCRIPTION

The application site is located on Roman Bank in Saracens Head. The site is located outside any defined settlement boundary and within the open countryside. It backs onto open fields. The site comprises a two storey red brick built detached dwelling sitting under a tiled roof. To the front/side is a gravelled driveway providing off-street parking. The front boundary is enclosed by fencing and hedging. The main amenity space for the dwelling is to the east. The immediate area comprises detached dwellings in varying designs and materials.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

Whaplode Parish Council

No Objections but advised to review planned siting of container close to a neighbouring boundary.

South Holland Internal Drainage Board

No objections subject to compliance with the Boards Bylaws.

Residents

The neighbour to the east at Spa House has raised concerns with regards to relocation of the storage container as it would block sunlight and result in overbearing impact.

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 side extension would be visible from the public realm, however, given its small side projection and set back from the front boundary it would not appear overly prominent in the street scene. The use of cladding on the garage extension and the upper half of the existing dwelling can be accepted given there are examples of various materials in the immediate street scene.

The two storey rear extension would cover the majority of the area to the rear of the site. However, given the main amenity space for the site is to the east the proposal is not considered to result in overdevelopment of the site as sufficient amenity space would be retained to the east of the dwelling. The extension would sit slightly higher than the roof ridge of the existing dwelling, however, given the varied character of the area this can be accepted as it would not be out of keeping with the area. The use of matching external materials would ensure the rear extension is in keeping with the existing house.

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 closest neighbour to the proposed development is Hayseeds, no.35 Roman Bank located to the west of the application site. The proposed side extension would not be visible to this neighbour as it would be blocked by the applicants existing two storey house. The proposed two storey rear extension would be sited close to the shared boundary with this neighbour, however, it would not project beyond the rear elevation of this neighbour therefore it would not result in any overbearing impact or unacceptable overshadowing. This neighbour does not have any primary windows in its side elevation. In addition, no first floor windows are proposed in the side elevation facing this neighbour therefore there are no overlooking or loss of privacy concerns.

With regards to the neighbour to the east at Spa House the proposed extensions would be sited a significant distance from this neighbour's boundary given the applicants garden is located to the east, adjacent to this neighbour's boundary. As such no overbearing impact or unacceptable overshadowing would result on this neighbour. This neighbour has raised concerns with regards to the storage container being relocated close to the shared boundary with this neighbour. The concerns are noted, however, given the modest height of the container and the fact the shared eastern boundary with this neighbour has a high level hedge along the majority of the eastern boundary, the relocation of the storage container in this location can be accepted. In addition, temporary structures are allowed under permitted development and if it is required long term then the storage container can be classed as an outbuilding which can also be allowed under permitted development due to its size/height therefore it cannot reasonably be resisted.

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 in the property from 3 to 4 therefore the parking requirement would increase from 2 to 3. 2no parking spaces would be retained in the driveway to the front/side and an additional space would be created in the new garage which meets the size requirements for enclosed parking spaces. As such the scheme is considered to comply with the current parking standards.

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).

South Holland Internal Drainage Board has advised that if the existing soakaways are to be used to serve the additional impermeable area it is recommended that you satisfy yourselves that they will be able to efficiently dispose of the additional runoff. If new soakaways are proposed, it is advised that these are appropriately distanced from the existing soakaways and that infiltration testing in line with BRE Digest 365 (or equivalent) is undertaken to determine its efficiency. If infiltration is not feasible at this site, following the drainage hierarchy the applicant is expected to propose to discharge surface water to a watercourse. In this case, consent would be required under Byelaw 3. If the applicant wishes to discharge foul water to a watercourse, this proposal will require land drainage consent in line with the Board's byelaws (specifically byelaw 3). The applicant should confirm if there are any riparian owned/maintained watercourses within or adjacent to the site boundary. Should the applicant's proposals include works to alter a watercourse, or if works are proposed to alter a watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4). An informative had been placed on the decision notice advising the applicant of the Board's Byelaws.

As such the proposal is considered to be in accordance with Policies 2, 3 and 4 of the Local Plan with regard to their provisions on drainage.

Planning Balance

The proposal will not materially harm the character or appearance of the locality, the amenity of nearby residents or result in parking 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.