

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H05-1208-19 **Applicant:** Mr D Stephens
Proposal: Proposed garage/hobbyroom
Location: Rhinestone Cottage Foxes Low Road Holbeach
Terminal Date: 27th February 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management

03 Design of New Development

National Guidance

National Planning Policy Framework 2019

Section 12 - Achieving well designed places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a householder application for a proposed garage/hobby room at Rhinestone Cottage, Foxes Low Road.

Site Description

The dwelling is situated within the defined settlement boundary of Holbeach, according to the South East Lincolnshire Local Plan (2019).

The site is located to the south of Foxes Low Road and is set back from the road with a good sized front garden with a driveway, which is gravelled. The plot has a mature hedged boundary to the east and south, with a 1m picket fence on the western boundary towards the front of the property. Views

to the rear of the property are currently obscured by closeboard fencing on the eastern side of the property and a large wall on the western side.

The dwelling is surrounded by a variety of development, including two large detached dwellings to the west of the dwelling, which are situated on large plots of land that are well set back from the road. There are also dwellings sited to the north on the opposite side of Foxes Low Road. The Fleet Road Industrial Estate is to the east and south which includes several types of businesses from a tyre business to the east of the property and a joinery to the south of the dwelling.

History

H05-1110-17- Proposed demolition of outbuildings and erection of garage/hobby room with roof space above for domestic storage. This application was previously approved, but the application had expired before work had commenced.

Consultation Responses

No responses.

Planning Considerations

Size and Scale

The proposed development will be approx. 5m wide by 10m deep, with a maximum eaves height of 2.5m and a maximum 2.9m ridge height. The proposed garage/hobby room will be approx. 1m from the southern boundary and approx. 1.5m from the eastern boundary. The northern elevation will be utilised for access purposes.

On the basis that the proposed building is smaller in scale to that previously approved, the size and scale of the proposed development is considered acceptable.

Layout and Design

The proposed development accommodates one large room, which will be used as a garage/hobby room.

The only notable change from the previous application, other than the reduction in size, are the proposed materials. The previous application (H05-1110-17) shows the building to be of a cream render finish, whereas the new proposed design involves timber cladding material for the walls and felt for the roof. This design is considered to be acceptable for a structure of this nature and particularly given that it is located to the rear of the property.

Due to the proposed building being set back from the main dwelling, there is still sufficient space for a driveway and for a spacious garden.

Taking the above into account, and in conjunction with the previous section, it is concluded that the design, layout, size and scale of the scheme accords with Policies 2 and 3 of the Local Plan. Policy 2 of the Local Plan requires development proposals to take into account sustainable development considerations such as: quality of design; and size, scale, layout, density, impact on character and appearance of the area and the relationship to existing development. Policy 3 requires development proposals to respect the density, scale and massing of neighbouring buildings and the landscape character of the location.

Impact upon residential amenity

The proposed development will be a single storey building, with a maximum height of 2.9m. There should therefore be no issues of overlooking, loss of light or the building being overbearing in nature.

The external amenity space of the property will not be significantly adversely affected by the proposed development as the building will be situated to the farthest east corner of the garden and sufficient amenity space will be retained for current and future residents.

Furthermore, the building would be in the same position as that previously approved.

Overall, there are not considered to be any significant or demonstrable adverse impacts relating to residential amenity that would warrant refusal of this proposal. The proposal is considered to accord with Policies 2 and 3 of the Local Plan in respect of their provisions on residential amenity.

Conclusion

In light of the considerations above, the erection of a proposed garage/hobby room at Rhinestone Cottage, Foxes Low Road in Holbeach is considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and of Section 12 of the National Planning Policy Framework (2019).

The recommendation is therefore for a delegated 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.