

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H14-0464-23 **Applicant:** Mr & Mrs Moate

Proposal: Conversion of single garage to bedroom and en-suite, single storey extension to rear to create living room to form annexe.

Location: Plot 75 Former Keston Nurseries Off Mill Green Road Pinchbeck

Terminal Date: 26th July 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 2021

Section 12 - Achieving Well Designed Places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

Proposal is for a flat roof rear extension to plot 75 Keston Nurseries. The development would measure approximately 4700mm (depth) by 4100mm (depth). The extension would have a height of approximately 2700mm. It is proposed that this extension forms a new living space. French doors are proposed to the rear of the extension, with no other windows being proposed on the extension. All materials will match the host property.

Alongside the extension is a proposed garage conversion, converting the existing garage to a

bedroom. This is proposed in order to turn the southern section of the house into an annexe. It is important to note that the garage conversion does fall under permitted development, and therefore, this report will primarily be concerned with the proposed rear extension. As the conversion is permitted development, even if this proposal was refused, it could be undertaken regardless.

Site Description

The site is not within any of the settlement boundaries outlined within the South-East Lincolnshire Local Plan, 2019 (SELLP); however, it is in close proximity to Pinchbeck (approximately 25 metres to the east). The property is currently a three-bedroom bungalow, part of a number of comparable dwellings within the newly formed estate of Keston Nurseries.

Relevant History

No relevant planning history

Consultation Responses

Pinchbeck Parish Council

The application is in keeping with the street scene

Planning Considerations

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 extension would be constructed of materials to match the host dwelling, making it appear well blended into the fabric of the property.

As the estate is relatively new, there is currently no comparable extension in the immediate area. However, this does not mean that the extension would be incongruous, and it can be assumed that, as more new dwellings are occupied, similar extension will begin to appear throughout the estate, thereby naturalising the development. Furthermore, the proposed design is typical of a rear extension, and will therefore not appear out of place by virtue of its typicality.

The proposed scale of the extension is relative to the host dwelling, ensuring the extension does not appear incongruous.

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

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 is a small but significant distance between the extension and the neighbouring property. This distance, combined with the relatively small height difference between the extension and the existing boundary fence, ensure no overshadowing would occur.

The proposed French doors would face onto the rear garden of the property, ensuring that no overlooking occurs as a result of the development. No windows are proposed on the side of the extension further ensuring this. A window is proposed within the garage conversion, looking onto the main street. This, again, would not create any additional overlooking.

The proposal is therefore acceptable in amenity terms.

Flood Risk

Policy 4 of the SELLP relates to flood risk. The applicant has submitted a flood risk assessment as part of this proposal.

The extension would be built inline with existing dwelling. The risk of flooding is therefore not increased within the extension. The small scale of development means it would have no significant impact upon flood risk.

The proposal is therefore acceptable in terms of flood risk.

Highway and Parking

Policy 36 and Appendix 6 of the SELLP relate to parking provisions. Ordinarily, an increase in the number of bedrooms would result in the need for additional parking spaces. As this application would result in the loss of a parking space and the addition of a bedroom, it would, under normal circumstances be unacceptable. However, the garage conversion could be conducted under permitted development. As such, the applicant has a sufficient fall back position as to make the refusal of this application on parking grounds unwarranted.

Planning Balance

Under normal circumstances, the loss of a parking provisions while also adding a bedroom (therefore increasing the demand for parking spaces) would be unacceptable. However, the conversion does fall under permitted development and the property still retains its full suite of development rights. Therefore, even if the proposal was refused, the conversion could still be undertaken.

The proposed extension would have a limited amenity impact while still appearing well blended into the host property. There would be no overlooking or overshadowing created by the extension due to the significant distances present and the relatively low height of the extension. While no comparable extensions are present currently, the typicality of development would ensure it does not appear incongruous.

The proposal would not lead to an increase in flood risk or be at a greater risk of flooding than the host property.

Pinchbeck Parish Council have written in support of the application, stating that it would appear in keeping with the street scene.

The proposal conforms to Policies 2, 3 and 4 of the SELLP. Despite not conforming to Policy 36 of the SELLP, it is considered that the application would conform to the development plan as a whole. 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.