

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H08-0044-22 **Applicant:** Mr & Mrs Crick

Proposal: Proposed garage conversion, including raising the eaves height by 1.5m to create first floor

Location: 63 Westhorpe Road Gosberton Spalding

Terminal Date: 17th March 2022

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 2021

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 at 63 Westhorpe Road, Gosberton for a proposed garage conversion, including raising the eaves height by 1.5m to a create first floor recreational space. At ground floor level the western elevation will have a door access, the northern elevation will contain a door, the eastern elevation will retain a garage door and contain a window serving the workshop. The southern elevation facing Westhorpe Road will contain a blank elevation wall. At first floor level the western elevation will contain a blank gable wall, and the northern elevation will contain two rooflights. The first floor eastern elevation will contain a blank gable wall and the southern elevation will contain a dormer window and two rooflights.

At ground floor level the garage use will become a garage, workshop and shower room. The existing garage measures 6.25 metres in width and depth, has an eaves height of 2.35 metres and a ridge height of 4.75 metres. The proposed garage extension will not amend the width or depth, have an eaves height of 3.85 metres and a ridge height of 6.25 metres. Brick and tile is to match that of the existing garage.

SITE DESCRIPTION

The site is within defined settlement limits and the surrounding area is characterised by linear development of varying ages and designs. The site is bordered by a 2 metre high timber fence to the west, a 2.5 metre high hedge to the east, and a low level frontage wall rising in height to 1.8 metres to support 2.2 metre high fencing across the vehicular access. The site is in Environment Agency Flood Zone 1 and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

RELEVANT HISTORY

No relevant history

CONSULTATION RESPONSES

None

PLANNING CONSIDERATIONS

Principle of development

This householder application is for residential development on residential land. The principle of development in this location is considered to be acceptable.

Assessment against SELLP Policy 2 - Development Management

When assessed against the relevant criteria the following can be observed:

1. Whilst the height of the garage is being increased, the size, scale and layout is not materially different and there are other examples of frontage garages in the vicinity. No trees are to be removed to facilitate this proposal and there is not considered to be a material impact on the character and appearance of the surrounding area.
2. The design is considered to be appropriate for the area and the orientation of the fenestration on the building is considered to be appropriate for the proposed use.
3. Brick and tile is to match that of the existing garage and will be conditioned as such.
4. The existing access is not being altered. Whilst a garage space will be lost there is ample space on site to allow the parking of in excess of three vehicles which is the minimum number of off road parking spaces requested under Appendix 6 of the SELLP.
5. The capacity of existing community services and infrastructure is not impacted by this proposal.
6. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion the following can be observed:

Overdevelopment - The footprint of the detached garage building is not being increased and there is ample amenity space to the front and rear of the site. The proposal is not considered to constitute overdevelopment.

Overbearing / overshadowing - The garage building is 17.5 metres away from 61 Westhorpe Road. There is not considered to be an overshadowing impact on this dwelling. The ridge height of 6.25 metres is approximately 7 metres to the nearest window of 65 Westhorpe Road to the north-west. There is considered to be a small amount of light loss occurring for a small period of the morning during winter months when the sun is lower in the sky, but for the remainder of the day and year number 65 is not materially impacted by a loss of light.

Overlooking - There are no fenestration elements in the western and eastern side elevations at first floor level. The north facing rooflights directly face the host dwelling and do not directly overlook any windows at number 61. The dormer window and two rooflights in the southern elevation directly face Westhorpe Road and arable fields beyond. There is not considered to be a material overlooking aspect from this proposal.

7. The site is in Environment Agency Flood Zone 1 and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

When assessed against the relevant criteria the following can be observed:

1. A sense of place is not considered to be affected by this proposal. Whilst the height of the garage is being increased, the size, scale and layout is not materially different and there are other examples of frontage garages in the vicinity. No trees are to be removed to facilitate this proposal and there is not considered to be a material impact on the character and appearance of the surrounding area.

5. There remains space on site for bin and cycle storage. Whilst a garage space will be lost there is ample space on site to allow the parking of in excess of three vehicles which is the minimum number of off road parking spaces requested under Appendix 6 of the SELLP.

11. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion the following can be observed:

Overdevelopment - The footprint of the detached garage building is not being increased and there is ample amenity space to the front and rear of the site. The proposal is not considered to constitute overdevelopment.

Overbearing / overshadowing - The garage building is 17.5 metres away from 61 Westhorpe Road. There is not considered to be an overshadowing impact on this dwelling. The ridge height of 6.25 metres is approximately 7 metres to the nearest window of 65 Westhorpe Road to the north-west. There is considered to be a small amount of light loss occurring for a small period of the morning during winter months when the sun is lower in the sky, but for the remainder of the day and year number 65 is not materially impacted by a loss of light.

Overlooking - There are no fenestration elements in the western and eastern side elevations at first floor level. The north facing rooflights directly face the host dwelling and do not directly overlook any windows at number 61. The dormer window and two rooflights in the southern elevation directly face Westhorpe Road and arable fields beyond. There is not considered to be a material overlooking aspect from this proposal.

12. The site is in Environment Agency Flood Zone 1 and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

This application accords with SELLP Policy 3.

PLANNING BALANCE

There is not considered to be a material impact on neighbouring amenity through the creation of a recreation space in the garage building. There is not considered to be a material overshadowing impact, and first floor fenestration orientation means there is not an overlooking impact. There is not considered to be an amenity or character impact on the site or wider area. This application accords with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2021.

CONCLUSION

This application is recommended for approval.

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.