DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H11-0812-23**	**Applicant:**	**Mr & Mrs J Chapman**
Proposal:	Conversion of Garage & First Floor Extension		
Location:	61 Station Road Long Sutton Spalding		
Terminal Date:	7th November 2023		

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	0	0	0
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
OTHER STATUTORY BODIES	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for the conversion of a garage and first floor extension at 61 Station Road, Long Sutton.

Site Description

The site lies within the defined settlement boundaries of Long Sutton as outlined within the South East Lincolnshire Local Plan, 2019 (SELLP). The dwelling is made of red bricks with a tiled roof and white uPVC windows and doors. The property is identical to the dwelling to the north in terms of materials and design whilst looking very similar to other properties in the immediate area. It is set back around 25m from the highway and has a large open drive and garden to the front of the site.

History

H11-0973-81 - Erect three dwellings and to construct pedestrian and vehicular accesses at Cowpers Gate, Long Sutton - Approved

H11-0959-84 - Erect three dwellings and to construct vehicular and pedestrian accesses at Cooper's Gate Long Sutton - Refused

Consultation Responses

South Holland Internal Drainage Board

No comments and no consents required.

Section 23, Land Drainage Act 1991 -

I note the presence of a Board Maintained watercourse (DRN199G0402 - H04 Cowpers Gate Drain) adjacent to the western site boundary. Whilst not currently proposed, should the applicant's proposals change to include works to alter the watercourse, or if works are proposed to alter the watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4).

Byelaw 10 -

Whilst not currently proposed, should the applicant's proposals change to include works within 9 metres of the aforementioned Board Maintained watercourse, or if works within 9 metres of the watercourse are proposed at any time in the future, consent would be required under Byelaw 10.

Public Representation

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

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.

Planning Considerations

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

Paragraph 130 of the National Planning Policy Framework (NPPF), 2023 establishes that planning

policies and decisions should ensure that developments will function well and add to the overall quality of the area, that they are visually attractive, as a result of good architecture, and are sympathetic to local character. 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. 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.

The materials that will be used on the dwelling will match the existing throughout. The walls will be facing brickwork with the roof being concrete tiles. The windows and doors will be white uPVC. In doing so, it ensures that the proposed first floor extension will be in keeping with the dwelling and the area and ensure that there are no visual discrepancies that will arise. The garage conversion features no external alterations to the size of the room.

The first floor extension will protrude from the side of the dwelling by approximately 5200mm at the front and back and will be a total of 9200mm long, this means it will be slightly longer than the main dwelling and comes out around 1000mm at the front and rear of the extension. The extension will be situated directly on the existing garage and this is therefore the reason why it is slightly longer than the main house as the garage is slightly longer than the main house. These measurements are considered to be acceptable and proportionate and will provide adequate room for the extra bedrooms it proposes. The extension will create a gable roof design fronting the highway and at the rear too, the house directly to the south features this and therefore this new roof design is considered to be acceptable and will match what is already in the area.

As part of the proposal some alterations are included. Internally, the access between the hall and the dining room will be blocked up with the new access being through the existing kitchen which then allows access to the new garage conversion which acts as a 'family room' through a new opening being made here. As such, the existing external door from the garage will be blocked up as will the main garage door at the front which will now be a window to allow natural light into the family room. On the first floor, 'Bedroom 4' will be removed to act as a hallway to the proposed new bedrooms and make room for an en-suite for 'Bedroom 1', there will of course be windows being placed within these new bedrooms and en-suite. Most of these alterations do not necessarily need planning permission but have been included within the plans and therefore mentioned in the report.

This proposal is therefore in accordance with Policies 2 & 3 of the SELLP and Section 12 of the NPPF in terms of layout, design and the materials in use.

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.

There are minimal concerns surrounding overshadowing following this development being carried out despite there being minimal distance between the proposal and the northern curtilage, the positioning of the extension means that throughout the day, no shade will be cast upon No. 59.

As part of the proposed extension there will be new windows in both of the new bedrooms, 'Bedroom 2' will be situated at the front of the development and will therefore look out onto the public footway and highway and not result in any loss of privacy to direct neighbours. On the other hand, 'Bedroom 1' is located at the rear and features two adjacent windows with an en-suite slightly to the south, the en-suite window raises no concerns due to the nature of the room meaning the window will be obscure glazed. It could be considered that the windows at the rear would overlook slightly into No. 59s garden however the hedge will provide some cover for the most part and the angle of the properties would mean the overlooking is very minimal and will not result in a significant loss of privacy. 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 proposal is therefore not in direct accordance with Policies 2 & 3 of the South East Lincolnshire Local Plan due to the reasons stated above, however this has been justified clearly and is therefore considered to be acceptable in this instance.

Highway Safety and Parking

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 for dwellings with four or more bedrooms. Following on from this development the dwelling will have a total of five bedrooms, by removing the garage this will reduce the amount of vehicle parking on site. However, the drive at the front is large enough to have room for at least three vehicles to park on the drive and will not affect the highway safety.

The proposal is therefore in accordance with Policy 36 and Appendix 6 of the SELLP and Section 9 of the NPPF.

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 does not materially harm the character or appearance of the locality, with some identified issues surrounding the amenity of nearby residents, however this has been justified and is seen as acceptable. Overall, the development conforms with the South East Lincolnshire Local Plan for the most part and the provisions of the National Planning policy Framework when viewed as a whole.

Conclusion

Taking the above considerations into account, the proposal is, for the most part, considered to be in accordance with Policies 2, 3 & 36 with Appendix 6 of the SELLP, along with the identified sections contained within the NPPF. 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

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

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