DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H08-0471-22**	**Applicant:**	**Mr A Crane**
Proposal:	Erection of single detached garage		
Location:	80 Siltside Gosberton Risegate Spalding		
Terminal Date:	23rd August 2022		

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
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

The is a householder application for a single detached garage forward of the principal elevation at 80 Siltside, Gosberton Risegate. The proposal seeks to provide a garage that is 3.1 metres wide, 5 metres in depth, and has a flat roof height of 2.5 metres. The garage will be constructed from LBC Cotswold 102mm brick, with white facia board and a GRP roof. The roller shutter access door will be sage coloured to match the existing front door of the dwelling. The garage is sited 1 metre from the western side boundary, 4 metres from the dwelling and 5 metres from the grass verge beyond the frontage boundary.

SITE DESCRIPTION

The site is within defined settlement limits and the surrounding area is characterised by linear development of varying ages and designs. Low level metal fencing is on the southern frontage boundary, with 1.6 metre high fencing and various heights of trees and hedging beyond on the western side boundary with Chestnut Cottage, 82 Siltside.

The site is partially sited in Environment Agency Flood Zone 2 and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

RELEVANT HISTORY

H08-0996-21

Full - Extension & Alterations - Approved - 22 November 2021.

CONSULTATION RESPONSES

Member of the public - 1 - objection

Disturbance during construction - Not a concern of material planning weight.

PLANNING CONSIDERATIONS

Principle of development

The proposal is for residential development 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

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

1. The size, scale, layout and density of the proposal is considered to be appropriate for the site. No trees will be removed to facilitate this proposal. Whilst the garage is to the front of the property it is 5 metres from the frontage boundary, not bulky in design and at a height of 2.5 metres would not cause material overshadowing and overbearing to neighbouring properties.

2. The design is that of a standard flat roof garage. The orientation as well as the location of the roller shutter garage door, best enables internal parking and manoeuvring on site.

3. The proposed brick matches that of the existing dwelling and would be conditioned as such.

4. The existing access is not being altered, nor is the level of off road parking provision which exceeds the required minimum of two off road parking spaces for dwellings with three bedrooms or fewer.

5. The capacity of existing community services and infrastructure is not impacted by this proposal.

6. There is not considered to be a noise, odour or disturbance impact from this proposal. A complaint has been made with regard disturbance during construction for works approved under H08-0996-21, however, this is not a matter of material planning weight, and concerns can be investigated through the Environmental Protection department of the Council. With regard to visual intrusion the following can be observed:

Overdevelopment - The proposal is not considered to constitute overdevelopment. When the works extensions approved under H08-0996-21 area added to this proposal, less than 50% of the original curtilage land has been used for further development.

Overlooking - The proposed does not generate a material overlooking impact. The garage is not being utilised for habitable room purposes. There are no windows in the garage. The proposed doors face the existing dwelling to the north, and the open frontages of the host dwelling and neighbouring gardens to the east.

Overshadowing - The proposal does not generate a material overshadowing impact. The garage has a maximum flat roof height of 2.5 metres. When right to light lines are drawn, neighbouring properties and the host dwelling are not materially impacted.

7. The site is partially sited in Environment Agency Flood Zone 2 and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. As the garage is not for habitable use and is not in an area of increased flood risk, there is not a requirement to raised the finished floor levels of the building.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

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

1. A sense of place is not considered to be impacted by this application. The size, scale, layout and density of the proposal is considered to be appropriate for the site. No trees will be removed to facilitate this proposal. Whilst the garage is to the front of the property it is 5 metres from the frontage boundary, not bulky in design and at a height of 2.5 metres would not cause material overshadowing and overbearing to neighbouring properties.

5. Ample space remains on site for cycle and bin storage.The existing access is not being altered, nor is the level of off road parking provision which exceeds the required minimum of two off road parking spaces for dwellings with three bedrooms or fewer.

11. There is not considered to be a noise, odour or disturbance impact from this proposal. A complaint has been made with regard disturbance during construction for works approved under H08-0996-21, however, this is not a matter of material planning weight, and concerns can be investigated through the Environmental Protection department of the Council. With regard to visual intrusion the following can be observed:

Overdevelopment - The proposal is not considered to constitute overdevelopment. When the works extensions approved under H08-0996-21 area added to this proposal, less than 50% of the original curtilage land has been used for further development.

Overlooking - The proposed does not generate a material overlooking impact. The garage is not being utilised for habitable room purposes. There are no windows in the garage. The proposed doors face the existing dwelling to the north, and the open frontages of the host dwelling and neighbouring gardens to the east.

Overshadowing - The proposal does not generate a material overshadowing impact. The garage has a maximum flat roof height of 2.5 metres. When right to light lines are drawn, neighbouring properties and the host dwelling are not materially impacted.

12. The site is partially sited in Environment Agency Flood Zone 2 and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. As the garage is not for habitable use and is not in an area of increased flood risk, there is not a requirement to raised the finished floor levels of the building.

This application accords with SELLP Policy 3.

PLANNING BALANCE

It is considered that by virtue of the dimensions and siting, the proposed single detached garage can be accommodated on the frontage of the site without materially impacting the character and amenity of the surrounding area. This application accords with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 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.