DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H15-0418-20**	**Applicant:**	**Mr M Winsor**
Proposal:	Proposed detached annexe		
Location:	Charnel Sarahgate Lane Quadring		
Terminal Date:	2nd September 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
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 12 & 14 of the National Planning Policy Framework (2012)

12 - Achieving well-designed places
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	1	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for a proposed detached annexe on residential land at Charnel, Sarahgate Lane, Quadring. The proposal seeks to provide timber building with a felt pitched roof that contains three bedrooms, a bathroom, a kitchen, and an open plan dining area and lounge. A small decking area will be provided adjacent to the front door. The building will measure 9.6 by 7.5 metre, raised 0.5 metres above ground level, with a 2.9 metre eaves height and a 3.6 metres maximum height.

The annexe would be accessed via a 1 metre high gate from the adjacent property curtilage. The proposed annexe could be sited within the original curtilage, however, it would need to be sited at least double the distance away than the current location due to buildings sited in the original curtilage.

Site Description

The site is outside of defined settlement limits and the surrounding area is predominately rural, characterised by sporadic linear development. The proposal site is an area of grassed land in residential use under the ownership of Charnel. The distance to the southern boundary is 41 metres,21 metres to the east, 28.5 metres to the west and 42 metres to the northern boundaries.

The site is in Environment Agency Flood Zone 3 and is not subject to increased flood hazard or depth on the 2115 South Holland Strategic Flood Risk Mapping.

History

None

Consultation Responses

LCC - County Highways & SUDS Officer

No objections.

SHDC - Environmental Protection Officer

No objections.

SHDC - Councillor Walsh

No objections.

Planning Considerations

Principle of development

The proposal is for residential development on residential land, however, annexes are typically only supported when sited within the residential curtilage. The annexe would be accessed via a 1 metre high gate from the adjacent property curtilage. The proposed annexe could be sited within the original curtilage, however, it would need to be sited at least double the distance away than the current location due to buildings sited in the original curtilage.

Whilst the annexe does afford three bedrooms, it is not considered that in the current building provides a level of amenity that would be appropriate for use as an independent living unit. It is constructed from materials that require regular maintenance and is not served by a independent vehicular access.

Flood risk

The site is in Environment Agency Flood Zone 3 and is not subject to increased flood hazard or depth on the 2115 South Holland Strategic Flood Risk Mapping. The proposal seeks to raise finished floor levels 500mm above ground level.

Parking provision

The proposal is for annexe with three bedrooms, and the host dwelling Charnel contains three bedrooms. Therefore, the existing parking provision for up to four vehicles is considered acceptable and in accordance with Appendix 6 of the South East Lincolnshire Local Plan, 2019.

Impact of development

There is not considered to be material impact on the character or amenity of the area from the annexe. The distance to the southern boundary is 41 metres,21 metres to the east, 28.5 metres to the west and 42 metres to the northern boundaries. The distance from the host dwelling is 36 metres at the nearest point, 40 metres to 1 Sarahgate Lane and 43 metres to 2 Sarahgate Lane.

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. As the building is to house the parents of the future dwelling occupant, it is considered that a temporary permission for a period of five years from the date of permission, after which the annexe must be demolished, or an application made for retention if the use is still required.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2, 3, 4, 36 and Appendix 6 of the South East Lincolnshire Local Plan, 2019, as well as Sections 12 and 14 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.