

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H13-0612-23 **Applicant:** Ms R Kearley

Proposal: Proposed garage with accommodation, ground & first floor side extension & internal alterations

Location: Snake Hall Cottage 105 Eaugate Road Moulton Eaugate

Terminal Date: 25th September 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development
01 Spatial Strategy
29 The Historic Environment
36 Vehicle and Cycle Parking
APPENDIX 6 Parking Standards

National Guidance

National Planning Policy Framework 2023

Section 9 - Promoting Sustainable Transport
Section 12 - Achieving Well-Designed Places
Section 16 - Conserving and Enhancing the Historic Environment.

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
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Proposal is for ground and first floor side extensions at Snake Hall Cottage. A garage with first-floor accommodation is also proposed. The alterations would lead to the creation of two additional bedrooms, one in the garage and one in the dwellinghouse.

The garage would measure 7350mm by 7300mm. It would feature a dual pitched roof, measuring 4021mm to the eaves and 6187mm to the ridge. The ground floor would provide parking space for two cars, with a utility room to the rear of the structure. An exterior staircase will lead to, what is essentially, a self-contained annexe above the garage. This would feature a bedroom, lounge, kitchenette, and bathroom.

The existing, small side extension is to be removed and replaced with an 8300mm (width) by 10465mm (depth) extension. The height would be consistent with the existing house. The extension would create an additional bedroom.

Alterations to the access are proposed. 1.5-metre-high gates would be erected at the entrance. The driveway would be curved, with hedging planting along the access.

Changes to the exterior materials of the property are proposed. The brickwork would be covered in silicone render painted cream. The white UPVC windows and doors will be replaced by anthracite grey UPVC. The roof tiles would remain consistent.

Site Description

The site is outside of the settlement boundaries outlined within the South-East Lincolnshire Local Plan, 2019 (SELLP), lying 750m south-east of Moulton Chapel. The front of the site is heavily vegetated, in keeping with the majority of Eugate Road. The dwelling lies approximately 100m north of the Grade II listed Snake Hall, but heavy screening is present between the two.

The wider area is characterised by agricultural land, with the property being completely surrounded by fields. Development along Eugate Road is sparse, with a preference shown for smaller, isolated dwellings.

Relevant History

No relevant planning history.

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Environmental Protection

No comments

Highway and Lead Local Flood Authority Report

"No objection: The proposed garage and extensions do not require any alterations to the existing access to the property other than the addition of remote-controlled gates and an advised renewal of the concrete slab. The remote control of the gates should allow them to be opened up on arrival and closed after departure, but the 'slab' is within the highway and will therefore need to be constructed to the current highway authority specification - which is a flexible bituminous construction rather than concrete. The proposed development would not however be expected to have an unacceptable impact upon highway safety and so the highway authority does not wish to object to the grant of Consent for this Application."

Historic Places Team Lincolnshire County Council

"The application site is in an area of archaeological sensitivity. The cottage itself is marked on the 19th century historic mapping and sits on the edge of a moated site associated with Snake Hall. A moat is recorded on the first edition Ordnance Survey map and while very little is known of its origins, Snake Hall dates to the late 18th century and the location of the moat remains visible as a cropmark/soilmark. Moats often have medieval or even Early Medieval origins and although they can have a range of functions are often associated with high status dwellings. Such features also have the potential to contain well preserved organic remains. The proposed extension and garage lie on the line of the moat itself and groundworks have the potential to remove any surviving archaeological remains either wholly or in part. As such evaluation of the site will be necessary to properly assess the impact of the proposed development on any surviving archaeological remains present. This will necessarily have to be undertaken as a condition of consent if permission is granted.

Recommendation: I recommend that If permission is granted, there be an archaeological condition for a mitigation strategy to effectively deal with this site. This will comprise a phased approach of investigation followed by archaeological mitigation work should it be necessary. This will initially comprise, but may not be limited to, a trial trench evaluation of the site which should aim to determine the presence, absence, significance, depth and character of any archaeological remains which could be impacted by the proposed development as noted above and to inform a programme of further archaeological mitigation work which may be required if archaeological remains are identified in the evaluation. This should be secured by South Holland District Council's standard conditions AR01, 02 and 03 and is in accordance with National Planning Policy Framework paragraphs 194 and 205."

Planning Considerations

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.

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, 2021 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Principle of Development

Policy 1 of the SELLP directs development to the most sustainable locations. Generally, development is directed to within settlement boundaries and restrictions are placed on the development of new dwellings in the open countryside.

The proposed extensions would be subsidiary to the host dwelling by virtue of their nature and the internal layout. As such, the principle of the extension is acceptable.

The proposed garage, with self-contained living space above, represents a slightly more contentious issue. The living quarters will be ancillary to the host dwelling by virtue of their siting and relationship to the garage. The untying of this space to the main dwelling would be unacceptable, tantamount to the creation of a new dwelling in an unsustainable location. As such, it is recommended that, should approval be granted, a condition be installed tying the accommodation to Snake Hall Cottage, and restricting its use to members of the family of the occupier of that dwelling.

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, 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.

The proposed alterations to the external materials will be replicated across the entire dwelling. This will ensure the extension and garage appear well-blended into the fabric of the host dwelling.

The pattern of dwellings is sparse enough in the area, with sufficient shielding, as to make of each dwelling independent of one. Therefore, the alterations would not have a wider impact upon the character of the area. As discussed, there is ample shielding on the boundaries as to ensure the works are not visible from the roadside, further reducing their impacts.

The proposed roof and building design would be incorporated well into the fabric of the host dwelling. This would ensure visual continuity between the host and the proposed works.

The proposed scale of development is substantial in comparison to the host dwelling. That being said, the plot size is sufficient as to take the intensity of the building works comfortably.

The proposal therefore conforms to Policy 2 of the SELLP in terms of design.

Impacts Upon Resident Amenity

Paragraph 130 of the NPPF amongst other matters, seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of the SELLP set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

There are significant distances between the property and any neighbours. The nearest property is approximately 100 metres away. These distances, coupled with the significant boundary treatments mean that the potential for amenity impacts is limited.

No overshadowing or overlooking would occur due to the works. The remoteness of the property and the boundary treatments present would ensure that the extensions do not have an overbearing effect.

The proposal conforms to Policies 2 and 3 of the SELLP in terms of amenity impact.

Highway Safety and Parking

Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this, Paragraph 111 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".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal. Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the SELLP, 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 lead to slight alterations to the access. In order for these to be agreeable, the Highway Department has requested that the works be constructed to the current Highway Authority specification. Based upon the recommendation of the Highway Authority, an informative condition will be attached to this decision requesting that the developers seek approval from the Highway Authority.

The proposal would necessitate an increase in parking provisions on site. This is accommodated for via the proposed garage.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact

on highway safety in accordance with Policies 2, 3, 33 and 36 of the SELLP, as well as Section 9 of the NPPF.

Historic Environment

Policy 29 of the SELLP, alongside Section 16 of the NPPF, concern the preservation of the historic environment. The relationship between the site and the Grade II listed Snake Hall requires the proposal to be considered against these policies.

There is sufficient distance and ample shielding to ensure that the proposed works would not materially impact the appreciation of Snake Hall. Therefore, on this matter, the proposal is acceptable.

The Historic Places Team has requested archaeology works are completed prior to development if approval is given for this proposal. The relevant consultee has stated that the site was once part of a moat and as such, archaeological remains may be present.

Considered against Policy 29 of the SELLP as well as Section 16 of the NPPF, the proposal is considered acceptable, subject to the requested conditions being imposed.

Planning Balance

The proposed principle of development is acceptable. The works will be ancillary to the main dwelling, with this being fully ensured via standard conditions.

The proposal would have no detrimental character impacts. The design of the proposal would appear well blended into the fabric of the existing dwelling due to the use of uniform materials and designs sympathetic to the host.

The significant boundary treatments and significant distances between properties would ensure there are no amenity impacts resulting from this proposal.

The plot size and installation of the garage would ensure sufficient parking space is available on site to accommodate the necessary increase in parking provisions. The proposed access alteration would not damage highway safety. The relevant consultee from the Highway Department has requested that the approval be sought from the works under a separation application made solely to the Highway Department.

The relevant consultee from the Historic Places Team has requested conditions be imposed requiring archaeological works to be completed prior to the commencement of development. This is considered to be acceptable.

The proposal conforms to Policies 2, 3, 29 and 36 of the SELLP as well as Sections 9, 12 and 16 of the NPPF. The planning balance is in favour of the proposal.

Conclusion

The recommendation is for 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.