DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H13-0076-23**	**Applicant:**	**Mr & Mrs R Bucknall**
Proposal:	Conversion of Outbuilding into Residential Annexe		
Location:	College Farm Loosegate Road Moulton Seas End		
Terminal Date:	27th March 2023		

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	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

This is a full application, seeking planning permission for the conversion of the existing outbuilding into a proposed annexe at College Farm, Loosegate Road, Moulton Seas End.

Site Description

The site is situated within the countryside, according to Policy 1 in the South East Lincolnshire Local Plan, 2019. The application site is a detached dwelling located in a rural setting with a dwelling to the south west and fields to the north, east and west with a further dwelling beyond the field to the north east.

History

No relevant planning history.

Consultation Responses

LCC Highways/SUDS

No objection.

It is presumed that the occupation of the proposed annexe accommodation would be incidental to the occupation of College Farm farmhouse and that any Consent would be Conditioned as such. That being the case, then the proposed development would not be expected to have an unacceptable impact upon highway safety. The proposed annexe
would be accessed by means of the existing College Farm entrance from Loosegate Road that has proved itself to be safe and suitable and there is sufficient space within the site for the parking and manoeuvre of vehicles. The highway authority does not wish to object to the grant of Consent for this Application.

SHDC Environmental Protection

No comments.

South Holland Internal Drainage Board

Byelaw 3 (Surface Water)

The applicant has indicated that they intend to dispose of surface water via infiltration, however cannot see that the viability of this proposal has been evidenced. Recommend that ground investigation is carried out to determine infiltration potential, followed by testing in line with BRE Digest 365 if onsite material is considered favourable for infiltration. If infiltration is not feasible at this site, following the drainage hierarchy would expect the applicant to propose to discharge surface water to a watercourse. In this case, consent would be required under Byelaw 3. Please note that SHIDB recommend that any discharge is in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), therefore the Board is unlikely to grant consent for discharges in excess of greenfield rate.

Byelaw 3 (Treated Foul Water)

Note that the applicant intends to treat foul waste using a septic tank, however cannot see that the applicant has indicated how they intend to dispose of treated foul water from this development. If the applicant proposes to discharge treated foul water to a watercourse, consent would be required under Byelaw 3.

Section 23, Land Drainage Act 1991

Note the presence of a Board Maintained watercourse (DRN208P1201 - R12 Pig Lane Drain), as well as a riparian watercourse adjacent to the south-eastern 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.

Planning Considerations

Principle of development

The site is outside of any settlement boundary and is therefore considered to be in the countryside in planning policy terms, as per Policy 1 in the South East Lincolnshire Local Plan, 2019. However, the principle of an annexe that is ancillary / incidental to the enjoyment of the existing dwelling is acceptable.

Design and Layout

Paragraph 130 of 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. Policies 2 and 3 of SELLP 2019 amongst other matters seek to ensure that development respects the character and appearance of the area and the relationship to existing development and land uses.

The annex would comprise of one bedroom, a w/c, a living room, and kitchen to the ground floor. The gross floorspace is adequate per each room to ensure good living conditions to the annexe occupier. The building would retain the appearance of the current outbuilding, as the opening on the front elevation will be retained. It is considered that it would not materially harm the street scene or the character or appearance of the host dwelling, given the conversion only includes minor alterations. Overall, the size and external appearance of the proposal would not be at odds with the existing dwelling on the site or the immediate area.

As such the proposed development is on balance considered acceptable in terms of its impact on the character of the existing dwelling and the area therefore it accords with Policies 2 and 3 of the SELLP and the Section 12 of the NPPF.

Residential Amenity

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

The minor alterations to the outbuilding conversion do not include any additional windows to the rear of the building, however this elevation faces onto open fields and are not visible from the road.

The proposed annexe would not be in direct view of any residential properties apart from the host dwelling, which the annexe would be ancillary to and would share the external garden space. Therefore, it would not have a detrimental impact in terms of overshadowing or being overbearing upon any neighbouring residential amenity by virtue of this and its single storey nature.

Taking the above into account, the proposed detached annexe is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of residential amenity.

Parking Provision

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The development would entail an additional bedroom in the annex. It is unknown the current number of bedrooms within the main dwelling, however, a maximum of 3no off-street parking spaces would be required for the site. The proposed conversion would include one half of

the existing garage building to remain as a single garage, with one car space. A further 3 vehicles can be accommodated in the driveway to the front. As such the scheme is considered to comply with the current parking standards.

Planning Balance

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 proposed conversion of the existing outbuilding to form an annexe will not materially harm the character or appearance of the locality or amenity of nearby residents. It is therefore considered to be in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019.

Conclusion

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 proposed development satisfactorily accords with Policies 1, 2, 3, 4, 36 and Appendix 6 of the South East Lincolnshire Local Plan, 2019.

The recommendation is therefore a delegated 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.