DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H02-0015-22**	**Applicant:**	**Mrs J Lewis**
Proposal:	Shed with cycle shelter attached and detached garden room - part retrospective		
Location:	Mia Lodge Hereward Way Crowland		
Terminal Date:	9th April 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
29	The Historic Environment

National Guidance

National Planning Policy Framework 2021

12 - Achieving well-designed places.
16 - Conserving and enhancing the historic environment.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0
WARD MEMBER	0	0	0	0
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a part retrospective application for a shed with a cycle shelter attached and detached garden room at Mia Lodge, Hereward Way.

The proposed log shed will be constructed from pressure treated timber and located adjacent to the 1.8 metre high northern boundary fence. The log shed will measure 2.4 metres in width and 1.995 metres in depth, with an eaves height of 1.8 metres and a ridge height of 2.1 metres.

The proposed bike shed will be constructed from pressure treated timber and located to the south of the log store. The shed will measure 2.427 metres in width and 1.252 metres in depth, with an eaves height of 1.24 metres and a ridge height of 1.73 metres. The bike shed will be located to the south of the proposed log shed.

The proposed Dutch barn (garden room) will be located forward of the southern elevation and will be constructed from pressure treated timber. The barn will measure 2.518 metres in width and 2.472 metres in depth, with an eaves height of 1.834 metres and a ridge height of 2.473 metres.

Planning permission is required because the buildings are sited forward of the principal elevation of the dwelling.

SITE DESCRIPTION

The proposal is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design. The proposal is within Crowland Conservation Area. The site is in Environment Agency Flood Zone 3 and subject to low flood hazard and a maximum predicted flood depth of 0.25 metres on the 2115 South Holland Strategic Flood Risk Mapping.

RELEVANT HISTORY

H02-0212-05

Outline - Residential development - one detached bungalow - Refused - 26 April 2005.

H02-0699-09

Full - Proposed single-storey dwelling - Refused - 04 January 2010.

H02-0499-10

Full - Proposed single-storey dwelling - Approved - 05 August 2010.

H02-0100-13 - Land to rear of 75 South Street

Full - Erection of chalet bungalow and double garage and demolition of existing buildings on site - Dismissed at appeal on highway grounds - 13 February 2014.

H02-0443-20

Full - Erection of Dwelling - Approved - 09 November 2020.

CONSULTATION RESPONSES

North Level Internal Drainage Board

No comments.

SHDC - Conservation Officer

"I wish to raise no objections to this proposal. The proposed structures are of a fairly standard design for their type and should be low-impact in nature. This is compounded by the fact that no buildings in the immediate visible surroundings of the site are of particular value to the Conservation

Area setting, and many structures of a similar nature are already present and widespread within visual range of the site. The proposal therefore would cause no substantial harmful impact upon the Historic Environment."

Crowland Parish Council

No objections.

Member of the public - 1 - Objection

The shed is huge.
The shed is illegal - The shed is now subject of a planning application to regularise.

PLANNING CONSIDERATIONS

Principle of development

The application site is within defined settlement limits and is for residential development on residential land. The principle of development in this location is considered to be acceptable.

Assessment against SELLP Policy 2 - Development Management

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

1. The size, scale and layout is considered to be appropriate for the site and is commensurate with other curtilage buildings in the vicinity. No trees will be removed to facilitate this proposal. There is not considered to be a material impact on the character and appearance of the site and adjacent land uses from the proposed sheds.

2. The design of the two sheds and Dutch barn is a standard design. The orientation of the buildings enables secure log and cycle storage with the barn allowing for a covered recreation building toward the entrance to the site.

3. The proposed material of construction for all three buildings is pressured timber which is considered to be appropriate for the site.

4. The proposed access is not being altered and the site can accommodate three vehicles which is the minimum amount required for dwellings with four bedrooms or greater under Appendix 6 of the SELLP.

5. The capacity of existing community services and infrastructure is not impacted by the proposed buildings.

6. The proposed buildings are not considered to generate a noise, odour or disturbance impact. With regard to visual intrusion the following can be observed:

Overdevelopment - The site still has adequate amenity space to the front (east) and side (south). The proposal is not considered give overdevelopment concerns.

Overlooking - None of the sheds have windows, with the proposed log store door facing east and the cycle storage door facing south. Due to none of the sheds exceeding 2.5 metres in height there is not considered to be a material overlooking impact.

Overshadowing / Overbearing - The proposed shed adjacent to the northern boundary with 21 South Street is 2.1 metres. This is 30cm higher than the adjacent boundary fence. The distance to the conservatory at 21 South Street is 9 metres away. Using right to light calculations there is not considered to be a material loss of light. The log shed and bike shed are to the south west of the blank rear elevation wall of a building at 23 South Street. There is not considered to be an overlooking impact from the proposed sheds.

7. The site is in Environment Agency Flood Zone 3 and subject to low flood hazard and a maximum predicted flood depth of 0.25 metres on the 2115 South Holland Strategic Flood Risk Mapping. The proposed sheds and barn are not for habitable rooms so there is not a requirement to raise finished

floor levels to address flood risk.

8. The proposal site is located within Crowland Conservation Area and is not in the vicinity of, nor visible from any listed buildings or buildings subject to an Article 4 Direction. There is not considered to be a material impact on the historic environment from the proposed sheds.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

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

1. There is not considered to be a material impact on a sense of place. The size, scale and layout is considered to be appropriate for the site and is commensurate with other curtilage buildings in the vicinity. No trees will be removed to facilitate this proposal. There is not considered to be a material impact on the character and appearance of the site and adjacent land uses from the proposed sheds.

5. One of the proposed sheds is for a proposed cycle store. Bins can be easily stored on site. The proposed access is not being altered and the site can accommodate three vehicles which is the minimum amount required for dwellings with four bedrooms or greater under Appendix 6 of the SELLP.

11. The proposed buildings are not considered to generate a noise, odour or disturbance impact. With regard to visual intrusion the following can be observed:

Overdevelopment - The site still has adequate amenity space to the front (east) and side (south). The proposal is not considered give overdevelopment concerns.

Overlooking - None of the sheds have windows, with the proposed log store door facing east and the cycle storage door facing south. Due to none of the sheds exceeding 2.5 metres in height there is not considered to be a material overlooking impact.

Overshadowing / Overbearing - The proposed shed adjacent to the northern boundary with 21 South Street is 2.1 metres. This is 30cm higher than the adjacent boundary fence. The distance to the conservatory at 21 South Street is 9 metres away. Using right to light calculations there is not considered to be a material loss of light. The log shed and bike shed are to the south west of the blank rear elevation wall of a building at 23 South Street. There is not considered to be an overlooking impact from the proposed sheds.

12. The site is in Environment Agency Flood Zone 3 and subject to low flood hazard and a maximum predicted flood depth of 0.25 metres on the 2115 South Holland Strategic Flood Risk Mapping. The proposed sheds and barn are not for habitable rooms so there is not a requirement to raise finished floor levels to address flood risk.

Assessment against SELLP Policy 29 - The Historic Environment - Conservation Areas

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

1. The proposal will not impact groups of buildings, existing street patterns, building lines or ground surfaces.

2. The proposal will not impact architectural details that contribute to the character and appearance of the area.

3. The proposal will not seek to remove architectural details that contribute to the character and appearance of the area.

4. The proposal will not bring forward features incompatible with Crowland Conservation Area. The proposed sheds are considered to reinforce local height, massing and scale of buildings within the existing built environment. Especially with regard to the existing curtilage buildings in the rear gardens of South Street to the north and east.

5. The sheds are not at a height that will impact the townscape, roofscape, skyline or landscape of

the area.

6. No trees will be lost to facilitate this proposal.

This application accords with SELLP Policy 29.

PLANNING BALANCE

It is considered that by virtue of their height and location, the proposed sheds are not considered to materially impact the character and amenity of the area. This application accords with Policies 1, 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019, as well as Sections 12 and 16 of the National Planning Policy Framework, 2021.

CONCLUSION

This application 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.