DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H22-0515-24**	**Applicant:**	**Mr & Mrs Willis**
Proposal:	Proposed Two Storey Side Extension		
Location:	Ivy Cottage 692 Broadgate Weston		
Terminal Date:	14th August 2024		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

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 2023

Section 9 - Promoting sustainable transport
Section 12 - Achieving well designed and beautiful 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
RESIDENTS	0	1	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a proposed two storey side extension at Ivy Cottage, 692 Broadgate, Weston.

Site Description

The site is located outside any defined settlement boundary and is therefore classed as being in the open countryside in planning terms as outlined within the South East Lincolnshire Local Plan, 2019 (SELLP). The property is adjacent to a barn conversion with a Grade II Listed Building being located to the north, further properties can be seen to the south. There are large farm fields surrounding the plot with Broadgate providing access from Weston to Weston Hills.

The application site can be considered a Non-Designated Heritage Asset.

History

H22-0217-17 - Proposed small barn conversion and extension and alterations to existing house - Approved

Consultation Responses

Lincolnshire County Council Highways

Recommendation:

No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Comments:

The proposal is for a two-storey side extension. There will be no change to bedroom number, the bedrooms are to be increased in size so there will be no further parking demand. Adequate parking is maintained. The proposal will not have an adverse impact on the public highway. As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

Public Representation

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, one letter of representation have been received.

- We live next door to Ivy Cottage and fully support the planning application. We really like the design and believe it will enhance the street scene.

Key Planning Considerations

The main issues and considerations in this case are (but are not limited to):
- Layout, Design and Impact on the Character of the Area
- Impact on Neighbouring Residents/Land Users/Land Uses
- Highway Safety and Parking

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.

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms 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) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals. In this instance, no relevant neighbourhood plans have been adopted.

Planning Considerations

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

Section 12 of the National Planning Policy Framework (December 2023) specifically relates to 'Achieving well-designed and beautiful places' and details 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 National Planning Policy Framework (December 2023), 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.

Development proposals should also ensure that developments 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 South East Lincolnshire Local Plan outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework, in that it 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 National Planning Policy Framework 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 application site in this instance lies adjacent to Grade II Listed Buildings. Given the proximity, although not of a specially unique or rare building, the host dwelling to this application site comprise a positive ad contributing example of its type that contributes to the historic environment, as such, this dwelling can be considered a Non-Designated Heritage Asset.

Policy 29 (The Historic Environment) states amongst other matters that the distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced, in keeping with the policies in the National Planning Policy Framework. Development proposals will expected to conserve and enhance the character and appearance of designated and

non-designated heritage assets, including archaeology, historic buildings, conservation areas, scheduled monuments, street patterns, streetscapes, landscapes, parks (including Registered Parks and Gardens), river frontages, structures and their settings through high-quality sensitive design.

The National Planning Policy Framework (NPPF) (December 2023) expresses the importance of considering the impact of development on the significance of designated heritage assets; advising that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.

Section 16 of the National Planning Policy Framework (December 2023) states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

In assessing proposals of this nature, the Local Planning Authority must ensure special regard to preserving the Listed Buildings and their settings in relation to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act'). No harm should be caused with the historical assets and their surroundings requiring to be preserved or enhanced.

Paragraph 209 of the National Planning Policy Framework (December 2023) relates to non-designated heritage assets and details that "the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".

As detailed above, it is worth noting that the host property, 'Ivy Cottage', is considered to be a non-designated heritage asset and it borders curtilage listed buildings due to them being in the curtilage of a nearby listed building. In any case, it is not considered that the extension in this instance would not cause any harm to the significance of the nearby listed buildings or the host non-designated heritage asset. The case officer has also been in discussion with the Conservation Officer who requested two conditions regarding the materials and wished to raise no objection to the proposal. There is no reason to warrant a refusal based on Policy 29 of the SELLP or Section 16 of the NPPF providing it is acceptable when assessed against all other relevant policies and provisions, and it is considered that no harm would be caused to the assets.

For the most part the materials used throughout this extension will match the existing property, the walls are specified to be red facing brickwork, the roof will be a slate effect roof tile, the windows are to be cream uPVC and the doors will be the same with the front and rear door being black composite. The wall connecting the rear of the extension and the existing garage will also be red facing brickwork. However, given the current detail, a condition is reocmmended that seeks the construction of a material panel, to ensure the brickwork is suitable prior to oversite development.

From the side elevation the extension will protrude by around 8515mm and will have a total length of 10165mm. The rear most width will be 5471mm and shall then travel east 3743mm towards the main dwelling before extending out again to the north by 3346mm and connecting to the main dwelling again for a total of 1980mm. These measures are for both the ground and first floor. The height to the eaves will be level and sit around 4700mm with the ridge being slightly dropped from the existing level being approximately 6800mm. The wall connecting the garage to the rear extension will have a full length of 3590mm with a gate providing access to the rear garden from the driveway as the proposed extension removes the extant access.

It could be considered that this proposed extension is substantial and somewhat disproportionate from the host dwelling, there is a percentage increase of 55% on the ground floor and 89% on the first floor making them both identical at 155sqm. In any case, weight must be given to the other large premises in the immediate area most notably No. 694 to the north which is a barn conversion almost double the size of the host property in this instance with the extension allowing it to look similar to this and also providing additional floor space with a modern and acceptable design style.

Other than the aforementioned extension, there is also the addition of a new front porch with a large

window directly above serving the landing and lobby area allowing for natural light into the dwelling. Furthermore, to the rear there will be a large open window in the master bedroom in a similar style to the one at the front which is of a modern design and similar to those sited on the northern barn conversion. Any concerns regarding the impact this could cause to the street scene can be quashed though it being located to the rear and therefore not visible from the public highway.

There are some internal alterations proposed as part of this extension, the existing kitchen will be converted to a recreational space with the new side extension operating as an open plan kitchen/dining/living area with a small lobby and utility room adjacent to this. On the first floor Bedroom 4 will be removed to provide new landing access into the extension which creates a shared bathroom as a well a Master Bedroom to feature an en-suite and dressing area. These alterations are considered to be acceptable and should not cause any harm to the street or locality.

Taking account of the design, scale and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and there is not considered to be any harm to the nearby listed building or the non-designated heritage asset and would therefore be in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan and Section 12 and 16 of the National Planning Policy Framework (December 2023).

Impact on Residential Amenity/Land Users

Paragraph 135 of the National Planning Policy Framework (December 2023) 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The ground floor windows are not considered to cause any material loss to privacy within the immediate area due to their location on this level with existing boundary treatments acting as a way of obscuring any potential view. The windows on the side of the first floor extension should also be acceptable as one shall act as an en-suite with the other serving the master bedroom, there are no neighbours on this southern elevation for approximately 50m, separated by mature trees for cover. Finally, there are two windows on the rear, one for a shared bathroom and one large open window for the master bedroom, similar to the aforementioned design on the front elevation. This window provides a large outlook to the rear garden as well the plot of land set behind Ivy Cottage which is used by 694 Broadgate. The land set behind here does not appear to be a private amenity space and this window would not cause a material loss of privacy to a private area with it being set around 45m away from the main property and as such is considered to be acceptable.

A condition will be imposed on this decision should it be approved to enforce that all bathroom windows are obscure glazed to maintain privacy in this instance.

Although the extension is significant, due to the positioning of it combined with the positioning of the plot itself this means that no shadow shall be cast on the dwelling to the north or the south with no properties being located to the east or west. This is therefore considered to be acceptable in relation to a material loss of light.

Finally, the extension is also not considered to be overbearing in any case as it will fit well in its plot and in comparison to the existing property. There are also existing large properties within the immediate area to support this section in this instance.

As detailed above, the scale and design of the proposal is considered to be such that there would be 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 provisions of the Section 12 of the National Planning Policy Framework (December 2023), and Policies 2 and 3 of the Local Plan.

Highway Safety and Parking

Section 9 of the National Planning Policy Framework (December 2023) specifically relates to 'Promoting sustainable transport'. Paragraph 115 of the National Planning Policy Framework (December 2023) 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.

Further, policy 36, to be read in conjunction with Appendix 6 of the South East Lincolnshire Local Plan, 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.

Despite the somewhat substantial extension to the side of the property, there is no increase in the number of bedrooms, maintaining the existing four. As such, there is no need for additional vehicle spaces on site with the proposal therefore being in acceptable.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Local Plan Policies 2, 3 and 36, and Section 9 of the National Planning Policy Framework (December 2023).

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.

The proposal represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking, nor does it harm the nearby listed buildings or the non-designated heritage asset which the host property is. It also conforms with the South East Lincolnshire Local Plan and the provisions of the National Planning policy Framework when viewed as a whole.

In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

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.

Conclusion

Taking the above considerations into account, the proposal is considered to be in accordance with Policies 2, 3, 29 and 36 (including Appendix 6) of the South East Lincolnshire Local Plan (SELLP) (2019), along with the identified sections contained within the National Planning Policy Framework (NPFF) (December 2023). There are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.