

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H11-0880-22 **Applicant:** Mr D Gray
Proposal: Replacement garage
Location: 5 Gedney Road Long Sutton Spalding
Terminal Date: 1st November 2022

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development
36 Vehicle and Cycle Parking
APPENDIX 6 Parking Standards

National Guidance

National Planning Policy Framework 2021

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 application seeking permission for a replacement garage. It would measure 3.2 metres (width) x 7.3 metres (depth) and stand at 4.2 metres in height (2.4 metres to the eaves). The front and rear elevations of the garage would be constructed from brickwork matching the existing house and the side elevations would be rendered. The roof would be slate to match the existing house.

SITE DESCRIPTION

The application site is located on Gedney Road in Long Sutton. It comprises a two storey semi-detached dwelling. There is a gravelled driveway to the front/side of the site leading to a single detached garage towards the rear of the site. The street scene is made up of dwellings of varying ages and designs.

RELEVANT PLANNING HISTORY

H11-0022-12 - Proposed conservatory - Approved

REPRESENTATIONS

Long Sutton Parish Council

No objections.

PLANNING CONSIDERATIONS

Layout, Design, Size and Scale

Paragraph 130 of the National Planning Policy Framework (NPPF), 2021 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 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 proposed replacement garage would be located in the same position as the existing and would have a similar footprint. It would not appear overly prominent in the street scene given its significant set-back from the road. The pitched roof is considered an improvement to the existing flat roof.

As such, the proposed development is considered to comply with the aforementioned policies on design, layout and impact upon the character of the local area.

Impacts upon Residential Amenity

Paragraph 130 of National Planning Policy Framework (2021) amongst other matters seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of South East Lincolnshire Local Plan (2019) set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

The closest neighbour to the proposed development is no.3A Gedney Road located to the south-east of the application site. The proposed replacement garage would be sited in the same position as the existing and would have a similar footprint. The replacement garage would have a pitched roof therefore its overall height would be higher than the existing garage, however, the pitch of the roof would face away from this neighbour, thereby reducing any potential impact. As such the relationship with this neighbour is not considered to significantly or unacceptably change.

With regards to the neighbour to the north at no.7 Gedney Road the proposed garage would be sited approximately 8 metres from the shared boundary with this neighbour and would be blocked by the applicants existing house. As such no unacceptable impact would result on this neighbour.

As such the proposal would accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed replacement garage meets the size requirements for enclosed parking spaces and the existing parking to the front/side of the house would be retained. As such the scheme is considered to comply with the current parking standards.

Planning Balance

The proposal will not materially harm the character or appearance of the locality, amenity of nearby residents or result in highway implications. The planning balance is therefore considered to be in favour of the proposal.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 2, 3, and 36 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2021).

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.

RECOMMENDATION

The application can be approved under delegated powers.