DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H02-0982-19**	**Applicant:**	**Mrs P E Dyson**
Proposal:	Proposed single garage (dwelling approved under H02-0086-19)		
Location:	Land Rear: 40 North Street Crowland		
Terminal Date:	9th December 2019		

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
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Section 12 - Achieving well-designed places
Section 16 - Conserving and Enhancing the Historic Environment

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

The proposal a single garage featuring pitched roof and an electric roller shutter door to the rear of 40 North Gate, that will be to the front of the primary elevation of the proposed 2 bedroom dwelling agreed under application H02-0086-19.

Site Description

The site sits within the Crowland Conservation Area and is part of a backland development plot to the rear of the host property 40 North Road, Crowland. This area of the conservation area is characterised largely by residential properties of the Victorian era. This includes the host property. To the north of the proposed garage is the extant outbuilding to 40 North Street which is soon to become the residential property which will host the proposed garage. The site is within eyeshot of several listed buildings, namely the Grade II listed 46 North Street and 45/47 North Street.

History

H02-0086-19

Proposed two-bed single-storey dwelling. APPROVED on 30/04/2019

Consultation Responses

Crowland Parish Council

No objections

North level Internal Drainage Board

No comments

Planning Considerations

Design and Layout

The Local Planning Authority seeks no amendment to the design or layout of the proposals. This is because the design and layout are suitable to service the proposals use as a single garage. The design is appropriate to the area, featuring a pitch and brick course above the proposed garage door. Whilst the design will be simple, it is appropriate to the area and the use of a pitched roof, over a flat-roof is appreciated.

Residential Amenity

As the proposal is only single-storey in height, will not be a residential structure and will feature no windows, it is understood that there will be no risk of overlooking to the nearby property to the South of the proposals. In addition, it is felt that there will be no risk of overshadowing. Because of the proposed structure's position to the North of the neighbouring property, it is considered that there will be minimal impact upon the sun's East to West trajectory and therefore shadow-casting should be minimal. Additionally, the proposed garage will be adjacent to a very similarly sized outbuilding structure to the rear of the neighbouring 38 North Street which should mean that any overshadowing should be cast on to the roof of that structure.

Heritage Impact

The Local Planning Authority believes that there is no risk to the significance of the designated heritage asset (Crowland Conservation Area). This is because the proposals, whilst simple, do contain traditional design details (pitch roof, soldier course above the proposed door etc.). Additionally, due to the position of the proposal, set back significantly from the roadside and the tall fencing and gate it shall site behind it will not be easily visible from the public realm. Because of the negligible impact the proposals will have, there will be no discernible effect upon the Conservation area and therefore should be considered to PRESERVE the historic environment.

Provision of parking

The proposals will mean the creation of a designated parking position for the proposed dwelling under H02-0086-19. This coupled with the driveway space available to the site, the dwelling

approved under H02-0086-19 will have ample parking provision as set out under policy 36 and Appendix 6 of the South East Lincolnshire Local Plan (2019) without reducing parking provision to 40 North Street to unacceptable levels.

Conclusion

For the reasons listed above, it is determined that the application is in accordance with policies 1, 2, 3, 29, 36 and appendix 6 of the South East Lincolnshire Local Plan (2019) and Sections 12 and 16 of the National Planning Policy Framework. Therefore, 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.