

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H15-0596-22 **Applicant:** Mrs E Morrison
Proposal: Conversion of garage into annexe including alterations
Location: Hawthorn Farm South Drove Quadring Fen
Terminal Date: 15th August 2022

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01 Spatial Strategy
02 Development Management
03 Design of New Development
29 The Historic Environment
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
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder application, seeking permission for a proposed conversion of existing garage to an annexe, with internal alterations, at the property known as Hawthorn Farm, South Drove, Quadring Fen.

Site Description

The site is situated within the countryside, according to Policy 1 in the South East Lincolnshire Local Plan, 2019. The detached property is a Grade II listed building of traditional appearance and the detached garage, which is situated at the south west of the site, consists of a modern construction.

The property is located on a countryside lane, surrounded by open fields. The closest residential property is approx. 215m to the west of the site. The property has a large gravelled driveway to the front of the garage and at the side of the property. There is a small and well landscaped garden to the rear of the listed building.

History

H15-0542-01- FULL- Approved on 26-06-01- Detached garage and conservatory extension to dwelling.

Consultation Responses

SHDC Conservation Officer

I wish to raise no objections to this proposal from a conservation perspective.

Whilst the host property is a listed building, I am familiar with the site and know the extant garage building to be of modern construction and of no value or contribution to the listed building's character or status. I am confident that the minor alterations proposed by this application would not harm the character of the nearby listed property.

However, I would advise including condition OR03 with any approval to ensure that this proposed annex can only be used for that purpose and not sold or rented as a private dwelling. Turning this site into a dwelling in its own right would require the proposal to meet the requirements of Policy 23 of the SELLP and I am confident in stating that the structure in question is not of appropriate historic or architectural merit to be considered worthy of doing so.

Local Highway and Lead Local Flood Authority

Does not wish to restrict the grant of permission.

Planning Considerations

Principle of development

The site is outside of a settlement boundary and would be considered to be situated within the countryside, as per Policy 1 in the South East Lincolnshire Local Plan, 2019. However the principle of a garage conversion to form an annexe that is incidental to the enjoyment of a 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 its uses.

The annex would comprise of one bedroom with a w/c and storage room to the first floor and a living room, utility room and wet room to the ground floor. It would have a separate access via the side gate but would still be linked to the existing Grade II listed dwelling as the parking and amenity areas would be shared.

The gross floorspace is adequate per each room to ensure good living conditions to the annexe occupier. The building would retain the appearance of a domestic garage, as the garage doors 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 Grade II listed 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, 3 and 29 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 garage conversion include a window to the rear of the building which face onto open fields and are not visible from the road, with one small window on the ground floor on the west side of the building facing open fields.

The proposed addition of a dormer window on the south side (rear elevation) of the roof overlooks open fields.

The existing solid wood pedestrian access door on the east side of the building (facing onto the garden) would be replaced with a glazed door and window. This is also not considered to be detrimental upon overlooking, due to the fenestrations facing inwards towards the property and rear garden.

The proposal is not considered to increase noise levels from the site as the proposed annex would be ancillary to the existing dwelling on the site therefore there would not be an intensified use of the site and no new activities would be introduced.

As such, the proposals will not unacceptably harm any other residents by reason of unacceptable overshadowing, overlooking or noise. It therefore accords with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

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 3 no 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 garage 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

The recommendation is therefore for 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.