DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H01-1114-20**	**Applicant:**	**Mr R Turner**
Proposal:	Detached Garage with Room Above		
Location:	Fairview Farm 19 Mill Drove South Cowbit		
Terminal Date:	4th February 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2019

Section 12 of the National Planning Policy Framework (2019)

12 - Achieving well-designed places.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application at Fairview Farm, 19 Mill Drove South, Cowbit for 1 detached garage with dimensions of 10m x 8m with an external staircase to a games room within the roof space, with 4 rooflights proposed to the rear roof slope. It would be sited 2 metres to the south of the house, projecting marginally forward of the house's front wall. Brick and tile is to match that of the existing dwelling and would be conditioned as such.

SITE DESCRIPTION

Detached house and garden, which adjoins a yard used for a pallet business operated by the applicant. Proposed site of the garage is currently a paved parking area. Original house is brick with tiled roof, two storey extension to northern side and single storey rear extension permitted in 2018 are rendered. The site is in Environment Agency Flood Zone 3, and is located in a "Low Hazard" area, with a maximum predicted flood depth of 0.25 metres.

HISTORY

H01-0392-20 Land adj Fairview Farm - Outline application for erection of 6 single storey dwellings - Approved 13/11/20.

H01-1210-19 Land adj Fairview Farm - Outline application for erection of 6 single storey dwellings - Refused 10/02/20.

H01-0990-18 Extensions and alterations (re-submission of H01-0744-18) - Approved 21/11/18.

H01-0950-18 Fairview Farm - S73a change of use to storage, distribution and light assembly work - approved under H01-0421-02 - modification of Condition 5 to allow 5 HGV's per week for delivery or dispatch - Approved 21/11/18.

H01-0744-18 Extensions and alterations - Approved 05/09/18.

H01-0421-02 Fairview Farm - change of use to storage, distribution and light assembly work - Approved 30/08/02.

CONSULTATION RESPONSES

None.

PLANNING CONSIDERATIONS

Principle of development

The proposal is for residential development on residential land within defined settlement limits, therefore the principle of development on this site is agreed.

Assessment against SELLP Policy 2 - Development Management

This proposal is assessed against SELLP Policy 2 titled - Development Management. This policy states:

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:
1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets;
9. impact on the potential loss of sand and gravel mineral resources."

When assessed against the above relevant criteria the following can be observed:

1. The size, scale, layout and density is considered to be appropriate for the site. The garage remains subservient in scale to the size of the main dwelling. The garage sits broadly on the same line of frontage as the host dwelling and other dwellings on Mill Drove South.

2. The design is subservient to the main dwelling, it will be constructed from matching materials and is orientated to face westwards toward to the front of the site.

3. The proposal is to be constructed from materials to match the existing dwelling and this is

considered to benefit the overall appearance of the site and the surrounding area.

4. The garage has space has for two standard sized vehicles and there is existing spacious off road parking provision to the front of the dwelling. The proposed remains in accordance with Appendix 6 of the SELLP which requests a minimum of three parking spaces for four bedroom dwellings or more.

5. The proposal will not materially impact existing community services and infrastructure.

6. There is not considered to be a material impact on neighbouring land uses by reason of noise, odour or disturbance. With regard to visual intrusion, the base of the rooflights are set 1.4 metres above finished floor level. Whilst there is a site to the rear of the boundary which has outline planning approval for residential development, the proposed windows do not directly face where any dwellings can be sited, and no reserved matters application for the site to the rear is yet to be submitted. Additionally, as the exterior staircase is south facing and 9.5 metres from the southern boundary, there is not considered to be a material overlooking aspect, particularly given that there are no dwellings immediately to the south.

7. The site is in Environment Agency Flood Zone 3, and is located in a "Low Hazard" area, with a maximum predicted flood depth of 0.25 metres. There is not considered to be a material flood risk or impact on surface water drainage as a result of the proposal.

The proposal accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

This proposal is assessed against SELLP Policy 3 titled - Design of New Development. This policy states:

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. 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.
Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:
1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
2. distinguishing between private and public space;
3. the landscape character of the location;
4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;
5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;
8. crime prevention and community safety;
9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;
10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);
13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;
14. the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;
15. the appropriate use or reuse of historic buildings.

When assessed against the above relevant criteria the following can be observed:

1. The proposal is not considered to materially impact a sense of place. The building will be

constructed from materials matching the dwelling and is subservient to the main dwelling.

9. The orientation of the building is designed to best enable the manoeuvring and parking of vehicles, as well as continue an established line of frontage along Mill Lane South.

11. There is not considered to be a material impact on neighbouring land uses by reason of noise, odour or disturbance. With regard to visual intrusion, the base of the rooflights are set 1.4 metres above finished floor level. Whilst there is a site to the rear of the boundary which has outline planning approval for residential development, the proposed windows do not directly face where any dwellings can be sited, and no reserved matters application for the site to the rear is yet to be submitted. Additionally, as the exterior staircase is south facing and 9.5 metres from the southern boundary, there is not considered to be a material overlooking aspect, particularly given that there are no dwellings immediately to the south.

12. The site is in Environment Agency Flood Zone 3, and is located in a "Low Hazard" area, with a maximum predicted flood depth of 0.25 metres. There is not considered to be a material flood risk or impact on surface water drainage as a result of the proposal.

PLANNING BALANCE

The proposal has been designed to continue a line of frontage development and is subservient to the main dwelling. There is not considered to be a material impact on the character and amenity of the surrounding area. The proposal is considered to accord with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2019.

CONCLUSION

The proposal is recommended for 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.