

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H01-1152-20 **Applicant:** Mr & Mrs J Palgrave
Proposal: Garage Extension
Location: 17 Vicarage Close Cowbit Spalding
Terminal Date: 11th February 2021

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development

National Guidance

National Planning Policy Framework 2019

Section 12- Achieving well designed places

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
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a proposed garage extension at the property at 17 Vicarage Close, Cowbit.

Site Description

The site is situated within a residential area of Cowbit and sits on the corner of Russell Drive and Vicarage Close.

It accommodates a detached dwelling and garage. The garage is situated to the south of the dwelling, with a long driveway to the front of the garage and to the side of the dwelling. There is a small grassed garden to the front of the dwelling.

The dwellings in the surrounding area are mostly of a similar age and design.

History

No relevant planning history.

Consultation Responses

South Holland Drainage Board - No comments

Highway Authority and Lead Local Flood Authority - Does not wish to restrict the grant of permission.

Planning Considerations

Layout, Design, Size and Scale

Paragraph 127 of the National Planning Policy Framework (NPPF), 2019 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting; and 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 states 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.

The proposed extension to the existing garage will protrude approx. 4.7m from the eastern elevation, with a width of approx. 5.2m, which is the same width as the original garage. This will mean that the proposed garage extension will be attached to the dwelling. Having regard to the existing dimensions of the house and garage, the proposed garage extension is acceptable in terms of scale, mass and bulk.

Although a single roof structure for the entire garage would be preferable, the new gable roof to the extension will mirror the existing gable roof structure of the garage and the ridge height would be lower. It is, on balance, considered acceptable.

Facing brickwork on walls, concrete roof tiles and UPVC in fenestration and rainwater goods will match those existing in the property. Thus, the development will appear well blended with the fabric of the house and visual amenity will not be undermined.

Internally the garage will ensure more space for parked cars and enlarge the existing two car spaces.

In summary, the form of development has a sufficient sense of scale and hierarchy with the main property. The external appearance is appropriate in terms of visual amenity.

Taking the above into account, the proposed garage extension is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2019 in terms of layout, design, size and scale.

Residential Amenity

There are no windows proposed to the south side elevation of the garage extension and will only have the garage doors on the eastern elevation which will replicate the existing garage. Therefore, it is not considered that it will have a material adverse impact upon residential amenity in terms of overlooking. A garage is also not considered a habitable space for planning purposes.

The proposed extension is not deemed to be overbearing due to the single storey nature of the proposal. The separation distance to the neighbouring property to the south is sufficient as well as to the property directly to the east, which is approx. 28m away from the new placement of the garage doors. For this reason, it is also not considered that the garage extension would have a material adverse impact in terms of overshadowing any nearby residential amenity spaces. Due to the positioning of the garage it will not have a significant impact upon amenity space to the rear garden on that plot.

Taking the above into account, the proposed garage extension is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2019 in terms of residential amenity.

Planning balance

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The proposed garage extension will not materially harm the character or appearance of the locality or amenity of nearby residents. It is therefore considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

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

The planning balance is in favour of the proposal. It is therefore recommended that the application be approved under delegated powers.