

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H07-0885-19	Applicant:	Mr & Mrs D Jones
Proposal:	Garage conversion to residential use		
Location:	1 Sycamore View Gedney Hill Spalding		
Terminal Date:	1st January 2020		

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 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	1
WARD MEMBER	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a planning application that seeks full permission for garage conversion to residential use at 1 Sycamore View, Gedney Hill, Spalding.

The purpose of this development is 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 does not only entail internal alterations to convert the existing garage into residential use but also the erection of a single-storey front extension. The building would remain single-storey.

A new 1.5 metre high timber close board fence would be erected 2 metres away from the south-western elevation of the garage. This means of enclosure would 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

None relevant.

Consultation Responses

Ward Member

Small and not in keeping with the street scene.

LCC Highways/SUDS

Comments re parking provision but no objection.

SHDC Environmental Protection

No comment.

Gedney Hill Parish Council

Concerns regarding loss of parking to existing 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 would 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 would 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 would help sustain existing facilities in line with Policy 1 of SELLP. Therefore, the principle of development for the proposal on the application site would be acceptable.

Layout and design

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

The enlargement would 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 would 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.

However, although there are some positive aspects, it is considered that the proposal would represent a cramped form of development that is out of keeping with the character of existing development in the locality. Other dwellings in the area are on visibly larger plots than the application site. No. 3 Station Road, which appears to currently be the smallest plot in the vicinity, although sitting within a similar width plot, is approximately 6.7m deeper than the application site. That dwelling therefore does not appear cramped within its plot.

It is considered that the single-storey nature of the house would not outweigh the fact that the proposal would still appear to be a cramped form of development. Consequently, as detailed below, the availability of amenity space within the curtilage would be limited and the future occupiers of the house would not 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 approximately 55 square metres, which is clearly less than the nationally described standard. This is further evidence of the cramped nature of the proposed development.

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. The existing 1.6 metre hedgerow on the south-western boundary would obscure views from the domestic garden of 1 Sycamore View. This property has no upper windows facing the proposed residential unit. Overall, should permission be granted, no loss of privacy would 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 would exist either.

However, the domestic garden of the proposed dwelling would not be sufficiently spacious to allow the future house occupiers to enjoy a good standard of amenity. The external amenity area would comprise narrow strips of lawn surrounding the dwelling as well as a patio area adjacent to the south-western elevation. By reason of their nature, the shrubs, paved paths and drive are excluded from this consideration as they do not provide functional amenity space. The hedge which is

proposed to remain would also restrict the functional space. It is considered that this would result in material harm to the amenity standards of future residents to the extent that it cannot outweigh any other strength of the proposal on the grounds of residential amenity.

Conclusion

The principle of residential development on the application site is acceptable when assessed against Policy 1 of the Local Plan. However, notwithstanding some positive aspects, the proposed development would appear cramped within the plot in light of the amount of external space that would be provided. This would also result in a standard of amenity space that would be detrimental to the amenity of future occupiers. On balance, the harm is deemed to be sufficiently significant to outweigh any benefit of the proposal.

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

Therefore, it is recommended to refuse 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.