

## DECISION DELEGATED TO DEVELOPMENT MANAGER

**Application No:** H07-0068-20      **Applicant:** Mr & Mrs D Jones  
**Proposal:** Conversion of garage to residential - re-submission of H07-0885-19  
**Location:** 1 Sycamore View Gedney Hill Spalding  
**Terminal Date:** 2nd May 2020

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### 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                |
| 10         | Meeting Assessed Housing Requirements |
| 11         | Distribution of New Housing           |
| 17         | Providing a Mix of Housing            |
| 36         | Vehicle and Cycle Parking             |
| APPENDIX 6 | Parking Standards                     |

#### National Guidance

#### National Planning Policy Framework 2019

Section 2. Achieving sustainable development  
 Section 5. Delivering a sufficient supply of homes  
 Section 11. Making effective use of land  
 Section 12. Achieving well-designed places  
 Section 14. Meeting the challenge of climate change, flooding and coastal change

### Representations:

|                                       | Object | Support | No Obj. | Comments |
|---------------------------------------|--------|---------|---------|----------|
| PARISH COUNCIL                        | 0      | 0       | 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 planning application that seeks full permission for conversion of garage to residential (re-submission of H07-0885-19) at 1 Sycamore View, Gedney Hill, Spalding.

The previous planning application H07-0885-19 was refused on the following grounds:

*"1. The proposed dwelling would constitute an unacceptable form of cramped development out of keeping with existing development in the area by virtue of existing residential development being sited within larger plots and the application site offering limited external space in comparison.*

*The proposal is therefore contrary to Policies 2 and 3 of the South East Lincolnshire Local Plan (2019). Policy 2 indicates that sustainable considerations should be met in terms of impact upon the character and appearance of the area and the relationship to existing development and land uses. Policy 3 indicates that design which is inappropriate to the local area will not be acceptable. These policies are in accordance with national guidance set out in Section 12 of the National Planning Policy Framework (2019), in particular the principle that new development should be "sympathetic to local character, including the surrounding built environment". It also considered to be contrary to Section B2 of the National Design Guide which requires a site's context to be taken into consideration."*

*"2. The amenity standards of future occupiers of the proposed dwelling would be unacceptably compromised by virtue of the lack of external amenity space that would be provided and its limited functionality.*

*As such, the proposal is contrary to Policy 3 of the South East Lincolnshire Local Plan (2019) which requires development proposals to demonstrate that, amongst other matters, residential amenity will be secured"*

The purpose of this development remains to create an independent dwelling. It is not sought to obtain permission for an annexe or any other ancillary development to the house at 1 Sycamore View.

The proposal entails internal alterations such as partition walls to convert the existing garage into residential use in addition to the erection of a single-storey front extension. The building will remain single-storey.

A new 1.5 metre high timber close board fence will be erected 4 metres further from the south-western elevation of the garage. This means of enclosure will physically split the curtilage into the plot of 1 Sycamore View and the proposed plot.

### **Site Description**

1 Sycamore View is a large two-storey house on a corner plot facing both Station Road and the cul-de-sac end of Sycamore View. The remainder of the site is laid in lawn used as domestic garden. The detached garage subject to the conversion is accessed from Station Road through a gravelled driveway.

A well-maintained 1.6 metre high conifer hedgerow bounds the domestic garden and the garage whereas a shorter timber close board fence borders with the adjacent property No. 5 to the north-east.

### **History**

H07-0885-19 - Garage conversion to residential use - Refused.

## **Consultation Responses**

### LCC Highways/SUDS

No objection.

Further information is required with regards to the proposed parking arrangement for the existing dwelling.

### South Holland IDB

No objection.

It is reminded to ensure the development complies with Board's Byelaw and other legislation.

### Members of public

One resident has made a representation raising the following issues:

- Close proximity of the proposed dwelling with the rear house extension at No. 3 Sycamore View.
- Limited space available to the front of No. 1 Sycamore View for accommodating three car parking spaces
- The lawn/gravelled area adjacent to the southern-west elevation of No. 1 Sycamore View might be removed and hard surface might be applied to accommodate parking spaces and prevent parking congestion to the front of the property.

## **Planning Considerations**

### Principle of development

The site lies within the settlement boundary of Gedney Hill as set out in the South East Lincolnshire Local Plan (SELLP), 2019.

Policy 1 of the Local Plan (Spatial Strategy) classifies Gedney Hill as a "Minor Service Centre". "Development" in Minor Service Centres "will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities. Development will normally be limited to Allocated and Committed sites and infill".

The proposal will be carried out on a plot between existing buildings, hence the development can be considered infill development. The intended dwelling could entail the arrival of new residents to Gedney Hill, or encourage existing residents of Gedney Hill to remain within the village, who will potentially use the services and facilities of the village. There is a footpath connecting the site with the village centre and the distance between both places is easily walkable. Overall, it is deemed that the proposal will help sustain existing facilities in line with Policy 1 of SELLP. Therefore, the principle of development for the proposal on the application site will be acceptable.

### Layout and design

The existing garage is a hip roofed detached building. The proposed extension of the garage will be subservient to the building in terms of scale, mass and bulk.

The enlargement will not compromise car parking provision. The submitted site plans shows that 3 car parking spaces could be achieved for 1 Sycamore View and the proposed new dwelling will have 2 spaces to the front. The provision of car parking space therefore complies with the minimum requirements contained in Appendix 6 of the SELLP.

The previous refused proposal was deemed to constitute a cramped form of development out of keeping with the character of existing development in the locality. It was stated that the site of No. 3 Station Road, which appears to currently be the smallest plot in the vicinity, is approximately 6.7m

deeper than the previously proposed site. The depth of the proposed plot hereby submitted remains so such consideration might be extant. However, the main alteration in this respect has been an increase of 2 metres further between the dwelling and the south-western boundary as a consequence of boundary/fence reposition. Such arrangement will provide further patio/garden. The site area has been increased and therefore this time the form of development is acceptable in terms of site layout. Consequently, as detailed below, the availability of amenity space within the curtilage will be now acceptable and the future occupiers of the house will enjoy good standards of residential amenity.

The document "Technical housing standards - nationally described space standard" was produced by the Department for Communities and Local Government on March 2015 (DCLG). The local development framework has not echoed the national minimum floor space standards with the exception of Policy 21: Houses in Multiple Occupation and the Sub-Division of Dwellings of SELLP which clearly does not apply in this case. Therefore, this application cannot be determined on the basis of such national standards although they do provide some useful guidance to assess whether the proposal is or is not appropriate in this respect.

For a single-storey dwelling with two bedrooms accommodating 3 bed spaces, the DCLG standards set out a minimum gross internal floor area (GIFA) of 61 square metres. The proposed GIFA is nearly 63 square metres, which exceeds the nationally described standard of 55 square metres. For this reason, the residential amenity standards are now considered to be appropriate for the future occupiers of the intended dwelling.

#### Car parking provision

The County Highways Authority requested further information regarding the proposed parking arrangement for the existing dwelling (No. 1). However, the proposed site layout shows three car parking spaces to the front of the property No. 1 Sycamore View which complies with the minimum car parking standards contained in Appendix 6 of SELLP, 2019.

The proposed dwelling would be provided with two spaces which also complies with the standards set out in the Plan.

#### Flood risk and 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).

Gedney Hill is not impacted by flood hazard in accordance with South East Lincolnshire Strategic Flood Risk Assessment (March 2017). In any case, it is intended to set the finished floor levels 300mm above the ground levels as a freeboard.

The proposed works include the installation of a soakaway to manage sustainably surface water runoff. There is demonstrated evidence that the soil permeability of Gedney Hill is poor and therefore proposals for infiltration systems need to be carefully assessed in such location. In this case, the garage has had so far a soakaway to deal with surface water runoff. The proposed works includes the installation of one further to cope with the runoff originated by the front extension. It is unknown any surface flooding event since the installation of the existing soakaway. Moreover, the County Council as Lead Local Flood Authority has made no comment in this respect. In principle, the additional soakaway will be acceptable. In any case, the suitability of such infiltration system will be tested and subsequently approved at a later stage by SHDC Building Control.

In summary, the development appears to be appropriately flood resistant and resilient given the sources of flood in the locality, hence the proposals comply with Policy 4 of SELLP.

#### Impact upon residential amenity

The mature trees behind the fence on the north-eastern boundary heavily screen any views from/to the adjacent property No. 6 Station Road. New 1.5 metre high timber close board fencing will be erected along the south-western boundary which will obscure views on the ground level between the proposed plot and the adjacent one of No. 1 Sycamore View. Furthermore, this neighbouring

property has no upper windows facing the proposed dwelling. Overall, should permission be granted, no loss of privacy will occur by virtue of overlooking effect.

Given the single-storey nature of the intended dwelling and the aforementioned boundary treatment, no overbearing impact to adjacent residents will exist either.

In comparison with previously refused proposal under H07-0885-19, the proposed domestic garden is larger. The existing hedge on the southern-west boundary will be removed to provide further lawn that will increase the functional space of the garden for enjoyment of future occupiers. It is overall considered no material harm will occur upon the amenity standards of future residents of the intended dwelling.

### Conclusion

The principle of residential development on the application site is acceptable when assessed against Policy 1 of the Local Plan. When compared with previously refused proposal under H07-0885-19, the development hereby assessed will have improved design standards in terms of internal floor space and domestic garden. Consequently, the amenity standards of the future residents of the intended dwelling will be appropriate.

In light of the representation made by member of public, no conflict has been anticipated between the proposed dwelling and the rear extension at No. 3 Sycamore View. There is appropriate mean of enclosure and sufficient separation distance to prevent unacceptable overbearing impact. With regards to the issue of parking layout to the front of No. 1 Sycamore View, the number of spaces available comply with the minimum requirements contained in Appendix 6 of the SELLP. On balance, it is considered that the proposals do not fail in these matters.

Taking into account the considerations above, the proposal is considered to accord with Policies 1, 2, 3 and 4 of the South East Lincolnshire Local Plan (SELLP), 2019 and Appendix 6, as well as Sections 12 and 14 of the National Planning Policy Framework (NPPF), 2019.

It is accordingly recommended to approve this application via delegated powers.

### **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.