DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H08-0038-21**	**Applicant:**	**Mr M Valentine**
Proposal:	Proposed replacement conservatory and pre-fabricated garage		
Location:	Wayside Chopdike Drove Gosberton Clough		
Terminal Date:	18th March 2021		

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 2019

Section 12 of the National Planning Policy Framework (2019)

12 - Achieving well-designed places.

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 for a proposed replacement conservatory and pre-fabricated garage at Wayside, Chopdike Drove, Gosberton Clough. The proposal seeks to provides a conservatory that projects 3.8 metres from the south facing side elevation wall, and is 2.9 metres wide, with a 2.1 metre eaves height and a 3 metre ridge height. The conservatory would be constructed from glass with golden oak coloured up can frame. The proposed double garage is sited approximately 30 metres to the north of the dwelling and would measure 6 metres by 6 metres. The garage would have a 2.06 metre eaves height, a 2.95 metre ridge height, have concrete panel walls and a steel roof.

SITE DESCRIPTION

The proposal is outside of defined settlement limits and the surrounding area is predominately rural, characterised by non-nucleated linear development of varying ages and designs. Part of the north of the site is in Environment Agency Flood Zone 3, however, no development is to take place within this zone. The remainder of the site is in Flood Zone 1 and is not subject to increased hazard or depth on the 2115 South Holland Strategic Flood Risk Mapping.

HISTORY

H08-0183-79

Full - Use of land for siting of caravan - Approved - 23 May 1979.

H08-0829-90

Full - Replacement of flat roof with pitched roof - Approved - 07 September 1990.

H08-0644-97

Full - Proposed additional access to existing farmland - Approved - 30 July 1997.

H08-1222-01

Full - Extension to form kitchen, lobby and hobby rooms - Approved - 21 November 2001.

H08-0163-02

Condition Compliance - Details of materials (Condition 2 of H08/1222/01) - Approved - 01 March 2002.

CONSULTATION RESPONSES

Gosberton Parish Council

No comments.

PLANNING CONSIDERATIONS

Principle of development

The proposal is for residential development on residential land. 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 and scale of the replacement conservatory is a modest increase on the existing dilapidated conservatory and is considered to materially improve the character and appearance of the dwelling. The size and scale of the garage is considered to be appropriate for the site. Whilst the garage is 30 metres from the dwelling, it is served by an existing access on a quiet road and does not impact the overall character and appearance of the site.

2. The design and orientation of both the garage and conservatory are considered appropriate for the site and do not materially impact the amenity of the occupants or the surrounding area.

3. The proposals do not seek to maximise sustainable materials, however, the materials of both the garage and conservatory compliment the existing built character of the dwelling and the surrounding area.

4. The proposed garage is served by an existing access and is not considered to impact vehicle generation levels.

5. Existing community services and infrastructure are not impacted by the proposal.

6. The neighbouring land uses will not be impacted by noise, odour, disturbance or visual intrusion. The nearest dwellings are over 200 metres to the south from the proposed conservatory and 100 metres to the north from the proposed garage.

7. Part of the north of the site is in Environment Agency Flood Zone 3, however, no development is to take place within this zone. The remainder of the site is in Flood Zone 1 and is not subject to increased hazard or depth on the 2115 South Holland Strategic Flood Risk Mapping.

The proposal is considered to accord 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. The proposal will not materially impact a sense of place. The surrounding area is characterised by linear non-nucleated buildings of varying ages and design.

4. The site can only realistically be accessed by private transport and this is unlikely to change.

11. The neighbouring land uses will not be impacted by noise, odour, disturbance or visual intrusion. The nearest dwellings are over 200 metres to the south from the proposed conservatory and 100 metres to the north from the proposed garage.

12. Part of the north of the site is in Environment Agency Flood Zone 3, however, no development is to take place within this zone. The remainder of the site is in Flood Zone 1 and is not subject to increased hazard or depth on the 2115 South Holland Strategic Flood Risk Mapping.

The proposal is considered to accord with SELLP Policy 3.

PLANNING BALANCE

There is not considered to be a material impact on the character or amenity of the surrounding area. The proposal is therefore considered to accord with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2019.

CONCLUSION

The recommendation is one of 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.