DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H04-1202-21**	**Applicant:**	**Mr & Mrs White**
Proposal:	Demolition of Existing Garage and Proposed Replacement Detached Garage and Workroom With Recreational Space Above		
Location:	23 Quadring Road Donington Spalding		
Terminal Date:	17th February 2022		

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 2021

Sections 12 and 16 of the National Planning Policy Framework, 2021.

12 - Achieving well-designed places
16 - Conserving and enhancing the historic environment

Representations:

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application at 23 Quadring Road, Donington for demolition of an existing garage and a proposed replacement detached garage and workroom with a recreational space above. The proposed garage will 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 will measure 12.192 metres in width, 6.096 metres in depth, have an eaves height of 2.54 metres and a ridge height of 6 metres on an east / west axis. The proposed materials are brick and tile, with cladding for the dormer. The exact materials of construction would be addressed by condition. There are high level windows on the southern elevation, with a door and two windows on the eastern side elevation, a blank western side elevation and a door, window and garage door on the north facing frontage elevation, with two windows in a dormer serving the recreational space above.

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.

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.

CONSULTATION RESPONSES

SHDC - Conservation Officer

Had concerns regarding the use of white UPVC on the previous design. They recommended Conservation Area appropriate materials. They have not provided comments on the amended design.

Member of the public

Overbearing
Overshadowing

PLANNING CONSIDERATIONS

Principle of development

This application is for residential use on residential land within defined settlement limits. The principle of development in this location is considered to be acceptable.

Assessment against SELLP Policy 2 - Development Management

This proposal is assessed against SELLP Policy 2 titled - Development Management. This policy states:

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:
1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets;
9. impact on the potential loss of sand and gravel mineral resources."

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

1. The size, scale and layout of the proposal is considered to be appropriate and is comparable in height and footprint to that of other curtilage buildings in the vicinity. No trees will be removed to facilitate this proposal. Due to the location to the rear of the site and being located away from buildings on neighbouring sites, there is not considered to be a material impact on the character and appearance of the area.

2. The design is fairly common for a two storey garage building and the orientation best enables the storage and manoeuvring of vehicles on site.

3. The proposed materials of construction are brick and tile, with cladding for the dormer section. These materials are standard for such a garage building. Exact details of materials would be addressed by condition.

4. Access and vehicle generation levels are not impacted by this proposal. The building can provide garaging for one car, with off street parking for over two additional cars on the driveway. This application accords with Appendix 6 of the SELLP which requests that a property with four bedrooms or greater provides a minimum of three off road parking spaces.

5. The capacity of local services and infrastructure will not be impacted by this proposal.

6. There is not considered to be a noise, odour or disturbance impact from this proposal. With regard to visual intrusion the following can be observed:

Overshadowing / overbearing - There is not considered to be an overshadowing to 4 Mill Lane. The building is sited north of the garden pond area and 23.5 metres east of the main dwelling using right

to light calculations there is not considered to be an overshadowing impact. The two storey curtilage building at 4 Mill Lane is used for a library and study and does not contain any living accommodation. There is not considered to be an overshadowing impact on this building which is 10 metres away to the north east at the nearest point. There is not considered to be an overbearing impact on the garden pond area of 4 Mill Lane to the south of the garage. The rear elevation roof slopes away from the garden pond area and does not take up a large amount of the view from either the dwelling or the garden area. There is not considered to be an overshadowing impact to 2 Mill Lane which is 19 metres to the west at the nearest point. 25 Quadring Road is 20 metres to the north, 25a Quadring Road is 17 metres to the north, and 25b Quadring Road is 23 metres away. Using right to light calculations none of the properties are considered to be impacted by a loss of light or an overbearing impact due to the distances involved.

Overdevelopment - The building is not considered to represent overdevelopment. A large amount of curtilage land remains available to the rear of the dwelling.

Overlooking - The high level windows on rear elevation garage commence at 1.8 metres in height and are adjacent to a 1.8 metre high fence at the boundary with 4 Mill Lane. These windows are not considered to constitute an overlooking impact. There are no windows in the western side elevation, with the two windows and door in the eastern elevation facing a 4 metre high boundary hedge which eliminates overlooking potential. The windows to the front at ground floor level face a 1.8 high fence at the northern boundary. There is not considered to be an overlooking impact from these windows. The first floor windows serving the recreational space are 20.5 metres from 25 Quadring Road, 17.5 metres from 25a Quadring Road and 23 metres from 25b Quadring Road. The windows do not directly face 25b Quadring Road. There are no rear elevation windows at 25a Quadring Road. The rear elevation ground floor windows of 25 Quadring Road serve a utility room, dining room and lounge. The first floor windows of 25 Quadring Road serve two bedrooms, a stairwell and two bathrooms. Given the separation distance of 20.5 metres to 25 Quadring Road, the 1.8 metre high boundary fencing, and the non-habitable room use of the recreational area, there is not considered to be a material overlooking aspect to 25 Quadring Road.

There is not considered to be a visual intrusion impact from the proposed development.

7. 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. There is not a requirement to raise finished floor levels in this area, and the proposed uses do no not constitute habitable rooms.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

This proposal is assessed against SELLP Policy 3 titled - Design of New Development. This policy states:

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. 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.
Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:
1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
2. distinguishing between private and public space;
3. the landscape character of the location;
4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;
5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;
8. crime prevention and community safety;
9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;
10. the appropriate treatment of facades to public places, including shop frontages to avoid visual

intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);
13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;
14. the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;
15. the appropriate use or reuse of historic buildings.

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

1. A sense of place is not considered to be impacted by this proposal which is sited to the rear of the site away from the street frontage. The size, scale and layout of the proposal is considered to be appropriate and is comparable in height and footprint to that of other curtilage buildings in the vicinity. No trees will be removed to facilitate this proposal. Due to the location to the rear of the site and being located away from buildings on neighbouring sites, there is not considered to be a material impact on the character and appearance of the area.

5. Refuse and bicycle storage is not impacted by the proposed garage building. The building can provide garaging for one car, with off street parking for in excess of two additional cars on the driveway. This application accords with Appendix 6 of the SELLP which requests that a property with four bedrooms or greater provides a minimum of three off road parking spaces.

11. There is not considered to be a noise, odour or disturbance impact from this proposal. With regard to visual intrusion the following can be observed:

Overshadowing / overbearing - There is not considered to be an overshadowing to 4 Mill Lane. The building is sited north of the garden pond area and 23.5 metres east of the main dwelling using right to light calculations there is not considered to be an overshadowing impact. The two storey curtilage building at 4 Mill Lane is used for a library and study and does not contain any living accommodation. There is not considered to be an overshadowing impact on this building which is 10 metres away to the north east at the nearest point. There is not considered to be an overbearing impact on the garden pond area of 4 Mill Lane to the south of the garage. The rear elevation roof slopes away from the garden pond area and does not take up a large amount of the view from either the dwelling or the garden area. There is not considered to be an overshadowing impact to 2 Mill Lane which is 19 metres to the west at the nearest point. 25 Quadring Road is 20 metres to the north, 25a Quadring Road is 17 metres to the north, and 25b Quadring Road is 23 metres away. Using right to light calculations none of the properties are considered to be impacted by a loss of light or an overbearing impact due to the distances involved.

Overdevelopment - The building is not considered to represent overdevelopment. A large amount of curtilage land remains available to the rear of the dwelling.

Overlooking - The high level windows on rear elevation garage commence at 1.8 metres in height and are adjacent to a 1.8 metre high fence at the boundary with 4 Mill Lane. These windows are not considered to constitute an overlooking impact. There are no windows in the western side elevation, with the two windows and door in the eastern elevation facing a 4 metre high boundary hedge which eliminates overlooking potential. The windows to the front at ground floor level face a 1.8 high fence at the northern boundary. There is not considered to be an overlooking impact from these windows. The first floor windows serving the recreational space are 20.5 metres from 25 Quadring Road, 17.5 metres from 25a Quadring Road and 23 metres from 25b Quadring Road. The windows do not directly face 25b Quadring Road. There are no rear elevation windows at 25a Quadring Road. The rear elevation ground floor windows of 25 Quadring Road serve a utility room, dining room and lounge. The first floor windows of 25 Quadring Road serve two bedrooms, a stairwell and two bathrooms. Given the separation distance of 20.5 metres to 25 Quadring Road, the 1.8 metre high boundary fencing, and the non-habitable room use of the recreational area, there is not considered to be a material overlooking aspect to 25 Quadring Road.

There is not considered to be a visual intrusion impact from the proposed development.

12. 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. There is not a requirement to raise

finished floor levels in this area, and the proposed uses do no not constitute habitable rooms.

15. The proposal is not within the Donington Conservation Area and does not impact the main dwelling with the front and side elevations subject to an Article 4 Direction.

The proposal accords with SELLP Policy 3

Assessment against SELLP Policy 29 - The Historic Environment

The relevant section of this Policy is titled "Conservation Areas" This section states:

"Proposals within, affecting the setting of, or affecting views into or out of, a Conservation Area should preserve (and enhance or reinforce, as appropriate) features that contribute positively to the area's character, appearance and setting. Proposals should:
1. Retain buildings/groups of buildings, existing street patterns, historic building lines and ground surfaces;
2. Retain architectural details that contribute to the character and appearance of the area;
3. Where relevant and practical, remove features which are incompatible with the Conservation Area;
4. Retain and reinforce local distinctiveness with reference to height, massing, scale, form, materials and plot widths of the existing built environment;
5. Assess, and mitigate against, any negative impact the proposal might have on the townscape, roofscape, skyline and landscape;
6. Aim to protect trees, or where losses are proposed, demonstrate how such losses are appropriately mitigated against."

When assessed against the above criteria the following observations can be made:

1. The proposal is to the rear of the site and does not impact buildings within the conservation area, existing street patterns, historic building lines or ground surfaces.

2. The proposal does not impact architectural details within the adjacent conservation area.

3. Provided appropriate materials are brought forward via condition then there is not considered to be an impact on the adjacent conservation area.

4.The proposal is comparable in scale and form to that of the converted building at 25a Quadring Road and does not impact any buildings within the adjacent conservation area.

5. Due to the building being located to the rear of the site and being shielded from street view by existing dwellings, there is not considered to be an impact on the townscape, roofscape, skyline or landscape.

6. No trees are being removed to facilitate this proposal.

This application accords with SELLP Policy 29.

It is considered that by virtue of the location to the rear of the site, outside of Donington Conservation Area, and the separation distances to neighbouring properties that there is not a material impact on the character and amenity of the surrounding area. This application accords with Policies 1, 2, 3, 29, 36 and Appendix 6 of the South East Lincolnshire Local Local Plan, 2019, as well as Sections 12 and 16 of the National Planning Policy Framework, 2021.

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.