DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H23-0871-21**	**Applicant:**	**Mr & Mrs Penart-Buck**
Proposal:	Erection of two storey side extension (including demolition of single storey element), erection of detached garage with room above and repositioning of vehicular and pedestrian access		
Location:	Ferndale House Dowsdale Bank Shepeau Stow		
Terminal Date:	13th October 2021		

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
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment

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
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for the following:

-Demolition of existing single storey side extension and erection of two storey side extension measuring 5.2 metres x 5 metres
-Detached garage to the front measuring 8.4 metres x 6.2 metres and standing at 6.2 metres in height (2.3 metres to the eaves)
-Repositioning of vehicular and pedestrian access
-The doors and windows on the existing dwelling would be replaced with black framed UPVC

Cream painted brickwork is proposed for the extension and the red Carlton Victorian bricks proposed for the garage building. The roof tiles on the house extension would match the existing dwelling and the garage would have grey slate tiles. Doors and windows would be black framed upvc.

SITE DESCRIPTION

The application site comprises a detached two storey dwelling located on Dowsdale Bank in Shepeau Stow. The property is partly cream rendered with cream painted brickwork. It has a double gable forting the street. There is a large gravelled driveway to the front/side. A hedge and gates form the front boundary. A new built 1/5 storey dwelling is located to the south-west which is located on land previously part of the residential curtilage of the application dwelling. To the north-eat is a bungalow. the site fronts and backs onto open countryside. The immediate street scene comprises a mixture of single and two storey dwellings of varying designs and ages.

RELEVANT PLANNING HISTORY

H23-0379-21 - Proposed 4 bed dwelling and car port - approved under H23-0470-19. Modification of Condition 2 to allow amendments to previously approved plans - Approved

H23-0470-19 - Proposed 4 bed dwelling and car port - Approved

REPRESENTATIONS

LCC Highways/SUDS Authority

No objection. Requests the addition of two informative notes and a condition requesting for the existing access to be closed should permission be granted.

Whaplode Parish Council

No comments or objections.

South Holland Internal Drainage Board

If surface water/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). If there are any riparian owned/maintained watercourses within or adjacent to the site boundary and the proposals involve the alteration of a watercourse, consent would be required under the Land Drainage Act 1991 (and Byelaw 4).

Public

A representation has been received recommending installation of a minimum of 3no swift nest bricks be required by a planning condition to provide enhancement for biodiversity.

PLANNING CONSIDERATIONS

Principle of development

The site is within the Shepeau Stow settlement boundary and 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.

It is considered that the proposed detached garage would not appear unduly incongruous within the rural street scene and would not materially harm the character/appearance of the rural locality taking into consideration the nature of existing development nearby, especially the adjacent site to the south-west at The Palms. The proposed garage would be similar in size, design and appearance to this neighbours detached garage. Red Carlton Victorian bricks are proposed for the garage building, which although would be different to the existing house on the site, given it would match the adjacent neighbours garage, it is on balance considered acceptable in terms of its overall impact on the chacater of the area.

The proposed replacement doors and windows on the existing dwelling with black framed UPVC to match the proposed extension and the garage are acceptable and are considered to sit well with the existing cream rendered dwelling. This element is not considered to significantly change the overall appearance of the site.

The proposed two storey side extension is considered to be proportionate to the existing dwelling and the plot. The site is big enough to comfortably accommodate the proposed extension without resulting in overdevelopment of the site and would also retain an adequate amount of outdoor amenity space. The ridge of the roof sitting lower than the existing roofline would create an element of subservience. Its design is also considered in keeping with the existing dwelling. The proposed use of painted bricks to match the existing dwelling would ensure the extension is in keeping with the existing dwelling.

As such on balance, the proposed development is considered to comply with the aforementioned policies on design, layout and impact upon the character of the local area.

Impacts upon Residential Amenity

The closest neighbour to the proposed development is Holly Cottage located to the north-east of the application site. The proposed house extension would be located approximately 2.5 metres from the shared boundary with this nieghbour. Although this is rather close, given the fact this neighbour does not have any primary windows in is side elevation the proposed extension is on balance acceptable. In addition, the pitch of the roof would face away from this nieghbour thereby further lowering the impact on this neighbour. Furthermore, no windows are proposed in the side elevation facing this nieghbour, therefore there are no overlooking or loss of privacy concerns. The proposed garage would be located approximately 23 metres from this nieghbour which is considered sufficient as to not result in nay overbearing impact or unacceptable overshadowing.

With regards to the neighbour to the south-west at The Palms the proposed house extension would be largely blocked by the applicants existing two storey element. Only a small part of the roof would be visible to this neighbour, however, given it would be located some 16.5 metres from this

neighbours boundary therefore it would not result in any unacceptable impact. The proposed garage building would be located close to the shared boundary with this nieghbour, however, it would be located adjacent to this neighbours garage and would be a similar footprint and height therefore it would not be overbearing.

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 not increase the number of bedrooms on the site and a maximum of 3no off-street parking spaces would be required. At least 2no parking spaces would be retained in the driveway and additional parking would be created in the proposed garage. As such the scheme is considered to comply with the current parking standards.

The Local Highway Authority has not raised any objections to the proposed repositioning of vehicular and pedestrian access provided the exiting access is closed up. A condition is recommended to this effect.

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 not raised any objections to the scheme but has advised that should surface/foul water discharge be proposed to a watercourse, then the proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3). Any alterations to a watercourse will require consent from the Board Byelaw 4). A condition has been appended to this effect and an informative added advising the applicant of the Boards Byelaws.

Subject to the above advice the proposal is considered to be in accordance with Policies 2, 3 and 4 of the Local Plan with regard to their provisions on flood risk and drainage.

Other matters

A representation has been received from a third party recommending installation of a minimum of three swift nest bricks to provide enhancement for biodiversity. The comments are noted, and a condition recommended to this effect.

Planning Balance

The proposal will not materially harm the character or appearance of the locality, amenity of nearby residents or result in drainage or 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 Sections 12, 14 and 15 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.