DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H03-0851-21**	**Applicant:**	**Mrs G Goble**
Proposal:	Proposed garage/workshop		
Location:	2 Alice Cottage Main Road Deeping St Nicholas		
Terminal Date:	7th October 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 12

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 a detached garage to the side of the existing dwelling. The garage would measure 6.1 metres (width) x 7.9 metres (depth) and stand at 2.4 metres in height (2 metres to the eaves). The garage would be constructed using wooden panelling and a grey felt roof.

SITE DESCRIPTION

The site comprises a semi-detached dwelling located on Main Road in Deeping St Nicholas. The site is outside any settlement boundary and within the open countryside. The existing dwelling is rendered and cream painted with white fenestration. There is a large gravelled driveway to the front/side providing off-street parking provision for several vehicles. The immediate area is primarily open countryside with a number of dwellings and commercial buildings scattered along the road.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

Deeping St Nicholas Parish Council

No objections.

PLANNING CONSIDERATIONS

Principle of development

The site is outside any settlement boundary and within the open countryside, however, as the proposed garage/workshop would be sited within the residential curtilage of the existing dwelling the principle of a building that is incidental to the enjoyment of a dwellinghouse is acceptable.

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 key material considerations are addressed below.

Layout, Design, Size and Scale

Paragraph 130 of the National Planning Policy Framework (NPPF), 2021 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 garage would sit adjacent to the existing dwelling along the south-west boundary and would be clearly visible from the public realm.

The footprint of the garage is considered acceptable and proportionate to the site and its design and siting are also considered to be in keeping with the site and area. The use of wooden panelling is considered acceptable given the rural location.

As such the development on balance complies with the aforementioned policies on design, layout and impact upon the character of the local area.

Impacts upon Residential Amenity

The only immediate neighbour is the attached neighbour at no.1 Alice Cottage. The proposed garage/workshop would not extend beyond the front/rear elevations of the application dwelling therefore it would be blocked by the existing dwelling on the site. In addition, it would be located a significant distance from this neighbours boundary (approximately 8.3 metres). As such it is not considered that any unacceptable impact would result on this neighbour.

As such the proposal would accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed scheme does not increase the number of bedrooms nor does it

impact the existing parking arrangements for the site. A maximum of 3no parking spaces are required for the site. The proposed garage meets the size requirements for covered parking spaces and there is space in the remaining driveway for several vehicles. As such the scheme is considered to comply with the current parking standards.

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 Policies1, 2, 3 and 36 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.