DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H04-0195-23**	**Applicant:**	**Mr M White**
Proposal:	Demolition of Existing Garage and Proposed Replacement Detached Garage and Workroom With Recreational Space Above - approved under H04-1202-21. Amendment to length of building.		
Location:	23 Quadring Road Donington Spalding		
Terminal Date:	27th March 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

12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

PROPOSAL

This is non-material amendment application at 23 Quadring Road, Donington for demolition of Existing Garage and Proposed Replacement Detached Garage and Workroom With Recreational Space Above - approved under H04-1202-21. This application seeks an amendment to the length of the garage building and removal of the first floor element in the roofspace.

The previously approved garage was to be sited 0.6 metres from the rear boundary of 2 Mill Lane and 0.5 metres from the side boundary of 4 Mill Lane. The garage measured 12.192 metres in width, 6.096 metres in depth, had an eaves height of 2.54 metres and a ridge height of 6 metres on an east / west axis. The new garage building will be sited 1 metre from the rear boundary with 2 Mill Lane and 1 metre from the side boundary of 4 Mill Lane. The garage measures 9.192 metres in width, 6.096 metres in depth, have an eaves height of 2.4 metres and a ridge height of 4.8 metres on an east / west axis. Materials of construction would be addressed by condition.

SITE DESCRIPTION

The frontage of the site is within Donington Conservation Area, with the footprint of the garage entirely outside of the Conservation Area. The surrounding area is characterised by buildings of varying ages and designs. To the north of the garage is curtilage land and a 1.8 metre high fence, beyond which 25, 25a and 25b Quadring Road are sited. A four metre high hedge is sited on the western boundary beyond which the detached garage of 27b Quadring Road is located. A 1.8 metre high fence is located on the southern rear boundary, beyond which the garden pond of 4 Mill Lane is sited. To the north west of the building is the host dwelling, with a 1.8 metre high fence and 2.5 metre high hedge to the west, beyond which the rear garden of 2 Mill Lane is sited. The front and side elevations of 23 Quadring Road are subject to an Article 4 Direction. The site is in Environment Agency Flood Zone 1 and is not subject to increased hazard or depth on the 2115 South Holland Strategic Flood Risk Mapping.

RELEVANT HISTORY

H04-0944-01

Full - Window replacement to south elevation - Approved - 18 September 2001.

H04-0870-05

Full - Re-paint exterior of dwelling and window frames (Article 4 Direction) - Approved - 17 August 2005.

H04-1610-05

Full - Construction of new kitchen and utility extension - Approved - 24 January 2006.

H04-1611-05

Conservation Area Consent - Partial demolition of small outbuilding offshoot and conversion into a kitchen and utility area - Approved 17 January 2006.

H04-0943-06

Full - Construction of new kitchen and utility extension (re-submission of H04-1610-05) - Approved - 25 August 2006.

H04-1498-06

Full - Proposed kitchen and utility extension (retrospective) - 06 December 2006.

H04-0898-12

Full - Removal of brick chimney and replacement with slates to match slate roof - Approved - 19 December 2012.

H04-1202-21

Full - Demolition of Existing Garage and Proposed Replacement Detached Garage and Workroom With Recreational Space Above - Approved - 16 February 2022.

CONSULTATION RESPONSES

None

PLANNING CONSIDERATIONS

This application is assessed against the criteria for assessing whether the proposal amendments are non-material.
All of the following criteria must be met for amendments to be considered under this procedure:

1 - There would be no alteration to the application site boundary (red edge).

2 - The amendment would not conflict with Development Plan Policies or other Government Guidance.

3 - The proposal would not exacerbate concerns raised by third parties at original planning application stage.

4 - The proposed change would not be contrary to a condition on the original approval.

5 - The approved footprint / siting of the building will not be moved materially and will not have a material impact on a neighbour.

6 - The height of the building or extension would not be increased.

7 - The amendment would not result in any potential overlooking of any neighbouring property.

8 - The amendments must not result in a fundamental change in the design of the building.

9 - The proposal does not amount to new works or elements not considered by any Environmental Statement submitted with the application.

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

1. There is no alteration to the application site boundary.

2. The amendment does not conflict with Development Plan Policies or other Government Guidance.

3. The proposal would not exacerbate concerns raised by third parties at original planning application stage.

4. The amended proposal is not contrary to a condition on the original approval.

5. The footprint of the building has not been moved materially and will reduce any impact on neighbouring properties.

6. The height of the building is reduced from 6 metres high to 4.8 metres high

7. The amendment would not result in any potential overlooking of any neighbouring property.

8. The amendments do not result in a fundamental change to the design of the building.

9. The proposal does not amount to new works or elements not considered by any Environmental Statement submitted with the application.

The amended garage accords with the non-material amendment assessment criteria.

PLANNING BALANCE

The proposed amendments reduce any potential for amenity or character impact and accord with the non-material amendment assessment criteria.

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.