DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H22-1015-23**	**Applicant:**	**Mr & Mrs Rawling**
Proposal:	Two-storey rear extension & first floor rear/side extensions		
Location:	Open Fields Barn Delgate Bank Weston		
Terminal Date:	19th January 2024		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
33	Delivering a More Sustainable Transport Network
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

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Description of Proposal

The proposal seeks householder planning permission for a two-storey rear and first floor side extension.

The rear extension would have a depth of approximately 4200mm, rising to 7400mm when the roof design is considered. The width would measure approximately 7300mm. The height would be consistent with the host, at approximately 7300mm to the ridge. The eaves height would also be consistent with the host. This extension would replace an existing ground-floor orangery. The ground floor extension would be constructed of brickwork to match the host. The first-floor component would feature black timber weatherboard to match the existing southern extension and outbuilding.

The first-floor extension would be located on the northern elevation, above the living room. The extension would measure approximately 5700mm (depth) by 6000mm (width). The height would also be consistent with the host. The extension would be constructed of brickwork to match the host.

Site Description

The site is located within the open countryside in planning terms. It is located along Delgate Bank, approximately 1km north-east of Weston Hills. A small, red-brick cottage is located directly south of the dwelling, otherwise, it is flanked on all sides by agricultural fields.

Open Fields Barn is a substantial red-brick barn conversion, with a large black timber clad detached garage to the south-west. The original barn building has been extended to form an elongated single-storey western section and a large two-storey southern section.

Relevant History

H22-1096-21 - Full. Single storey front extension to form pool house and two storey side and front extension to form master bedroom with en-suite and dressing room. Approved 20/12/21.

H22-0672-17 - Full. Proposed garage, kennel & hobby room. Approved 15/08/17.

H22-0883-16 - non-material amendment. Change of use of livestock/hay store building into dwelling - approved under H22-0925-15. Amendments to colour of window frames, glazing bars and external door frames. Approved 08/09/16.

H22-1105-15 - Condition Compliance. Details of windows and doors, roof lights and design and position of meter boxes, gas flues and vent pipes (Conditions 4, 5, 7 & 10 of H22-0925-15). Approved 02/12/15.

H22-0925-15 - Prior Approval. Change of use of livestock/hay store building into dwelling. Approved 9/11/15.

H22-0904-14 - Prior Approval. Change of use of livestock, hay/straw store building into dwelling. Approved 11/12/14.

H22-0922-11 - Full. Proposed replacement dwelling and associated barn conversion. Refused 08/03/12.

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:

South Holland Internal Drainage Board

"Having screened the application, whilst the site in question lies within the Internal Drainage District of the South Holland Internal Drainage Board the proposed application does not meet our threshold for commenting as per our Planning and Byelaw Strategy. Therefore the Board has no comments to make."

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 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, 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 of the defined settlement boundaries within the SELLP. As such, the site is considered to be within the open countryside from a planning perspective.

All works proposed here would be within the defined residential curtilage of Open Fields Barn. The works would not be tantamount to the creation of a new dwelling and would be subservient to the host.

Therefore, the proposal is considered to be in accordance with Policy 1 of the SELLP. 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 " 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 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 use of brickwork and cladding to match the host will ensure the extensions appear well blended into the fabric of the dwelling. It is considered that the materials are well selected, adhering to the guidance within Paragraph 57 of the National Design Guide.

The scale of the extensions is substantial but is proportionate to the significant scale of the dwelling. As such, the works would not appear unduly dominant or out of keeping with the established character of the dwelling. The proposed extensions demonstrate an appreciation for the prior use of the dwelling (as a barn) and would contribute towards the positive character that this creates. As such, it is considered that the proposal displays the principles of good design outlined within Paragraph 48 and 53 of the National Design Guide.

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 would therefore be in accordance with 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.

Due to the isolation of the dwelling, the amenity impacts of the proposal are negligible. All new windows would look into the neighbouring fields, ensuring no overlooking arises. The extensions are positioned on the far side of the dwelling to the neighbouring property, at a distance of over 30 metres to New England Farm. At this 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.

While the proposal would lead to an increase in the number of bedrooms (from five to six), under Appendix 6 of the SELLP, no additional parking spaces would be required. Nevertheless, there is ample room on the site to accommodate more than three vehicles. The proposal would not exacerbate any concerns regarding transport or highway infrastructure.

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 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 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, whilst conforming with the SELLP and the provisions of the NPPF when viewed as a whole.

Conclusion

Taking these factors into consideration, the proposal is considered to comply with Policies 1, 2, 3, 33 and 36 of the SELLP, as well as Sections 9 and 12 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.

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.