DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H12-0970-19**	**Applicant:**	**Mr D Mousley**
Proposal:	Proposed barn style double garage		
Location:	The Old Vicarage Old Vicarage Lane Lutton		
Terminal Date:	1st June 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk

National Guidance

National Planning Policy Framework 2019

Section 12. Achieving well-designed places
Section 14. Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application that seeks permission for proposed barn style double garage at The Old Vicarage, Old Vicarage Lane, Lutton, Spalding.

Site Description

The site is at the southern end of the built-up area of Lutton. Marriots Gate is the main road further to the east and the site is accessed by a short narrow cul-de-sac lane.

The site approximately amounts to 0.28 hectares. The property is a large two-storey old cottage. A driveway runs to the eastern side elevation of the house. The remainder of the land is laid in grass and used as a domestic garden. To the east, there is adjacent the residential property Tanglewood. Agricultural land extends to the west and south.

History

H12-0754-84 - Residential development - Approved

Consultation Responses

South Holland IDB

No objection.

It is reminded to comply with the Board's byelaws and other legislation.

Planning Considerations

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.

Principle of development

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

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 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 garage will be a detached outbuilding located near the south-eastern corner of the site within the domestic garden. Therefore, the development will appear greatly set back from the rear of the dwellinghouse. The front elevation of the garage will face north towards the site access.

The intended outbuilding will measure 6.4 metres in width, nearly 9 metres in depth and 5.3 metres in apex height. The eaves will be 2.5 metre high.

Given the site area and proposed location, the development will sit well within the curtilage. Having regard to the scale and height of the main property as well as the adjacent dwelling to the east, the intended garage will not appear at odds with the surrounding buildings in terms of scale, massing and bulk.

Internally, most of the floorspace will be used for garage and the rear part will be dedicated for storage which will be accessed from the pedestrian door on the western side elevation. The intended use of the development will be clearly in connection with the residential nature of the site and the main property.

The external walls will be coated with black timber barn cladding. Pantile roofing will be proposed on top of the structure. Timber will be used for fenestration comprising two pairs of fringed doors for

cars, one pedestrian door and one upper window. The resulting appearance will be rural in line with the character of the local area characterised by residential development within the wider landscape of flat agricultural fields. Moreover, the appearance will be similar to the existing outbuilding used for storage to the front elevation of the cottage.

In summary, the development is appropriate in terms of use, scale and height given the site area and relationship with the main property. By reason of the form of development and external materials, the appearance of the garage will be in accordance with the character of the local area. Thus, the proposal accords with the aforementioned policies concerned on design and layout.

Residential amenity

The outbuilding will be erected 4.5 metres from the eastern boundary adjoining Tanglewood and 4 metres from the southern rear boundary. In view of the maximum 5.3 metre height of the development, at such separation distances no significant impact is anticipated upon the amenity standards of residents of the neighbouring property.

The proposed development will not entail further motor vehicles entering and egressing the site but a sheltered structure to park the current vehicles of the household unit. Thus, no exacerbation of noise and disturbance will occur and the residential amenity will be preserved on these grounds.

Therefore, 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).

Flood risk and drainage

Policy 4 of SELLP is concerned on flood risk management and states that new development will be permitted if appropriate flood resistance and resilience measures are proposed (criterion c); incorporates the use of Sustainable Drainage Systems (SuDS) (criterion e); and demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development (criterion g).

According to South East Lincolnshire Strategic Flood Risk Assessment (March 2017), the site falls within 'Danger for Some' flood hazard area. As the garage is not for permanent residential use, the vulnerability is low and no further assessment should be made in this regard.

Risk of flooding from surface water is very low as per the Environment Agency's Long Term Flood Risk Map in England. Therefore, the development will not necessarily lead to the exacerbation of flood risk on the site and elsewhere. It is therefore not necessary to require further details on surface water management. In any case, details of the surface water drainage might be determined at a later stage with SHDC Building Control team.

In the absence of such details, South Holland IDB has reminded to seek consent should surface water runoff be disposed to the drain bordering the eastern site boundary. In any case, no objection has been raised against the proposal.

Conclusion

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2, 3 and 4 of the South East Lincolnshire Local Plan (SELLP), 2019 as well as Sections 12 and 14 of the National Planning Policy Framework (NPFF), 2019.

No objection has been received. 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.