DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-0037-22**	**Applicant:**	**Mr & Mrs D Stanton**
Proposal:	Proposed garage conversion including alteration from flat to hipped roof, internal alterations & treatment plant.		
Location:	Avondale Dam Gate Holbeach		
Terminal Date:	16th March 2022		

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 2021

Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for conversion of the garage into a kitchen, utility room and a w/c, change the roof from flat to hipped and a new sewage treatment plant to the rear. The external materials would match the existing dwelling.

SITE DESCRIPTION

The application property is a detached bungalow located on Dam Gate in Holbeach. The property is brick built and has white door/window frames. The site benefits from a large gravelled driveway to the front and a single attached flat roofed garage to the side. The front of the site is open and the side/rear boundaries are enclosed by a fence. The site is surrounded by mainly open countryside but there are a small number of dwellings scattered along the road.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

Holbeach Parish Council

No objections.

PLANNING CONSIDERATIONS

Principle of development

The site is outside any settlement boundary, however, the proposed extensions would be sited within the residential curtilage of the existing dwelling therefore the principle of extending the existing dwellinghouse is acceptable.

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 material considerations are addressed below.

Layout, Design, Size and Scale

Paragraph 130 of the National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations. Likewise, Policy 2 of the SELLP states that 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.

The proposed garage conversion and roof alterations would be clearly visible from the public realm given the site is fairly open. The proposed hipped roof is to some extent considered to be an improvement to the overall site. The increase in the roof height would not dominate the existing bungalow. Furthermore the use of matching external materials would further ensure the development is in keeping with the existing bungalow.

The proposed treatment plant would be located in the rear garden and would not be visible from the public realm.

As such the extensions would comply with the aforementioned policies on design, layout and impact upon the character of the local area.

Impacts upon Residential Amenity

Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) set out residential amenity and the relationship to existing development and land uses as main considerations when making planning decisions. They are consistent with advice within the National Planning Policy Framework (2021). Paragraph 130, amongst other matters, seeks places with a high standard of amenity for existing and future users.

Given the remote location of the application dwelling the closest neighbours are located a significant distance from the application site therefore no unacceptable impact would result on neighbouring amenity.

As such the proposal would accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed scheme would not increase the number of bedrooms within the property therefore the parking requirement for the site would remain the same. The proposal would lose one parking space due to the garage conversion, however, sufficient off-street parking would be retained in the driveway to the front. The driveway to the front has space for at least 3no spaces therefore the scheme is considered to comply with the current parking standards.

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).

The new domestic waste treatment plant will be situated further into the rear garden than the existing and close to the rear boundary. Discharge would be into an existing drain. The treatment plant will be located at least 7 metres from all habitable buildings. As such it is not considered that the waste treatment will have a detrimental impact on neighbouring properties.

The proposal is considered to be in accordance with Policies 2, 3 and 4 of the Local Plan with regard to their provisions on drainage.

Planning Balance

The proposal will not materially harm the character or appearance of the locality, the amenity of nearby residents or result in parking or drainage issues. The planning balance is therefore considered to be in favour of the proposal.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 1, 2, 3, 4 and 36 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2021).

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.

RECOMMENDATION

The application can be approved under delegated powers.