DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H23-1165-21**	**Applicant:**	**Mr & Mrs I Massey**
Proposal:	Proposed two storey side extension and alterations		
Location:	Rose Cottage Stockwell Gate Whaplode		
Terminal Date:	10th January 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
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
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 two storey side extension measuring 3.6 metres (width) x 6.1 metres (depth). On the ground floor a kitchen/utility area would be created and on the first floor 1 new bedroom would be created and one existing bedroom would be changed into a bathroom. The external materials would match the existing dwelling.

SITE DESCRIPTION

The application site comprises a two storey detached dwelling located on Stockwell Gate in Whaplode. The site is outside any settlement boundary and within the open countryside. The property is red brickwork with part render on the upper half and white window frames. There is a driveway to the front/side providing off-street parking. The immediate area is primarily open countryside with a number of dwellings scattered along the road.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

Whaplode Parish Council

No comments.

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 third party has recommended 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 outside any settlement boundary, however, the proposed extension 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 two storey side extension is considered to be proportionate to the existing dwelling and the plot. Its design with the roof following the shape of the existing roofline would respect the design of the existing dwelling. Although a lowered roof ridge is usually required for side extensions, in this instance a flush finish can be accepted given the dwelling is detached therefore it would not result in a terracing effect. There is no strong built character in the area, therefore it can on balance be accepted. It is not considered to appear unduly incongruous within the rural street scene and would not materially harm the character/appearance of the locality. The extension would not extend beyond the front/rear elevations of the existing dwelling therefore there would be an element of subservience. The proposed use of matching external materials 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

There is only one immediate neighbour, Waljan, located to the north-east of the application site. The proposed extension would be located a significant distance from the shared boundary with this neighbour (some 23 metres). This separation distance is considered sufficient as to not result in any overbearing impact or unacceptable overshadowing. No windows are proposed in the side elevation facing this neighbour therefore there are no overlooking or loss of privacy concerns.

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 in the property therefore the parking requirement would not increase. The existing parking arrangements for the site would remain. 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 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

One letter of representation has been received from a local resident recommending installation of a minimum of 3no swift nest bricks be required by a planning condition to provide enhancement for biodiversity. The comments are noted and a condition has been appended.

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.