DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H11-0796-23**	**Applicant:**	**Mr S Cousins**
Proposal:	First floor extension above garage and garage conversion to form office area - Retrospective		
Location:	65 Roman Bank Long Sutton Spalding		
Terminal Date:	3rd January 2024		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2023

Section 12 - Achieving well designed places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a retrospective householder application seeking permission for a first floor extension above the garage and the conversion of the existing garage to form an office area.

Site Description

The site lies within the defined settlement boundary of Long Sutton as outlined within the South East Lincolnshire Local Plan, 2019 (SELLP). 65 Roman Bank is made of bricks with cladding some

elevations with a tiled roof and uPVC windows and doors. Many properties along Roman Bank feature the same brick type with similar windows, doors and tiles. It is not common for cladding to be used in this area. There are a variety of house designs and sizes with many being single storey and some two storey houses.

History

No relevant planning history.

Consultation Responses

Councillor J Tyrrell

Will not make any difference to the area.

Evaluation

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

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms 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 (updated 2023) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.
Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals. In this instance, no relevant neighbourhood plans have been adopted.

Planning Considerations

Layout, Design and Consideration of the Character and Appearance of the Area

Section 12 of the National Planning Policy Framework (2023) specifically relates to 'Achieving well-designed places' and details that "The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 130, contained within Section 12 of the National Planning Policy Framework (2023), states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing.

Development proposals should also ensure that developments 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 South East Lincolnshire 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.
Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework, 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.

These policies accord with the provisions of the National Planning Policy Framework and require 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.

Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design, and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

The extension will be made from the following materials, the roof shall be flat slate tiles to match the existing, both the windows and doors will be made from anthracite grey with the vehicle access being a gravelled drive. The walls will be made from Cedral board cladding in the colour grey/ blue, this shall be featured on the front elevation of the ground floor garage conversion and all elevations on the first floor extension. These works have all been carried out. The cladding is not considered to match the majority of materials used on dwellings in the immediate area and as such could be seen to harm the locality, however, there is no set design or materials in this area and therefore the use of the cladding in this colour will not harm the area significantly.

The extension will project from the side of the property by around 2650mm and will have a total length of 7900mm, the ridge and eaves height will be at the same level to the existing mean that it will not stick out or look out of place. These measurements are considered to be proportionate and acceptable as it is the same size as the ground floor garage conversion section that it is situated on, it shall also provides adequate extra floor space for the residents for its use as an extra bedroom.

The development also features some alterations to the existing house both internally and externally. The existing garage will be shortened by around 1000mm and converted into an office as mentioned, access to this room will be provided through a new door coming from the hall. At the rear the WC has been extended taking up the space from the garage to make more room in this area. On the first floor, as mentioned, the use of the extension will be used as a bedroom with an en-suite at the rear with access being provided via a new opening in the landing. Many of these alterations, particularly those internal do not require planning permission but have been included within the report and as such have been addressed. These alterations would not result in an unacceptable impact upon the character or appearance of the area.

Taking the above into account, the proposal is considered to be acceptable. The proposal would not cause an unacceptable adverse impact to the character or appearance of the area and would therefore be in accordance with policies 2 and 3 of the South East Lincolnshire Local Plan and Section 12 of the National Planning Policy Framework.

Impact on Residential Amenity/ Land Users

Paragraph 130 of the National Planning Policy Framework (2023) states that development should 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

There shall be no material overlooking concerns due to this development as there are no first floor side elevation windows that would provide a view into a neighbouring garden and they will therefore not lose privacy. At the rear, there shall be a window on the first floor however this will be used for a bathroom and therefore this shall be obscure glazed due to the nature of the room. Overall, neighbouring properties shall not lose significant material privacy.

Similarly, there shall be no material overshadowing as a result of this extension due to the positioning meaning that there should not be a shadow cast onto a direct neighbour at any time during the day. In any case, the extension is the same height as the existing dwelling so there would be no new issues. Naturally, after the initial construction, which itself would take place over a short period, minimal additional noise pollution would be caused as a result of the development.

The development is therefore acceptable in terms of resident amenity and the potential impacts for overshadowing and overlooking are considered to be minimal.

Parking Provision

Section 9 of the National Planning Policy Framework (2023) specifically relates to 'Promoting sustainable transport'. Paragraph 111 of the National Planning Policy Framework (2023) advises 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".

Further, Policy 36, to be read in conjunction with Appendix 6 of the South East Lincolnshire Local Plan, sets out minimum vehicle parking standards and requires at least three spaces must be provided for dwellings with four or more bedrooms. There are three existing bedrooms shown within the plans, following the development being carried out there shall now be four bedrooms, as such a minimum of three spaces will be needed. The drive at the front of 65 Roman Bank clearly can support this and provides adequate spaces for residents to park their vehicles away from the highway.

Therefore, the development is considered to be in accordance with Policy 36 and Appendix 6 of the SELLP and does not cause an unacceptable impact on highway safety.

Planning Balance

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

The proposal represents appropriate development within the defined settlement boundary. The development hereby proposed potentially harms the character or appearance and locality due to the use of the cladding however this has been justified to be acceptable, it shall not harm the amenity of nearby residents, and provides adequate parking, whilst conforming with the South East Lincolnshire Local Plan and the provisions of the National Planning policy Framework when viewed as a whole.

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 be in accordance with policies 2, 3 and 36 (including Appendix 6) of the South East Lincolnshire Local Plan (SELLP) (2019), along with the identified sections contained within the National Planning Policy Framework (NPFF) (2023). The 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.