

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	H15-0741-20	Applicant:	Mr P R Baker
Proposal:	Siting of clad shipping container connected to dwelling (retrospective)		
Location:	214 Main Road Quadring Spalding		
Terminal Date:	23rd 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 2021**

Section 12 of the National Planning Policy Framework (2021)

12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	1	0	0	0
WARD MEMBER	2	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	1	1
OTHER STATUTORY BODIES	0	0	1	0
RESIDENTS	2	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a retrospective application for the siting of a clad shipping container connected to dwelling at 214 Main Road, Quadring. The proposal seeks to retain a container and associated roof. The roof has a maximum height of 2.75 metres, below which is a 1.2 metre wide passageway adjacent to a container that is 2.55 metres wide, 5.2 metres in length and 2.55 metres in maximum height. The container is clad in shiplap on the front, side and rear elevations.

SITE DESCRIPTION

The proposal is outside of defined settlement limits to the north of Quadring. The surrounding area is predominantly rural with semi-detached dwellings to the north of the proposal site. The site is in Environment Agency Flood Zone 3 and not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. The property is soon to be sold and all other structures and decorative features are to be removed.

HISTORY

None relevant.

CONSULTATION RESPONSES

LCC - County Highways & SUDS Officer

No objections.

"The visibility at the access complies with Manual for Streets (MfS) and adequate provision for parking and turning is proposed within the limits of site therefore the proposals would not result in an unacceptable impact on highway safety."

"As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to surface water risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water risk for this planning application."

SHDC - Environmental Protection Officer

No contamination comments.

SHDC - Councillor Bingham

Has concerns about structures on, and use of, land outside of the applicant's ownership. This matter no longer forms part of the revised application.

SHDC - Councillor King

Existing access is dangerous. Concerns about potential disturbance. The existing access locations cannot be addressed by the planning department.

SHDC - Councillor Walsh

Concerns were raised with regard to use of land outside of the applicant's ownership, unsafe parking, the sale of goods, poorly drawn plans and the retrospective nature of the application. All of these matters relate to elements of the initial application for a business and goat tower on site, that no longer form part of the plans.

Quadring Parish Council

Concerns were raised with regard to use of land outside of the applicant's ownership, unsafe parking and the sale of goods. All of these matters relate to elements of the initial application for a

business and goat tower on site, that no longer form part of the plans.

Members of the public

Concerns were raised with regard to use of land outside of the applicant's ownership, unsafe parking, the sale of goods, unsightly structures and the retrospective nature of the application. All of these matters relate to elements of the initial application for a business and goat tower on site, that no longer form part of the plans.

PLANNING CONSIDERATIONS

Principle of development

This application is seeking to retain a residential extension on residential land. The principle of development in this location is 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, scale and layout of the development is considered to be appropriate for the site. The character and appearance of the area is not materially affected by the change of materials for the extension from that of the main dwelling.
2. The design of the shipping container extension has shiplap timbers to each elevation and is considered to be appropriate for the site. The extension would constitute permitted development in terms of size, however it is not constructed from matching materials to that of the existing dwelling.
3. The proposal does not maximise the use of sustainable materials or resources.
4. No new access points are provided for the dwelling. The Highways Officer has no objections to the submitted details.
5. The proposal is not considered to materially impact community services and infrastructure.
6. There is not considered to be a material noise, disturbance or odour impact. With regard to visual intrusion, the extension cannot be viewed from adjacent dwellings and is a significant distance from the highway.
7. The site is in Environment Agency Flood Zone 3 and not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. No drainage concerns have been expressed.

This application accords with SELLP Policy 2.

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. The size, scale and layout of the development is considered to be appropriate for the site. The character and appearance of the area is not materially affected by the change of materials for the extension from that of the main dwelling. A sense of place is not considered to be impacted by this proposal.
2. The County Highways Department have now confirmed the area of land in their ownership. The application has amended their plans to move any development onto land within their ownership.
4. The site has a paved footpath on the opposite side of Main Road but is not immediately served by a bus stop.
5. The site has adequate room for bin and cycle storage. The County Highways Officer has no objections to the existing parking provision.
11. There is not considered to be a material noise, disturbance or odour impact. With regard to visual intrusion, the extension cannot be viewed from adjacent dwellings and is a significant distance from the highway.
12. The site is in Environment Agency Flood Zone 3 and not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. No drainage concerns have been expressed.

This application accords with SELLP Policy 3

PLANNING BALANCE

This application has been amended and no longer seeks to propose a business or retain existing structures and oddities on land. It is now considered that there is not a material character or amenity

impact from seeking to retain the shipping container extension. Therefore, this application accords with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019, and is also considered to accord with Section 12 of the National Planning Policy Framework, 2021.

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.