DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H14-0407-21**	**Applicant:**	**Mr & Mrs D Ellis**
Proposal:	Re-build of garage and store - re-submission of H14-0605-20		
Location:	111 Six House Bank West Pinchbeck Spalding		
Terminal Date:	14th June 2021		

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 of the National Planning Policy Framework (2019)

12 - Achieving well-designed places.

Representations:

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder planning application at 111 Six House Bank, West Pinchbeck for the re-build of garage and store and is a re-submission of H14-0605-20. The proposal seeks to provide a garage and store that is 10.32 metres in width and 9.14 metres in depth. The eaves height is approx. 4 metres and the ridge height is 6.435 metres. The garage will be be constructed from merlin grey cladding with a goosewing grey cladding roof. The proposal differs from the previously approved garage in that it is slightly lower in height and has reduced length and width. The previous garage was 5.35 metres from the boundary with 109 Six House Bank and the relocated garage is now 1 metre from the boundary. The adjacent buildings to the boundary within 109 are for storage

purposes and are not habitable rooms. The garage is no closer to the boundary than the previous garage which was destroyed.

SITE DESCRIPTION

The proposal site is adjacent to the defined settlement limits of West Pinchbeck in the rear garden area of the site and is accessed via a shared access with 109 Six House Bank. The adjacent property does not own any land beyond the access. The surrounding area is predominately rural and is characterised by linear development of varying ages and designs. The site is in Environment Agency Flood Zone 3, and in a "Danger for Most" hazard with a maximum predicted flood depth of 1 metre on the 1% 2115 South Holland Strategic Flood Risk Mapping.

HISTORY

H14-0239-04

Full - Two storey extension and three car detached garage - Approved - 01 April 2004

H14-0602-05

Full - Erection of detached triple garage (part retrospective) - Approved - 27 June 2005

H14-0429-10

Full - Proposed two-storey extension and alterations, incorporating the Post Office as part of the dwelling - Approved - 27 July 2010.

H14-0522-12

Full - Proposed two-storey extensions and alterations including re-facing of existing - Approved - 30 July 2012.

H14-0947-12

Full - Proposed replacement dwelling - Approved - 20 December 2012.

H14-0530-20

Full - Erection of Detached Garage - Approved - 27 August 2020.

H14-0605-20

Full - Re-Build of garage, store and games room - Approved - 17 September 2020.

CONSULTATION RESPONSES

None received.

PLANNING CONSIDERATIONS

Principle of development

The proposal is outside of defined settlement limits, however it is for residential development on residential land. The principle of development in this location is therefore considered to be acceptable.

Assessment against SELLP Policy 2 - Development Management

This proposal is assessed against SELLP Policy 2 titled - Development Management. This policy states:

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:
1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the

area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets;
9. impact on the potential loss of sand and gravel mineral resources."

When assessed against the above relevant criteria the following can be observed:

1. The size and scale of the garage is reduced from the previously approved garage under H14-0605-20. The layout is considered to be improved because there is no fenestration above ground floor level. The character and appearance of the surrounding area is not considered to be materially impacted. This is because the garage is sited away from the highway and is not significantly larger than the storage buildings to the rear of 109 Six House Bank.

2. The design is considered to be appropriate for the site and the building is no closer to the boundary than that of the previously destroyed garage.

3. The materials of construction are not out of keeping with other curtilage buildings in the vicinity of the site.

4. The access that serves the site is unaltered. This is one of two double garages on site and therefore provides in excess of three off road parking spaces. This accords with the minimum requested amount for four bedroom dwellings or more under Appendix 6 of the SELLP.

5. The proposal does not impact community services or infrastructure.

6. There is is not considered to be a noise, odour or disturbance impact arising from the proposal. The size and scale of the garage is reduced from the previously approved garage under H14-0605-20. Additionally the garage is no closer than the previous garage to the boundary at 109 Six House Bank. The garage is over 16 metres away from the adjacent dwelling and is not considered to create an overbearing, overlooking or overshadowing impact.

7. The site is in Environment Agency Flood Zone 3, and in a "Danger for Most" hazard with a maximum predicted flood depth of 1 metre on the 1% 2115 South Holland Strategic Flood Risk Mapping. As the proposal is not for habitable rooms then there is not a requirement to raise finished floor levels to address flood risk.

Assessment against SELLP Policy 3 - Design of New Development

This proposal is assessed against SELLP Policy 3 titled - Design of New Development. This policy states:

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. 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.
Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:
1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
2. distinguishing between private and public space;
3. the landscape character of the location;
4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;
5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;
8. crime prevention and community safety;

9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;
10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);
13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;
14. the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;
15. the appropriate use or reuse of historic buildings.

When assessed against the above relevant criteria the following can be observed:

1. A sense of place is not considered to be impacted by this proposal. The garage is to the rear of frontage development and does not impact the character and appearance of the surrounding area.

5. The proposal does not impact cycle or bin storage. This is one of two double garages on site and therefore provides in excess of three off road parking spaces. This accords with the minimum requested amount for four bedroom dwellings or more under Appendix 6 of the SELLP.

11. There is is not considered to be a noise, odour or disturbance impact arising from the proposal. The size and scale of the garage is reduced from the previously approved garage under H14-0605-20. Additionally the garage is no closer than the previous garage to the boundary at 109 Six House Bank. The garage is over 16 metres away from the adjacent dwelling and is not considered to create an overbearing, overlooking or overshadowing impact.

12. The site is in Environment Agency Flood Zone 3, and in a "Danger for Most" hazard with a maximum predicted flood depth of 1 metre on the 1% 2115 South Holland Strategic Flood Risk Mapping. As the proposal is not for habitable rooms then there is not a requirement to raise finished floor levels to address flood risk.

The proposal accords with SELLP Policy 3.

PLANNING BALANCE

The proposal is not considered to generate material harm to the character and amenity of the surrounding area. In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2, 3, 36 and Appendix 6 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2019.

CONCLUSION

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.