DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H14-0530-20**	**Applicant:**	**M & Mrs D Ellis**
Proposal:	Erection of Detached Garage		
Location:	111 Six House Bank West Pinchbeck Spalding		
Terminal Date:	31st August 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

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

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 an application for the erection of a garage at 111 Six House Bank, West Pinchbeck. The proposal seeks to provide a garage to the southern side elevation of the property. The garage will have a store/workshop attached at the rear and will be sited 300mm from the boundary with 113 Six House Bank to the south. The garage would have a width of 7.2 metres on the frontage and 6.065 metres at the rear, with a depth of 6.85 metres. The store / workshop would be accessed from the

rear of the garage and measure 4.5 metres in depth, 4.94 metres in width. The garage would have an eaves height of 2.5 metres and a maximum apex height of 4.6 metres. The store / workshop would have a flat roof at a height of 2.7 metres and a roof lantern at 3.3 metres. Facing brick, render and tile is to match that of the existing dwelling and would be conditioned as such.

Site Description

The proposal is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design.

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.

H14-0605-20

Full - Re-Build of garage, store and games room - Currently undecided.

Consultation Responses

None

Planning Considerations

Principle of development

The proposal is for a residential use on residential land within defined settlement limits. The principle of development in this location is considered to be acceptable.

Parking provision

There is not considered to be a loss of parking provision on site. There is an extensive gravelled area to the rear of the site via the side access, and a new triple garage application at the rear of the site is currently in progress. Parking provision is therefore not considered to be affected by the proposal because the building is primarily for the parking of vehicles.

Impact of development

The boundary with 113 Six House Bank is bordered by a 1.8 metre fence and a 1.6 metre high wall further forward. Beyond the boundary is side elevation windows serving a utility room. There are also rear elevation windows that serve the utility room. The garage and store is sited to the north of 113 Six House Bank so there is not considered to be a material loss of light due to the east to west trajectory of the sun.

There is not considered to be any material harm to neighbouring residential amenity from overlooking or overshadowing. The design, scale and layout is considered to be appropriate for the site and does not materially impact the character of the dwelling or the surrounding area.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2019.

A delegated approval is considered to be appropriate.

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.