

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H09-1226-19 **Applicant:** Mr & Mrs Wilcocks
Proposal: Domestic workshop (retrospective)
Location: 39 Sluice Road Holbeach St Marks Spalding
Terminal Date: 13th March 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

Section 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 planning application that seeks retrospective permission for a domestic workshop at 39 Sluice Road, Holbeach St Marks, Spalding.

Site Description

The property is a semi-detached traditional 'brick-and-tile' house built circa early C20. The pair of semi-detached dwellings face straight onto Sluice Road which runs to the west from north to south. The application property is set back approximately 8 metres from the front boundary.

A wide verge is adjoining the highway. A spacious gravelled area extends from the site access to

the rear boundary running the southern elevation of the property. A large agricultural building with trapezoidal wall panels is adjacent to the southern boundary. A log cabin is adjoining the eastern (rear) boundary. The domestic workshop stands between both structures. Two further small-scale timber sheds are near the front boundary. A timber close board fence encloses the area from the highway.

The topographic levels of the site slightly fall below Sluice Road. The wider area is characterised by the open agricultural fields of the Fenlands landscape. The location is remote from any urban settlement.

History

H09-1139-94 - Vehicular access - Approved

H09-0272-88 - Erection of general purpose agricultural building - Approved

Consultation Responses

Holbeach Parish Council

No objection.

Planning Considerations

Principle of development

The site is not within any settlement boundary as set out in the South East Lincolnshire Local Plan (SELLP), 2019. The site is therefore considered to be located within an area designated as countryside. However, there is no objection to the principle of a domestic warehouse which is ancillary to the main dwelling. No sequential approach can be used to steer proposed development in more sustainable locations. Therefore, the key policy issues relate to the material considerations discussed below.

Design and layout

The workshop measures nearly 14 metres in depth, 5.56 metres in width and 4.42 metres in ridge height. The eaves are 3.64 metres high. The ridge is approximately 1 metre higher and the eaves marginally higher than those of the adjacent agricultural building, but the workshop is set back further than this building meaning that the difference in height is less noticeable. The scale and height of the log cabin is smaller. Given the above, the domestic workshop is considered to be commensurate with the immediate buildings in terms of scale, mass and bulk.

The workshop is confined to between the other two outbuildings on the south-eastern corner of the curtilage. In doing so, there is considerable space across the driveway for parking provision within the curtilage in accordance with the requirements contained in Appendix 6 of SELLP. The rear garden remains sufficiently spacious as an outdoor amenity area for the house occupiers. Therefore, the current location of the workshop results in an appropriate site layout.

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 walls of the workshop are made of green corrugated aluminium sheet. The roof panels are identical with the grey reverse being displayed externally. Grey aluminium sliding doors are on the front elevation of the unit. Overall, the appearance of the workshop is characteristic of such type of development and does not detract from the built environment in its setting and, in turn, the rural landscape in the surroundings. Similar development across the countryside of the district has been widely observed for a wide range of use, from domestic to light industrial and agricultural use.

Residential amenity

The workshop is set back 19.23 metres (approx.) from the highway. It is also located nearly 11.30 metres away from the southern side elevation of the house. In addition to the absence of other residential properties immediately adjacent to the unit, the confinement of the development to the south-eastern corner of the site does not cause any harm upon the amenity standards of residents. Therefore, the development complies with one of the key principles of design and development

management as set out in Policies 2 and 3 of SELLP (2019).

Conclusion

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan (SELLP), 2019 and Section 12 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.