

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H02-0388-24 **Applicant:** Mr S Leeming

Proposal: Proposed 2-Bay timber carriage house/garage

Location: 43 Postland Road Crowland

Terminal Date: 3rd July 2024

Planning Policies**South East Lincolnshire Local Plan - Adopted: March 2019**

02 Development Management

03 Design of New Development

National Guidance**National Planning Policy Framework 2023**

Section 12 - Achieving well designed and beautiful places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	1	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a proposed two bay timber carriage house/garage to the front of the plot at 43 Postland Road, Crowland.

Site Description

The site is located within the defined settlement boundary of Crowland as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP). 43 Postland Road is made from bricks with a tiled roof and white uPVC windows, it features a large open window display central on the front elevation with two garage doors adjacent to this.

History

H02-0837-01 - Extension to dwelling - Approved

H02-0066-02 - Details of archaeological report (Condition 2 of H02/0837/01) - Approved

H02-0503-16 - Proposed extension and alteration to form annexe - Approved

Consultation Responses

Crowland Parish Council

Comments: Objection - this application is significantly in front of the building line and not in keeping with the nature of the street scene in this area.

North Level Internal Drainage Board

No objections.

Lincolnshire County Council Highways

No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Comments:

The proposal is for a 2-Bay timber carriage house/garage. The location of the garage is well away from the access to allow room to manoeuvre - the proposal will not have an adverse impact on the public highway

South Holland District Council Environmental Protection

No comments.

Key Planning Considerations

The main issues and considerations in this case are (but not limited to):

- Layout, design and impact on the character of the area
- Impact on neighbouring residents/ land users/ land use

Evaluation

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019,

forms 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 (updated 2023) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Planning Considerations

Layout, Design and Consideration of the Character and Appearance of the Area

Section 12 of the National Planning Policy Framework (December 2023) specifically relates to 'Achieving well-designed and beautiful places' and details that "The 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 National Planning Policy Framework (December 2023), 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.

Development proposals should also ensure that 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 South East Lincolnshire Local Plan outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework, in that it 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 National Planning Policy Framework 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 proposed two bay garage will be made of timber throughout with the roof featuring Bitumen tiles, whilst these materials do not match the existing dwelling on site it will be mostly covered due to the existing trees and hedges to the front of the boundary.

The total height will be around 3430mm with the eaves being slightly below this at 2316mm, furthermore the width is to be 5486mm and the length shall be 6096mm. These measurements are of an acceptable size and proportion and will allow there to be two separate bays for vehicular access or other storing opportunities. The design will feature a gable roof which matches the design used throughout No. 43 Postland Road.

Whilst the LPA wouldn't usually support applications for garages/carriage houses such as this forward of the principal elevation, due to the existing trees and hedges set to the front of the curtilage they will conceal almost all of the development and limit any material harm that is caused to the street scene and locality. As such, in this instance the LPA can support the application as each application must be assessed on its own merits with the relevant weight given to other deciding factors. Crowland Parish Application objected to this application stating 'this application is significantly in front of the building line and not in keeping with the nature of the street scene in this area' however from this previous justification the scheme is considered to be acceptable in this

instance.

Impact on Residential Amenity/Land Users

Paragraph 135 of the National Planning Policy Framework (December 2023) 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of South East Lincolnshire Local Plan (2019) 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 nature of the development it is not considered to be a habitable room and therefore no material loss of privacy should occur from this, in any case the existing trees and hedges would provide further cover. Moreover, the garage is located to the front of the plot and is also covered by the trees and hedges to limit any overshadowing concerns also.

As detailed above, the scale and design of the proposal is considered to be such that there would be 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 provisions of the Section 12 of the National Planning Policy Framework (December 2023), and Policies 2 and 3 of the Local Plan.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, 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 South East Lincolnshire Local Plan and the provisions of the National Planning policy Framework when viewed as a whole.

In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

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

Taking the above considerations into account, the proposal is considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (SELLP) (2019), along with the identified sections contained within the National Planning Policy Framework (NPPF) (December 2023). There are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.