

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H14-0605-20 **Applicant:** Mr & Mrs D Ellis
Proposal: Re-Build of garage, store and games room
Location: 111 Six House Bank West Pinchbeck Spalding
Terminal Date: 22nd September 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 a householder application for a re-build of a garage, store and games room on residential land to the rear of 111 Six House Bank, West Pinchbeck. The proposal seeks to provide a building that measures 9.33 metres in length by 12.35 metres in depth, has a 2.9 metre eaves height and a 6.8 maximum apex height. Proposed brick is Vandersanden Autumn Red, with Dark Grey Sandtoft Calderdale Edge tiling. Windows and doors are to be cream colour upvc frames, with black upvc

rainwater goods.

The building will contain a double garage to the front, with a store to the rear. Stairs to the rear of the garage element will lead to an upstairs games room that has fenestration to the front south facing elevation and rooflights to the side east facing elevation.

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.

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.

CONSULTATION RESPONSES

None

PLANNING CONSIDERATIONS

Principle of development

The proposal is for residential development on residential land and is broadly on the former footprint of previous garage that was destroyed by fire. The principle of development in this location is considered acceptable.

Parking provision

The existing dwelling has five bedrooms and there is parking provision on site for in excess of 10 cars. It is considered that the proposal accords with Appendix 6 of the SELLP.

Impact on amenity

The previous garage was destroyed by fire and was sited closer to the rear boundary of 109 Six House Bank than the proposed building, which is located 5.35 metres away. The upstairs games room has fenestration to the front south facing elevation and rooflights to the side east facing elevation. There is not considered to be an overlooking aspect as the south facing window faces the

rear garden and is 18.28 metres from the boundary with an arable field. The rooflights face eastwards toward the remainder of the rear garden.

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, 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.

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.