

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H07-0601-19 **Applicant:** Mr & Mrs J Richardson
Proposal: Conversion and extension of double garage to form annexe
Location: 19a Station Road Gedney Hill Spalding
Terminal Date: 1st April 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

- 01 Spatial Strategy
- 02 Development Management
- 03 Design of New Development

National Guidance

National Planning Policy Framework 2019

Section 12. Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
RESIDENTS	2	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application that seeks permission for conversion and extension of double garage to form annex at 19a Station Road, Gedney Hill, Spalding.

The former plans that accompanied this application showed a large two-storey annexe. Concerns were raised to the agent with regards to the excessive size of the development and harm upon residential amenity of neighbours by reason of overlooking and overbearing effect.

Revised plans were subsequently submitted and the proposal was amended accordingly. The final proposal consist of single-storey extension to the existing garage to form the annexe. The determination of this application will be made on the basis of the recent submission.

Site Description

The site is part of the linear development that constitutes the built-up area of the village of Gedney Hill.

The property is a new two-storey detached dwelling which was built after obtaining permission in 2014 and 2015 (see planning history below). The curtilage boundaries of the residential plot shape a long linear narrow site. A driveway runs to the south of the property that serve access to a detached double garage to the back of the dwellinghouse. Further to the rear, there is a fence area with caravans used for storage. Beyond the residential plot, there is a vast paddock land under applicant's ownership. Gravel is laid across the front, driveway and garage area.

To the north, No. 19b is a detached dwellinghouse which appears mirroring the application's site layout. A similar garage in terms of scale, height and appearance is located to the side of the application's garage. To the south, Rose Cottage is a large detached dwellinghouse that sits in a more sizeable plot.

History

H07-0180-14 - Residential building plot - Approved (Outline permission)

H07-0291-15 - Erection of detached house and garage - outline application H07-0180-14 - Approved (Reserved Matters)

Consultation Responses

Members of public

Two residents made representations against the former proposal in the following terms:

- Harm upon the appearance of the area
- Unacceptable overshadowing effect to the objector's rear garden.
- Overlooking effect from the first-floor windows to the rear gardens of adjacent properties

Planning Considerations

Principle of development

The site is within the settlement boundaries of Gedney Hill as set out in the South East Lincolnshire Local Plan (SELLP), 2019. There is no objection to the principle of a domestic annexe which is by nature ancillary development to a dwellinghouse.

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 policy issues of this proposal therefore relate to the material considerations mentioned below.

Design and layout

Paragraph 127 of National Planning Policy Framework (NPPF), 2019 establishes that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting, among other considerations. 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 as per Policy 2 of the SELLP.

The extension would protrude nearly 4 metres from the rear elevation. It would be marginally narrower than the garage. The eaves of the proposed extension will be as high as those of the current garage. The apex height will be approximately 40 centimetres lower than the ridgeline of the garage. The mass of the development would be single-storey. Overall, the proposed development

would be externally subservient to the host building in terms of scale, mass and bulk.

Internally, the extension would accommodate one bedroom and one bathroom. The existing rear wall of the garage would be partially demolished to create two opening per each room. New wall will be erected around the existing single panel door on the western side elevation to create a utility room. The remainder of the floorspace would remain open for a large combined kitchen/living/dining room. The existing garage doors on the front (south) elevation will be removed, brick up will be carried out and other works to form two windows. Both internal and external alterations are deemed necessary and kept at minimum to undertake the conversion of the garage for residential use.

The proposed external materials of the extension will be red facing brickwork and dark concrete roof tiles matching those existing in the dwellinghouse. The doors will be composite timber effect to match the existing garage personnel door on the western side elevation and the windows will be made of cream colour UPVC to match those in the property. The resulting appearance of the development would accords with the dwellinghouse.

The annexe resident is one of the family members that currently lives in the main property. Thus, no increase of the number of house occupiers will occur and the minimum standards for car parking provision will be ensured.

In summary, the development entail an appropriate form of development with the host building, property and other properties nearby. The matching red facing brickwork and timber appearance of the new windows would be in kept with the semi-rural character of the area. Therefore, the design and layout of the proposal accords with the aforementioned policies in this respect.

Residential amenity

There is nearly 2 metre high timber closeboard fencing along the northern boundary adjoining the curtilage of No. 19b as well as the southern boundary adjoining Rose Cottage.

The extension is single-storey. Such boundary treatment will mostly obscure the entirety of its bulk. The roof might be the only part of the development noticeable for the residents of the neighbouring properties. Likewise, the fencing will prevent any overlooking effect from the windows on the front (south) elevation to the site of Rose Cottage.

Therefore, the development complies with residential amenity which is one of the key principles of design and development management as set out in Policies 2 and 3 of SELLP (2019).

Conclusion

Two members of public objected the former proposal. However, re-consultation was carried out once the revised plans were submitted and no comments neither objections were made with regards to the final proposal.

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

It is accordingly recommended to approve this planning 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.