DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H12-0314-19**	**Applicant:**	**Mr S Portass**
Proposal:	Proposed garage and store		
Location:	38 Gedney Road Long Sutton Spalding		
Terminal Date:	16th June 2019		

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	0	0
WARD MEMBER	0	0	0	0
RESIDENTS	1	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application for proposed garage and store at 38 Gedney Road, Long Sutton, Spalding.

Site Description

The site context is purely residential. The site is part of a defined frontage along the northern side of Gedney Road which is flanked by arable land to north and The Shrubberies Nature Reserve to

south. The application's property sits in a wide rectangular plot. The dwelling is also greatly set back from the road. The driveway laid in gravel is to the front and along the eastern boundary to the rear of the site. A wide range of types, designs, appearances and ages has been observed in the locality. It is confirmed that the proposed garage has been already built after conducting the officer's site visit.

History

None

Consultation Responses

Residents

On behalf of one of the adjacent land owners, Maples Solicitors LLP reported that the rear boundary protrude further to their client's land as shown in the first plans submitted with the application. The applicant's agent has submitted amended drawing no. 348819-01A and a statement to demonstrate a new site boundary agreed by both parties. Therefore, the objection is considered to be withdrawn.

Another neighbour stated that the development had been already carried out and no impact upon their residential amenity is perceived.

Planning Considerations

Principle of development

According to the Inset Map 7 of the South East Lincolnshire Local Plan, the site is within the settlement boundaries of Long Sutton. The principle of development is therefore acceptable unless other material considerations indicate otherwise as laid down in section 70(2) of the Town and Country Planning Act 1990.

Size and scale

The proposed development is located at the rear of the site, immediately adjacent to the northern boundary. The garage is as wide as the site. It measures roughly 7 metres in depth. The maximum apex height is approximately 4.70 metres and the eaves 2.35 metres high. Having regard to the dimensions of the dwelling and adjacent buildings, the proposal is commensurate with the host property and built environment in terms of scale, massing and bulking.

Design and layout

The development consists of a long narrow store immediately adjacent to the western boundary and a double garage to the eastern boundary. The space left between both rooms is a paved hardstanding area with a new low brick wall along the rear boundary. A hipped roof would be on top of both elements tantamount to the roof style of the buildings nearby.

With regards to the external materials, slate roof tiles match those existing in the property. The facing brickwork of the development (Bespoke Montana Handmade) relates well with the Ochre coloured rendered walls of the house. The visual amenity is not undermined after the usage of such materials.

Impact upon the residential amenity

A 2 metre high timber close board fence is along both eastern and western boundaries with the adjacent properties on both sides. The property No. 36 is further closer to the road, thus the distance with the rear garage and store is sufficiently long to dissipate any overbearing impact to their residents. Outbuildings within the site of the property No. 40 are taller than the proposed store and immediately adjacent to the western boundary of the applicant's curtilage. The visual impact of the development is low from the rear garden of No. 40.

Conclusion

In light of considerations above, the proposed development is in accordance with Policy 1, 2 and 3 of South East Lincolnshire Local Plan, 2019 and Section 12 of National Planning Policy Framework,

2019.

It is therefore recommended to approve this 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 to grant permission 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 to grant permission 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 to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.