DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H03-0770-23**	**Applicant:**	**Mr & Mrs P Garford**
Proposal:	Cladding of two dormer structures, and area of external wall under, with Siberian Larch		
Location:	14 Stowgate Deeping St James Peterborough		
Terminal Date:	26th October 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2023

Section 12 - Achieving well designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission to clad two dormer structures and the external wall under it.

Site Description

The site lies around 3800mm outside of any defined settlement boundaries and is therefore classed as being in the country side as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP). The dwelling is made of a cream render with a tiled roof and white uPVC windows and doors, the lower sections of the property is made of brick. On the first floor it features an internal balcony arrangement, the design of this will be mimicked elsewhere through the development. The property

features a large open garden with multiple outbuildings on the land for different purposes along with a variety of trees and hedges. It backs on to fields and sits adjacent to an abandoned and derelict building.

History

H03-0770-10 - Alterations to double garage to include installing first floor and dormer roof - Approved

H03-0860-15 - Loft conversion and internal balcony - Approved

Consultation Responses

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Evaluation

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, 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 (updated 2023) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Planning Considerations

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

Paragraph 130 of the National Planning Policy Framework (NPPF), 2023 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, that they are visually attractive, as a result of good architecture, and are sympathetic to local character. 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. 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.

The walls are currently made of brickwork with render PVCU boarding with the proposed cladding to be made from natural untreated Siberian Larch vertical boarding. They will only be cladding two dormer structures along with the wall below them running from top to bottom in this area. In doing so it will directly contrast these from the rest of the dwelling and therefore make it stand out. However, it is not considered to effect the locality due to there being a minimal amount of dwellings in the area and these all feature different materials and different designs. Therefore, this development of cladding is in accordance with Policies 2 & 3 of the SELLP and Section 12 of the NPPF.

As part of the development there are some alterations proposed both internally and externally. As previously mentioned, the main alteration being the cladding of the dormer windows and walls below, there are also some windows that are being slightly rearranged throughout the ground floor. There will also be a steel balustrade to match the existing on side balcony recess on the south west elevation. Internally, they will be enlarging the opening between the sitting room and kitchen featuring a set of bi-fold doors between the rooms. The utility door is also being rehung to open the other way with this being the main and only entrance to access the existing toilet and store, these have also be swapped around making the toilet larger with the store room being made smaller. Most of these alterations do not require planning permission but have been included in the plans and

therefore have been mentioned in the report.

The proposal is considered to be in accordance with Policies 2 and 3 of the SELLP and Section 12 of the NPPF and is therefore considered to be acceptable.

Impact on Residential Amenity/Land Users

Paragraph 130 of the National Planning Policy Framework (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.

The proposed cladding of the dormer structures would have no impact on resident amenity. The nearest resident to 14 Stowgate is over 50m away. As it does not consist of a development that will protrude from the walls there will be no issues of overshadowing and the development doe also not propose any new windows and therefore will not result in any overlooking concerns. The development would also not be overbearing on the area or locality, naturally, after the initial construction, which itself would take place over a short period, minimal additional noise pollution would be caused as a result of the development.

The proposal is therefore in accordance with Policies 2 & 3 of the South East Lincolnshire Local Plan and Section 12 of the National Planning Policy Framework.

Planning Balance

As detailed above, Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, 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 outside the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, 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.

Conclusion

Taking the above considerations into account, the proposal is considered to be in accordance with Policies 2 and 3 of the SELLP, along with the identified sections contained within the NPPF. 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.

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

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