

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0246-24 **Applicant:** Mr & Mrs A Boor
Proposal: Extension & Alterations
Location: Bridge Farm Old Fendike Road Weston Hills
Terminal Date: 14th May 2024

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development

National Guidance

National Planning Policy Framework 2023

Section 9 - Promoting sustainable transport
Section 12 - Achieving well designed and beautiful places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	1	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1

CASE OFFICER ASSESSMENT

Description of Proposal

The proposal seeks householder planning permission for a series of extensions and alterations at Bridge Farm. The works would result in five extensions, producing approximately 311sqm of space (however, approximately two-thirds of this space would be occupied by non-living space). A wall of 1.5 metre height is proposed along the front barrier.

A two-storey front extension is proposed. This would measure, internally, 1.275 metres by 2.871 metres. The extension would feature a dual pitched roof, with a ridge height of 6.2 metres. The

ground floor would be utilised as a porch, while the first floor would feature a bathroom. The first floor would feature an extensive use of glazing.

A single storey side extension to form a car port is proposed. This extension would bridge the gap between the dwelling and the detached garage. The extension would measure 6.56 metres (depth) by 9.563 metres (width). The proposal would feature a dual pitch roof with a height of 5.25 metres. Two dormer windows are proposed.

A flat roof rear extension is proposed. The extension would measure 6.558 metres (width) by 8.078 metres (depth). The extension would have a height of 3.15 metres. The roof would feature a large skylight.

A rear two storey extension is also proposed. This would replace the existing porch and utility room, forming instead a ground floor utility room and a first-floor bedroom extension. The extension would measure, internally, 3.1 metres (depth) by 3.972 metres (width). The ridge height of the extension would be 6.56 metres, marginally lower than the host roof. A Juliette balcony is proposed, overlooking the garden.

It is proposed that the garage would be extended also. The garage itself would be extended to the rear, with a second smaller extension to form a store coming off of this. The main garage extension would measure 5.29 metres (depth) by 7.566 metres (width). The roof height would be consistent with the host at 5.5 metres. The store would measure 5.85 metres (width) by 5.86 metres (depth). The roof would be lower here at 5 metres.

It is proposed that the extensions would be constructed of brick and tiles to match the host. However, it is proposed that unspecified cladding would be applied to the front elevation extension. Windows and doors would be black UPVC, in direct contrast to the existing brown timber.

Site Description

The site lies outside of the settlement boundaries outlined within the South-East Lincolnshire Local Plan, 2019. The site is approximately 100 metres west of Weston Hills, and is therefore, within the open countryside. The site is surrounded by agricultural land, giving a distinctively rural character. A medium sized agricultural building is located to the south-east.

The property itself features red-brown brick work with brown pan tiles. Brown-stained timber casement windows are present. A sizeable driveway is located to the front. A light post and rail fence demarcates the boundary.

Relevant History

H16-0441-05 - Full. Erection of replacement dwelling and detached double garage. Approved 18/05/05.

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:

Highway and Lead Local Flood Authority

"The proposal is for an extension & alterations to the existing dwelling. There will be no increase in bedroom numbers and the parking/access is not affected. The proposal will not have an adverse impact on the public highway."

Cllr Ashby

Support. "From information received cannot see any issues with this."

Public Representations

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

been received.

Key Planning Considerations

Evaluation

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, 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, December 2023 (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 sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

The site is outside of any defined settlement boundaries. As such, it is considered to be within the open countryside from a planning perspective. However, as the site is within the defined residential boundaries of Bridge Farm, development within this location is considered appropriate.

Therefore, the principle of development on this site is considered acceptable subject to other material considerations being met.

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

Section 12 of the NPPF, "Achieving well-designed and beautiful places", states that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the NPPF, states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality, to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing. Developments 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, among other considerations.

Likewise, Policy 2 of the SELLP outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 of the SELLP 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.

These policies accord with the provisions of the NPPF and require 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. Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design, and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

The proposal would increase the size of the dwelling by approximately 65%. This represents a significant increase to the dwelling's scale. It is considered that the extent of the alterations would be overly large, resulting in the property becoming a visual outlier. While the property is a significant distance from the nearby settlement, the character of the area is still influenced by these properties. The extensions would result in the Bridge Farm being significantly larger than its nearest counterparts, creating an incongruous form of development, at odds with the character of the area. This is alien characteristic is accentuated by the rural character of the area, where such large developments would be considered visual intrusions.

The two-storey front extension is also considered to be out of character and poorly integrated into the host dwelling. While relatively new, the existing property is a pastiche of the historic style of the area. The introduction of a clearly modern feature, with a significant focus on glass work and cladding, juxtaposes this character, creating a visual oddity. Paragraph 56 and 57 of the National Design Guide emphasise the importance of respecting the existing character of an area, particularly with regards to materials and construction details. Furthermore, Policy 2 of the SELLP emphasises the need for extensions to be well integrated into the host property.

The proposed use of black UPVC is considered to be out of keeping with the host dwelling and the character of the area. Condition 8 of H16-0441-05 (the original permission for the dwelling) stated that "all new window frames, glazing bars and external door frames shall be of timber construction, stained dark brown and thereafter so maintained". Naturally, the alteration proposed here is contrary to this condition. In any event, the addition of UPVC here would be visually discordant with the more traditional style of the host dwelling. As such, the proposal is considered contrary to Paragraph 57 of the National Design Guide.

Paragraph 139 of the NPPF states that "Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes." As the proposal is considered contrary to the advice of the National Design Guide, the proposal is considered to fail to conform to Paragraph 139 of the NPPF and should be refused.

Taking account of the design, scale, and nature of the development, as detailed above, the proposal is considered to be unacceptable. The proposal would have adverse impact to the character and appearance of the area and would therefore be contrary to Policies 2 and 3 of the SELLP and Section 12 of the NPPF.

Impacts Upon Resident Amenity

Paragraph 135 of the NPPF 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.

Policies 2 and 3 of SELLP sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

At a distance of 100 metres to the nearest dwelling, it is not anticipated that the works would have any adverse impact upon residential amenity. No windows would overlook nearby dwelling and at such a significant distance no overshadowing would occur.

As detailed above, the scale and design of the proposal is considered to have no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the Section 12 of the NPPF and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.

Highway Safety and Parking

Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this, Paragraph 115 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.

No additional bedrooms would be created, and therefore, no additional parking would be required. The proposal is not considered to have an adverse impact on the public highway.

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.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

It is considered that the proposal, by virtue of its significant scale and prominent siting, would have an unacceptable impact upon the character of the area. The proposed works would result in an incongruous form of development, which sits in stark contrast to its setting. It is considered that the proposal is contrary to the guidance within the National Design Guide, and as such should be refused in line with Paragraph 139 of the NPPF.

The proposal would solely enlarge an existing residential dwelling and benefits associated to this are restricted to that of the occupiers only. The benefits do not outweigh the harm and impact identified in this case.

Conclusion

Taking these factors into consideration, the proposal is considered to be contrary to Policies 2 and 3 of the SELLP as well as Section 12 of the NPPF. The recommendation is for delegated refusal.

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.