

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H14-0284-20 **Applicant:** Mr B Hawkes
Proposal: Proposed car port
Location: 5 Bear Lane Pinchbeck Spalding
Terminal Date: 23rd June 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01 Spatial Strategy
02 Development Management
03 Design of New Development
29 The Historic Environment
36 Vehicle and Cycle Parking
APPENDIX 6 Parking Standards

National Guidance

National Planning Policy Framework 2019

Section 12 and 16 of the National Planning Policy Framework (2019)

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for the erection of a timber car port, forward of the principal elevation of 5 Bear Lane, Pinchbeck.

It is proposed that the car port will be of an open sided construction, utilising timber posts with corrugated roofing panels and shiplap boarding to match existing garden accoutrements.

Site Description

The proposal site is a mid-C20 commercial/residential mix property. The former butchers shop on the Western elevation of the property was incorporated into the residential use in 2009. The building itself is not of any architectural or historic value other than it's intrinsic contribution to the Pinchbeck Conservation Area (PCA) as an example of a mid-C20 chalet style bungalow property.

The site is in a central position within the PCA, however, its positioning is not prominent and the area immediately surrounding the property is largely characterised by a mix of residential, community and commercial properties, of a wide variety of architectural styles and periods. On the opposite side of the road to the property sites the Cecil Francis Business Park which is partially formed of an Early C19 agricultural building which can be considered to be contributive to the PCA in spite of several large scale unsympathetic additions dating from the late C20. The Grade II listed Graft House to the South is visible from the property, and two more Grade II properties are situated to the North (Pinchbeck Hall and the separately listed Traphouse & Stables)

History

H14-0054-09

Extension and alterations, detached double garage/workshop and change of use of shop into living accommodation. Refused on 13/03/09

H14-0365-09

Extension and alterations, detached double garage/workshop and change of use of shop into living accommodation. Approved on 15/07/09

H14-0185-18

Proposed hip to gable roof extensions and enlarge 2 rear dormer windows. Approved on 15/05/18

H14-0276-18

Erection of boundary wall. Approved 18/05/18

Consultation Responses

Local Residents

A local resident had raised an objection to the proposal based upon concerns relating to visibility into and out of residential properties and that a structure of the proposed type is not suitable for the Pinchbeck Conservation Area

Planning Considerations

Consultee Objections

The objector to this application raised 2 distinct points; firstly, that the proposal would have a negative impact upon visibility into and out of residential properties. To address this point, it must be first declared that there is no protected 'right to a view' within planning regulation and so, the impact upon visual landscapes is not a material consideration to make during the planning process. Whilst views of the PCA are protected by their Conservation Area positioning, this proposal is not on a particularly characterful plot and it would not be in line of sight for any views into the main centre of Pinchbeck, which Bear Lane, is a tributary route into.

It is instead, conceivable that the resident submitted this objection based upon highway safety grounds given that this proposal is for a structure forward of the principal elevation of the property. However, it shall be set back from the boundary of the property by 1.2m and would not impact upon neighbouring driveway visibility in terms of merging onto the road from within, given the combination

of the set back nature of the proposal in conjunction with the shallow bowing nature of Bear Lane which provides ample visibility in either direction.

Secondly, the objector has raised concern over the concept of such a structure being permitted in a Conservation Area setting. However, this is a fairly inoffensive structure which is not alien to the mid C20 design of the main property. Such 'car ports' are not alien to Conservation Areas and this particular example makes use of a wooden frame with timber shiplap boarding, meaning that the main view of the proposal will not make it appear particularly out of place in the setting of this mid C20 property and or that of its mid-late C20 neighbours.

Heritage Impact

As discussed above, the Local Planning Authority does not wish to raise any concerns with regards to the impact upon and designated heritage assets presented by this proposal. Whilst the proposal is a fairly 'standard' design for such car ports and does make use of some non-traditional materials (uPVC rainwater goods), given the minimal value of the host property in reference to its contribution to the PCA and the actual age of the main property, it would be inappropriate to suggest that such a structure would be inappropriate to this particular element of the PCA, given the abundant presence of such materials already in place on site and in nearly all surrounding properties. The anonymous design of this proposal linked with attempts to minimise its visual impact via means of shiplap boarding to match existing fencework and garden accoutrements mean that this proposal will have no impact upon the significance of any nearby or associated Designated Heritage Assets and therefore, due to its lack of impact, can be considered to CONSERVE the Historic Environment in line with Section 16 of the National Planning Policy Framework (2019)

Design and Layout

As above, the Local Planning Authority wishes to raise no concerns over the design or layout of the proposals. Whilst the design is entirely unremarkable, it does make some effort to blend with its surroundings and as such is not inappropriate to its setting. Additionally, the proposed layout is as would be expected for a structure with this intended purpose.

Car Parking Provision

The property as it exists has ample car parking space. This proposal makes no change to that fact, simply creating a covering for a small number of cars in the same area they otherwise would have been parked.

Conclusion

For the reasons listed above, this proposal is found to be in accordance with Policies 1, 2, 3, 29, 36 and Appendix 6 of the South East Lincolnshire Local Plan (2019), in addition to Section 12 and 16 of the National Planning Policy Framework (2019). Therefore, this application is recommended for APPROVAL.

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.