DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H03-0003-23**	**Applicant:**	**Mr M Fradley**
Proposal:	Erection of outbuilding - re-submission of H03-0841-22		
Location:	Hop Pole House Main Road Hop Pole		
Terminal Date:	28th February 2023		

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 2021

Section 12. Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for an outbuilding to the rear of the existing detached garage. It would measure 13 metres (depth) x 6.3 metres (width) and stand at 4 metres in height (2.4 metres to the eaves). It would have white rendered walls, sitting under a black plastisol metal box roofing system with 3x wooden barn garage doors and 1x wooden personnel door.

This application is a re-submission of a previously approved scheme (H03-0841-22). The only change proposed is the external finish of the walls from the previously approved timber cladding to white render.

SITE DESCRIPTION

The application site is located on Main Road in Hop Pole. The property is part of a small cluster of residential dwellings located outside any defined settlement boundary. The site comprises a two storey detached dwelling located towards the front of the site. There is a double detached garage located adjacent the western boundary, set some 20 metres back from the front boundary.

RELEVANT PLANNING HISTORY

H03-0841-22 - Erection of outbuilding - approved

REPRESENTATIONS

Deeping St Nicholas Parish Council

No objections.

PLANNING CONSIDERATIONS

The proposed changes from the previously approved scheme relate to the external appearance of the building only therefore the only consideration is the visual impact of the building.

Paragraph 130 of National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting, 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 proposal to render the outbuilding instead of the previously approved cladding is considered acceptable and would not significantly or unacceptably alter the overall appearance of the building/site, especially given it would match the external finish of the existing garage and host dwelling on the site. As such it would be more in keeping with the site.

The proposal is therefore considered visually acceptable within the locality and complies with Policies 2 and 3 of the SELLP and Section 130 of the NPPF.

Planning Balance

The proposal will not materially harm the character or appearance of the locality or amenity of nearby residents. The planning balance is therefore considered to be in favour of the proposal.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2021).

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.

RECOMMENDATION

The application can be approved under delegated powers.