DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H04-0788-23**	**Applicant:**	**Mrs E Dormer**
Proposal:	Convert outbuilding to annexe - re-submission of H04-0577-23		
Location:	80 Station Street Donington Spalding		
Terminal Date:	8th November 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

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
SHDC INTERNAL	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder re-submission seeking to add external walls and change the roof design on an existing outbuilding which was converted into an annexe under H04-0577-23.

Site Description

The site is within the settlement boundary of Donington as outlined within the South East Lincolnshire Local Plan, 2019 (SELLP). The property is a two storey detached dwelling with a conservatory, workshop and small office situated within the grounds. It is made of brick with a brown door and windows made of white timber. There is a row of hedges at the front garden running parallel with a small boundary fence along the highway, there are also two trees in the front garden. Along the side of the house there is a gravel driveway which leads to the workshop on the north east side, the rear garden also has trees and bushes throughout the whole area.

History

H04-0577-23 - Convert outbuilding into annexe - Approved

Consultation Responses

South Holland District Council Environmental Protection

No comments.

Public Representation

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

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 materials being used on the conversion are as follows, the walls and roof are both currently made of an asbestos corrugated sheet. The proposed walls will be made of red brick to match the rest of the existing outbuilding and house. The roof will be made from Redland grove concrete charcoal roof tiles to match the existing with the flat roof section being made from GRP. The windows are currently timber painted white and the proposed will be the same colour but changed to uPVC which matches the windows on the existing dwelling. The slide gate doors will remain alongside the white uPVC doors. Finally, a boundary treatment will be made from the same red brick. The materials for the most part match that of the existing dwelling and are therefore considered to blend in and due to the location of the outbuilding being situated away from the road it will not create any visual discrepancies.

The annexe features three separate rooms, the bedroom will be 5.6m by 4.7m, the main area will be 7.5m by 3.6m and finally the bathroom will be 4.4m by 2.9m. These rooms will remain the same size as the existing. Alongside the development there will be some alterations to the outbuilding. An existing door on the front elevation will now become a window. As mentioned, the slide gate doors will remain but there will be a new door behind this providing access into the main room. Within the bedroom there will be also be a new window to allow for some natural light, as the outbuilding shares a party wall with the direct neighbour there are minimal areas for windows to be situated, as such there will be a total of six roof lights to provide this natural light into the main habitable areas. The main changes will be the existing storage/ car port being bricked up to create a new room and as such the roof design will be changing from a sloped to flat roof, the height of the existing roof is 2.6m at its highest and 2m at the lowest and the new measurements will be 2.6m. Flat roofs are not commonly favourable by the LPA however as this will be on the side that doesn't face the highway it will not effect the street scene and is therefore acceptable. Internally, outhouse (side) will become a bathroom, outhouse (main) will remain as a main living area and finally, the outhouse car port/ storage will become a bedroom. The previous application proposed that the new bathroom as a joint bedroom with a small en-suite.

This proposal is in accordance with Policies 2 & 3 of the SELLP and Section 12 of the NPPF.

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.

No overlooking concerns will arise as a result of the conversion to an annexe as there are only new windows going in the roof and on the side of the outbuilding to allow light into the bedroom and therefore there will be no windows facing any neighbouring properties. No privacy will be lost following the application being approved. Similarly, no overshadowing will occur either due to the only somewhat significant change being made externally is the change of roof angle from a slight slope to a flat roof, however this is not drastic enough to cause any overshadowing concerns. 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.

This proposal is therefore in accordance with Policies 2 & 3 and Section 12 of the NPPF.

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 within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality or the amenity of nearby residents, and is seen as acceptable. Overall, the development conforms with the South East Lincolnshire Local Plan for the most part 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 & 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.