

APPLICATION NO PA/2023/1260

APPLICANT Leonard Pexman

DEVELOPMENT Planning permission to change a garage/workshop into a separate dwelling (one-bedroomed bungalow) (re-submission of PA/2022/1980)

LOCATION Church End Cottages, Townside, East Halton, DN40 3NU

PARISH EAST HALTON

WARD Ferry

CASE OFFICER Matthew Gillyon

SUMMARY RECOMMENDATION **Approve with conditions**

REASONS FOR REFERENCE TO COMMITTEE Departure from the development plan

POLICIES

National Planning Policy Framework

5 Delivering a sufficient supply of homes

11 Making effective use of land

12 Achieving well-designed places

North Lincolnshire Local Plan:

H5 New housing development

RD2 Development in the open countryside

RD9 Re-use and/or adaptation of rural buildings for residential use in the open countryside

T2 Access to development

T19 Car parking provision and standards

DS1 General requirements

DS14 Foul sewage and surface water drainage

DS16 Flood risk

North Lincolnshire Core Strategy:

CS1 Spatial strategy for North Lincolnshire

CS2 Delivering more sustainable development

CS3 Development limits

CS5 Delivering quality design in North Lincolnshire

CS7 Overall housing provision

CS8 Spatial distribution of housing sites

CS19 Flood risk

Housing and Employment Land Allocations DPD:

PS1 Presumption in favour of sustainable development

Settlement Inset Map: 15 – East Halton

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until later in 2023.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1 Presumption in favour of sustainable development

SS2 A spatial strategy for North Lincolnshire

SS3 Development principles

SS5 Overall housing provision

SS6 Spatial distribution of housing sites

SS11 Development limits

DM1 General requirements

DM3 Environmental protection

DQE6 Sustainable drainage systems

T1 Promoting sustainable transport

T3 New development and transport

T4 Parking

T5 Cycle and motorcycle parking

CONSULTATIONS

LLFA Drainage: No objection to the proposed development or conditions requested, but recommend an informative suggesting upsizing the pipe network to increase storage around the development to cater for more intense storm conditions. Although this is not a requirement in terms of surface water flood risk compliance it would be good practice on the applicant's behalf to ensure an increased level of resilience for the development and its future occupiers. The applicant is asked to fully explore all source control SuDS techniques that can store and allow water re-use.

Environmental Protection: Recommend a condition that if during development any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement, detailing how this contamination shall be dealt with, has been submitted to and approved by the local planning authority. The approved method statement shall be implemented in full prior to development commencing on the site in order to protect human health.

PARISH COUNCIL

No response.

PUBLICITY

Advertised by site and press notice. No comments have been received.

ASSESSMENT

Planning history

7/1984/0455: Construct a garage with associated access and alterations, and carry out improvements to an existing cottage – approved 03/09/1984

7/1989/0427: Erect a single-storey residential extension – approved 01/06/1989

PA/2012/0126: Planning permission to change the use of a garage/workshop into a dwelling and erect a conservatory – refused 30/03/2012

PA/2022/1980: Planning permission for the change of use of a garage/workshop to an

Site description

The development site is a two-storey detached property located on Townside adjacent to the highway. The property has a built front boundary treatment in the form of a wall and fence, with the front elevation of the property in an eastern direction. Within the curtilage of the dwelling is a garage/workshop which is on the north side of the dwelling.

Proposal

This proposal is to convert a garage/workshop into a one-bedroom dwelling. A previous application, received in 2022, sought its conversion to an annex; however, it was established that the use of the annex would not be ancillary to the main property, but was proposed to be used as a stand-alone dwelling. This is the reason for the submission of the current

application. The proposal does not change the size of the existing garage/workshop but the following external work is required for its conversion:

- replacing the garage doors with windows
- putting in a rear door by replacing the window in the rear elevation
- moving a window in the south side elevation to where a wood store was previously
- putting in an obscured glass window in the north side elevation where the bathroom would be located.

The remaining work to allow the conversion of the garage/workshop into a one-bedroomed dwelling would be internal.

The main issues in the determination of this application are the principle of development, impact on the character and appearance of the area, and residential amenity.

Principle of development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act states that, in dealing with an application for planning permission, the local planning authority shall have regard to the provisions of the development plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations.

In this instance, the development plan consists of the saved policies of the North Lincolnshire Local Plan, the North Lincolnshire Core Strategy and the Housing and Employment Land Allocations DPD. Other material planning policy considerations include the National Planning Policy Framework (NPPF), the emerging North Lincolnshire Plan and a suite of supplementary planning documents.

It should be noted that the council is able to demonstrate a five-year housing land supply as identified within the North Lincolnshire Council Five Year Housing Land Supply Statement, adopted August 2023. Therefore, full weight can be attributed to the Local Plan and Local Development Framework policies and the 'tilted balance' set out in paragraph 11(d) of the NPPF is not engaged.

The application site is outside the development limit for East Halton as defined in the Housing and Employment Land Allocations DPD. For policy purposes this would constitute development within the countryside and therefore policies RD2 and RD9 of the local plan needs to be considered. Policy RD2 looks to control development in the open countryside, with development granted for applications essential to agriculture or forestry, the re-use or adaptation of existing rural buildings, or the replacement, alteration or extension of an existing dwelling amongst others.

Policy RD9 relates to the re-use or adaptation of rural buildings for residential use in the open countryside. Development will only be permitted if the building is of architectural or historic importance to the rural scene and capable of conversion without major alteration, and

residential re-use is the only way to retain the building, with the conversion retaining and respecting the original character of the building.

Policies CS2 and CS3 of the Core Strategy also need to be considered. Policy CS2 states that any development that takes places outside defined the development limits of settlements will be restricted, with only development essential to the functioning of the countryside allowed, with a sequential approach applied to ensure that development is directed to those areas that have the lowest probability of flooding.

Policy CS3 largely mirrors the approach set out in policy CS2, restricting new development outside development limits to that which is essential to the functioning of the countryside, including uses such as agriculture, forestry and sustainable tourism development.

Policy CS8 sets out the spatial distribution of housing sites and confirms that the rural settlements will create opportunities for small-scale infill development that maintains the viability of the settlement and meets identified local needs without increasing the need to travel.

Policy H5 of the local plan looks at proposals for new housing development and requires development to be in keeping with the character and amenity of the immediate environment and with the settlement as a whole. New development must have an adequate and appropriately designed access, and provide adequate parking within the curtilage of the site. Policy H5 also requires that new residential development does not result in overlooking or loss to privacy to existing developments or any other loss of amenity to existing dwellings.

In considering the principle of development, this proposal will have minimal impact on amenity as in this instance there is no increase in volume, the only visual alteration being the replacement of garage doors for windows. The majority of the work is internal to convert the garage into liveable accommodation. There is sufficient parking for two households using the existing access and sufficient space for each property to have an independent garden. The proposed development constitutes the conversion of an existing building in the countryside and results in a single infill dwelling between existing residential properties.

For these reasons the principle of development is considered to be merited in this instance, despite the identified policy conflict resulting from the creation of a new dwelling in the countryside and the conversion of a building that is not of architectural or historic interest. The policy conflict is considered to result in minimal harm and is outweighed by the benefits associated with the provision of a sustainable dwelling in this location.

Impact on the character and appearance of the area

Policy CS5 of the NLCS states that new development should be well designed and appropriate for its context and contribute to creating a sense of place, with any proposed development needing to respect the character and appearance of the local area.

Considering the above, the proposed conversion of the garage to a one-bedroom dwelling will have limited impact on the character and appearance of the area, the building already being in situ and requiring minimal external alterations to facilitate the conversion.

Impact on residential amenity

Policies H5 and DS1 of the NLLP state that any new development should be well designed and appropriate for its context, with no unacceptable loss of amenity to neighbouring properties.

Considering the above, the proposed conversion of the garage is predominately restricted to internal work. The only noticeable external changes would be new windows in the front of the garage and the window in the side elevation against the boundary of The Chestnuts, which would be obscured as it would serve the bathroom. A mature hedge line between the properties would avoid any loss of privacy. The front windows will overlook the driveway and highway so will not create any overlooking issues. The curtilage of the properties can be easily split by the courtyard between the dwelling and garage.

The front curtilage of the dwelling also has sufficient room for two parking spaces to serve the dwelling and a single space for the converted garage. Whilst the proposal may result in a very minor increase in vehicle movements, the scale of the proposal (one-bedroom dwelling) and the size of the site ensure that there would be no unacceptable impact on residential amenity as a result of the access and parking arrangements. It is considered that the proposal to convert the garage into a dwelling is in accordance with policies H5 and DS1 of the local plan.

Highway safety

Policies T2 and T19 of the local plan require all development to be served by a satisfactory access and parking provision. The proposed dwelling has sufficient off-street parking and turning to ensure that sufficient parking provision and vehicles can enter and leave in a forward gear minimising any potential highway issues.

Drainage

Policy CS19 of the Core Strategy states that the council will support development proposals that avoid areas of current or future flood risk. The proposed site is within flood zone 1 and is therefore in a location considered to be low risk in terms of flooding. The LLFA Drainage officer has no objections to the proposed development and has not requested any conditions, but recommends an informative comment suggesting upsizing the pipe network.

Conclusion

This proposal to change the garage/workshop into a separate one-bedroom bungalow is appropriately designed and is not considered to have any adverse impact on character, setting, highway safety or residential amenity.

Whilst the proposal conflicts with the requirements of policies RD2 and RD9 by creating a new dwelling in the countryside through the conversion of an existing building which is not of architectural or historic merit, this policy conflict would, as confirmed above, result in limited harm. In contrast, the proposal would allow for the delivery of an additional market dwelling in a sustainable, infill location and this benefit is considered to outweigh any harm.

On balance, the proposal is recommended for approval.

RECOMMENDATION Grant permission subject to the following conditions:

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans:

- Site Location Plan Drawing No. PA/DWG/2023/1260/01
- Existing and Proposed Block Plan Drawing No. PA/DWG/2023/1260/03
- Floor Plan Drawing No. PA/DWG/2023/1260/02
- Existing and Proposed Elevations Drawing No. PA/DWG/2023/1260/04.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

The facing materials to be used in the development hereby permitted shall match the existing.

Reason

To ensure that the building is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

4.

If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

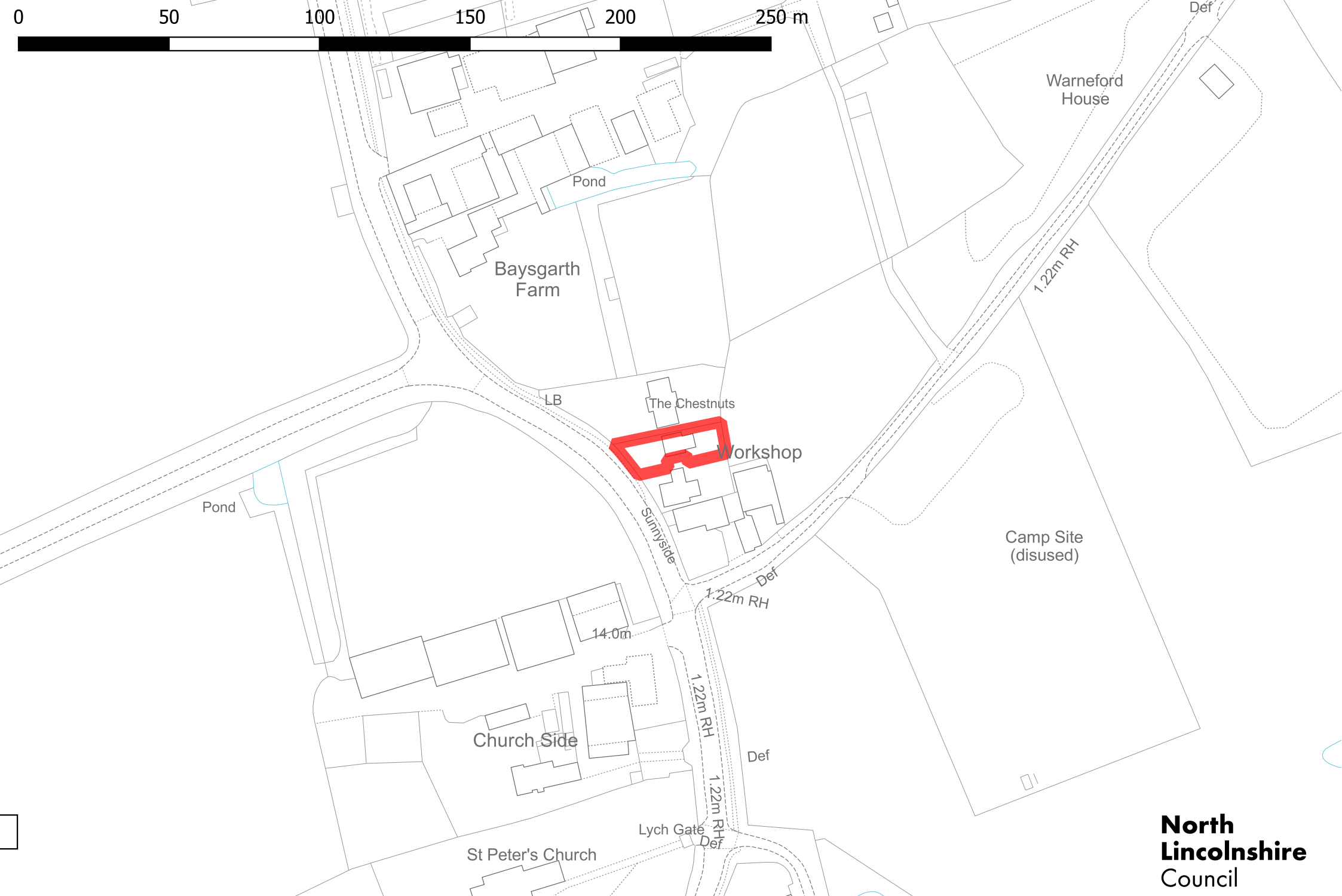
Informatives

1.

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

2.

The LLFA Drainage Team suggest you consider upsizing the pipe network increasing storage around your development to cater for more intense storm conditions. Although this is not a requirement in terms of surface water flood risk compliance, it would be good practice on your behalf to ensure an increased level of resilience for the development and its future occupiers and they would ask that you fully explore all source control SuDS techniques that can store and allow water re-use.



**North
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Council**