DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H02-0302-24**	**Applicant:**	**Ms V Clough**
Proposal:	Loft conversion to first floor flat with conservation velux roof lights including dormer to the rear and creation of internal access stair enclosure		
Location:	8a North Street Crowland		
Terminal Date:	22nd July 2024		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
29	The Historic Environment

National Guidance

National Planning Policy Framework 2023

Section 12 - Achieving well designed and beautiful places
Section 16 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	1
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a loft conversion to first floor flat with conservation Velux roof lights including dormer to the rear and creation of internal access stair enclosure.

Site Description

The site is located within the defined settlement boundary of Crowland and is in the Crowland Conservation Area as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP). 8a North Street is within the centre of the Conservation Area sited in close proximity to multiple Listed Buildings, it currently serves as a vehicle garage to the rear and neighbours businesses on either side. The common uses of properties along this stretch of North Street are businesses and residential.

History

H02-0035-01 - Alterations to front elevation of building - Approved

Consultation Responses

Crowland Parish Council

No objections.

Councillor A Harrison

Given that the property falls within the centre of the historic town of Crowland, I would like to see the proposed dormer extension to be sympathetic with the materials of the existing building.

North Level Internal Drainage Board

No comments.

South Holland District Council Conservation Officer

I consider this amendment to have addressed the key concerns raised in my original comments and as such, I rescind any objection to the proposal. Should the case officer be minded to approve, I would suggest securing the final details of the fenestration, or limiting them to timber painted units by means of condition.

Evaluation

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework (December 2023) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals. In this instance, no relevant neighbourhood plans have been adopted.

Planning Considerations

Layout, Design and Consideration of the Character and Appearance of the Area

Section 12 of the National Planning Policy Framework (December 2023) specifically relates to 'Achieving well-designed and beautiful places' and details that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process

should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the National Planning Policy Framework (December 2023), states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing.

Development proposals should also ensure that developments 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 South East Lincolnshire Local Plan outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework, in that it requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the National Planning Policy Framework and require 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.

Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

The existing roof features concrete interlocking roof tiles with the proposed to be lead coloured glass fibre to the dormer roof. The proposed walls for the dormer shall be tile hanging to match the roof tiles, with the submission detailing that all the proposed windows would be white uPVC velux conservation roof windows. Further assessment will be given regarding the development viewed as a whole in comparison to the Conservation Area to detail the harm it may cause.

The height of the dormer window following the loft conversion will be around 2200mm and have a total length of 1500mm, it will protrude from the western elevation of the roof slope by around 2300mm. This is therefore not considered to be a significant extension and therefore does not appear disproportionate in comparison to the host property, with the dormer being on the rear elevation and therefore not visible from the public highway this means there should be no harm to the street scene.

Both internally and externally there are to be some alterations following this development. Notably, there will be a new dormer on the west elevation with a separate window adjacent to this. Furthermore, two new rooflights shall be on the eastern side facing the public highway, there shall also be two additional rooflight on the western elevation. No alterations are set to take place on the ground floor. The first floor will have the bathroom reduced to allow for changes to the internal staircase leading to the loft conversion from ground floor to second floor. The shower shall also be moved due to the bathroom being made smaller, both the bedroom and study on this floor will also be slightly reduced in size to allow for the stairs. Finally, the layout on the second floor will be a new additional bedroom with the relevant windows for natural light.

Taking account of the design, scale and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with policies 2 and 3 of the South East Lincolnshire Local Plan and Section 12 of the National Planning Policy Framework (December 2023).

Impact on Residential Amenity/Land Users

Paragraph 135 of the National Planning Policy Framework (December 2023) states that

development should 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

There shall be no material overshadowing following the construction of the dormer window due to the small scale. In addition, the positioning meaning no harm should occur. Moreover, the two windows on the front elevation should not result in a material loss of privacy due to them facing the public highway. Furthermore, the windows on the rear elevation for the loft conversion should also not result in a loss of privacy due to there being a distance of over 40m to the nearest rear neighbour with this facing the roof of the property rather than any windows.

Heritage Matters

Policy 29 (The Historic Environment) states amongst other matters that the distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced, in keeping with the policies in the National Planning Policy Framework. Development proposals will expected to conserve and enhance the character and appearance of designated and non-designated heritage assets, including archaeology, historic buildings, conservation areas, scheduled monuments, street patterns, streetscapes, landscapes, parks (including Registered Parks and Gardens), river frontages, structures and their settings through high-quality sensitive design.

In respect of any buildings or other land in a conservation area, special attention must be paid to the desirability of preserving or enhancing the character or appearance of that area, through Section 72 the Planning (Listed Buildings and Conservation Areas) Act 1990.

The National Planning Policy Framework (NPPF) (December 2023) expresses the importance of considering the impact of development on the significance of designated heritage assets; advising that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.

Section 16 of the National Planning Policy Framework (December 2023) states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

In assessing proposals of this nature, the Local Planning Authority must ensure special regard to preserving the Listed Buildings and their settings in relation to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act'). No harm should be caused with the historical assets and their surroundings requiring to be preserved or enhanced.

8a North Street is located within the Crowland Conservation Area as well as being sited in proximity to 'The George & Angel Public House', a Grade II Listed Building as well as 'The Manor House', a Grade II* Listed Building. Due to this the Conservation Officer has been consulted to ensure no harm is caused to the both the Conservation Area or the setting of a Listed Building.

The comments raised no objections and read as follows 'I consider this amendment to have addressed the key concerns raised in my original comments and as such, I rescind any objection to the proposal. Should the case officer be minded to approve, I would suggest securing the final details of the fenestration, or limiting them to timber painted units by means of condition'. Following an initial objection, amended plans were received in which the Conservation Officer was re-consulted issuing the above comment. In line with this recommendation to condition the fenestration, should this application be approved the relevant condition will be applied to the decision notice.

When assessing the propsoed development, subject to appropriate conditions, it is considered that

the proposal would not give rise to harm to the Conservation Area.

As such, the proposal is considered to be acceptable in this regard, in accordance with Section 16 of the National Planning Policy Framework, Policy 29 of the South East Lincolnshire Local Plan (2019) and the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposal represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality/Conservation Area, or amenity of nearby residents, whilst conforming with the South East Lincolnshire Local Plan and the provisions of the National Planning Policy Framework when viewed as a whole.

In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

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.

Conclusion

Taking the above considerations into account, the proposal is considered to be in accordance with Policies 2, 3, 4 and 29 of the South East Lincolnshire Local Plan (SELLP) (2019), along with the identified sections contained within the National Planning Policy Framework (NPFF) (December 2023). The are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.