

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H05-1163-22 **Applicant:** Mr A Wright
Proposal: Proposed detached garage and alterations to bungalow
Location: 14 Cross Street Fleet Spalding
Terminal Date: 30th January 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

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. Achieving well-designed places.

Representations:

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission to demolish the existing outbuilding and erection of a new detached garage measuring 4 metres (width) x 11 metres (depth) and standing at 4.2 metres in height (2.6 metres to the eaves). The building would be erected from red facing brickwork sitting under a red tiled roof with a white metal garage door on the front elevation.

The proposal also involves minor external alterations to the existing bungalow to include 1no new door and 1no new window opening on the northern elevation, 1no door and 1no window on the southern elevation and blocking up the existing door/window openings on the eastern elevation.

SITE DESCRIPTION

The application site is located on Cross Street in Fleet. The site has an open frontage and a gravelled driveway wrapping around the front/side of the bungalow and providing off-street parking provision for multiple vehicles. The immediate street comprises detached residential dwelling of varying designs and ages. The site backs onto open countryside.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

Resident

One letter of objection has been received from a neighbour siting concerns of the site being split and increasing housing density on an unadopted road.

PLANNING CONSIDERATIONS

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 proposed building would sit towards the rear of the site but would be visible from the public realm given the open frontage of the application site. However, given its would be sited some 18 metres from the front boundary it would not appear overly prominent in the street scene. Furthermore the garage would be sited in the same position as the existing outbuilding which would be demolished and have the same side projection. The only discernible difference would be the pitched roof design. As such no unacceptable impact is considered to result on the street scene. The building itself would have a modest footprint and would relate well to the overall site. There is no string building character in the immediate area and there are numerous dwellings with ancillary outbuildings therefore the proposed development is not considered to be out of keeping with the area.

One neighbour has objected to the proposed scheme siting concerns of the site being split and increasing housing density on an unadopted road. The concerns are noted, however, there is no indication of the site being split and the proposed garage would be ancillary to the existing bungalow on the site.

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

Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) set out residential amenity and the relationship to existing development and land uses as main considerations when making planning decisions. They are consistent with advice within the National Planning Policy Framework (2021). Paragraph 130, amongst other matters, seeks places with a high standard of amenity for existing and future users.

The closest neighbour to the proposed development is no.12A Cross Street located to the west of the application site. The depth of the new garage would be approximately 5 metres more than the

existing outbuilding, however, given the proposed garage would be sited in the same position as the existing outbuilding which would be demolished the relationship is not considered to significantly change. Furthermore the garage would sit adjacent to this neighbour's front garden/driveway therefore it would not impact the house itself or any private amenity space which is to the rear of the site. As such any potential impact would be minimal and within acceptable tolerances.

With regards to the neighbour to the east at no.18 Cross Street the proposed garage would be located at least 37 metres from this neighbour's boundary. This separation distance is considered sufficient as to not result in any overbearing impact or unacceptable overshadowing.

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/highway safety

The proposed garage meet the size requirements for covered parking space and additional off-street parking for at least 3no vehicles would be retained in the remaining driveway. 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, the amenity of nearby residents or impact parking/highway safety. 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 2, 3, 36 and Appendix 6 of the South East Lincolnshire Local Plan (2019) and Section 12 and 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.