DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H08-0146-25**	**Applicant:**	**Mr P Thorold**
Proposal:	Proposed removal of existing garage doors & replace with bi-fold doors		
Location:	7 Cooks Road Gosberton Spalding		
Terminal Date:	21st April 2025		

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
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

National Planning Policy Framework (December 2024)

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 9 - Promoting sustainable transport
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

National Guidance

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

CASE OFFICER ASSESSMENT

Proposal

The application seeks full planning permission to remove garage doors with bi-fold doors at 7 Cooks Road, Gosberton. The proposed bi-fold doors would be the same size as the existing doorways, and as such it would not be necessary to fill in brickwork, except for a small area along the bottom of the doorways. Brick soldier course detailing is also proposed instead of plain lintels.

Site Description

The application site comprises land at 7 Cooks Road, which is a detached two-storey dwelling located on the southern side of Cooks Road. The dwelling is set within a relatively large plot which is largely surrounded by trees. The site is near to a farming business which is also accessed along Cooks Road. The site is otherwise largely surrounded by agricultural land.

The site is outside of any defined settlement boundary, as identified by the South East Lincolnshire Local Plan (2019) and the accompanying policies map. The site is therefore within the countryside in planning policy terms.

Relevant Planning History

H08-0002-19: (Full Application) Proposed replacement dwelling - approved 06 March 2019

H08-0147-21: (Full Application) Proposed replacement dwelling and change of use from agricultural to residential - approved 12 April 2021

H08-1009-22: (Non material amendment) Proposed replacement dwelling and change of use from agricultural to residential - approved under H08-0147-21. Amendment to brick type - refused 17 November 2022

H08-1114-22: (Section 73 Application) Proposed replacement dwelling & change of use from agricultural to residential - approved under H08-0147-21. Modification of Condition 2 to allow amendments to previously approved plans - approved 19 January 2023

H08-0952-24: (Full Application) Proposed single storey rear extension including change of use of land from agricultural to residential - approved 08 January 2025

H08-0233-25: (Full Application) Proposed Single Storey Detached Treble Garage - pending determination

Consultation Responses

The responses received from consultees during the consultation period are summarised below. The responses can be viewed in their entirety on South Holland District Council's website.

Lincolnshire County Council - Highways and SUDS: No objections. The proposal is for the removal of the existing garage doors & replace with bi-fold doors. They are removing the garage and replacing with a games room. There is sufficient space on site for parking, the loss of the garage will not have a detrimental impact on the public highway.

Gosberton Parish Council: No response received.

Cllr H J W Bingham: No response received.

Cllr M A Geaney: No response received.

Cllr J L King: No response received.

Public Representations

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

Key Planning Considerations

Development Plan

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is 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, December 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

There are no adopted Neighbourhood Plans for the area within which the site is located.

The main issues and considerations in this case include the following:

-Visual and Amenity Impact;
-Highway Safety and Parking; and
-Flood Risk.

Visual and Amenity Impact

Paragraph 135 of the NPPF states that new development should function well and add to the overall quality of the area and should be visually attractive as a result of good architecture and appropriate landscaping.

Policy 2 of the Local Plan outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals.

Policy 3 accords with the provisions of Section 12 of the NPPF, 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 existing dwelling comprises a detached two storey dwelling. The application seeks full planning permission to remove garage doors with bi-fold doors. No additional floorspace is proposed. There are no dwellings next to the site and as such the proposed bi-fold doors would not look directly onto any neighbouring dwellings. The proposed bi-fold doors would be the same size as the existing doorways, and as such it would not be necessary to fill in brickwork, except for a small area along the bottom of the doorways. Brick soldier course detailing is also proposed above the doors instead of plain lintels. The visual impact of the proposed development is acceptable. It is considered appropriate to include a condition requiring the brickwork to match the existing brickwork as closely as possible.

The proposed development would therefore not cause an adverse impact to the character or appearance of the area and would therefore accord with Policies 2 and 3 of the Local Plan and Sections 12 and 16 of the NPPF.

Highway Safety and Parking

Paragraph 116 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, following mitigation.

Policy 36 of the Local Plan, in conjunction with Appendix 6, sets out minimum vehicle parking

standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

The proposal would result in the loss of two internal parking spaces as the integrated garage is proposed to be replaced with a games room. There is however ample room for parking and turning within the site. Lincolnshire County Council's highways team have not raised any objections to the proposed development. The proposed development would therefore have an acceptable impact in terms of highway safety and would therefore accord with Policies 2, 3 and 36 of the Local Plan, and Section 9 of the NPPF.

Flood Risk

The site is within Flood Zone 3 as identified by the Environment Agency's flood risk maps. The maps do not take into account any flood defences and large areas of South Holland are located within Flood Zone 3. Policy 4 of the Local Plan sets out that development within Flood Zone 3 will be permitted in instances where specific criteria is met.

Within the South East Lincolnshire Strategic Flood Risk Assessment, areas across South Holland have been identified according to the level of hazard that is posed in terms of flood risk. Appendix C of the SFRA sets out guidance in terms of the minimum measures that are required according to what hazard category areas fall under. The site is not identified within a specific hazard rating area of both 'Danger to Most' and 'Danger to Some'. Therefore, no specific flood risk mitigation is recommended by the SFRA. Furthermore, the proposal would not increase the impermeable area within the site. The proposed development is therefore acceptable in flood risk terms and would therefore accord with Policy 4 of the Local Plan and Section 14 of the NPPF.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents. The proposed development therefore accords with the Local Plan and the NPPF. In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

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.

Conclusion

Taking the above considerations into account, the proposal is considered to accord with Policies 1, 2, 3, 4 and 36 of the Local Plan, along with the identified sections contained within the NPPF. There 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.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.