

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H09-0983-20 **Applicant:** Mr J Walker
Proposal: Erection of garage/workshop
Location: Walkers Rest Main Road Holbeach Drove
Terminal Date: 31st December 2020

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

Paragraph 127 of Section 12. Achieving well-designed places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application that seeks permission for erection of Erection of garage/workshop at Walkers Rest, Main Road, Holbeach Drove, Spalding.

Site Description

The site forms part of the built-up area of Holbeach Drove. It is within the frontage development stretching along the southern side of Main Road.

The property is a 3-bedroom detached bungalow built circa 1990s. The appearance is traditional 'brick-and-tile' type with white UPVC fenestration. The building has no in-built garage. The rear

garden is fairly spacious and laid in lawn. A 2 metre high timber close board fencing enclose the rear garden.

To the front, a gravelled area for parking with turning point. The gravelled driveway dips into the rear garden in parallel with the western boundary. There is a wide gravelled access adjoining the western boundary that serves backland development (Sambeth House).

History

H09-1211-95 - Erection of three-bedroomed bungalow and garage - Approved

BJConsultation Responses

None.

Planning Considerations

Principle of development

The site is within the settlement boundaries of Holbeach Drove as set out in the South East Lincolnshire Local Plan (SELLP), 2019. Irrespective of spatial strategy considerations, the principle of developing a garage that is incidental to the enjoyment of a dwelling house is acceptable.

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise. The key material considerations are addressed below.

Design and layout

Paragraph 127 of National Planning Policy Framework (NPPF), 2019 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 SELLP, 2019 goes on to say that considerations shall be met about 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. In this regard, Policy 3 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 footprint of the garage will be set back 70 centimetres from the boundaries forming the southern-west site corner. The outbuilding will measure 7.6 metres in width and length, and 4 metres in height. The eaves will be 2.4 metres high. Having regard to the scale of the dwelling, it is considered that the proposals will be subservient to the host property in terms of scale, mass and bulk.

A Dutch barn style is the external layout proposed for the outbuilding. Three standard size windows and a personell door will be opened on the eastern wall of the garage. The garage door will be facing the driveway and will measure 3 metres in width. The building will have wood framed. Tongue and groove cladding will be on the walls. The roof will be boarded with felt layer on top of it. Doors and windows will be timber framed.

In summary, the scale and height of the development will be commensurate with the main dwelling. The garage will meet the needs of the householder and will be in keeping with the residential use of the land and its setting. The design standards will be fairly good and the external appearance will accord with the semi-rural character of the location. For these reason, this application complies with the aforementioned policies on design, layout and character of the local area.

Residential amenity

The proposed detached garage will be approximately separated 17 metres from Sunnyside (north-east), 24.85 metres from Rose Villa (west) and 30 metres from Sambeth House (south). At such

distances, the proposed height up to 4 metres will not cause any harm upon the amenity of the occupiers of adjoining properties.

After developing the proposals, the resulting floorspace of the rear garden will be sufficient for enjoyment of outdoor amenity area to the householders of Walkers Rest.

In summary, the development complies with residential amenity which is one of the key principles of design and development management as set out in Policies 2 and 3 of SELLP (2019).

Planning balance

On balance, no adverse impact of granting permission has been identified to the proposals that would significantly and demonstrably outweigh the benefits, when assessed against the planning policies taken as a whole.

Conclusion

The proposals comply with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan (SELLP), 2019; and Paragraph 127 of the National Planning Policy Framework (NPPF), 2019.

It is accordingly recommended to approve this planning application via delegated powers.

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.