DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0587-23**	**Applicant:**	**Centric Homes Ltd**
Proposal:	Extension to existing garden area and provision of revised parking and turning area in respect of 2a, 2b, and 2c Carrington Road		
Location:	2a, 2b And 2c Carrington Road Spalding		
Terminal Date:	21st August 2023		

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 2021

12 - Achieving well-designed places
14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	1	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a change of use planning application for an extension to existing garden area and provision

of revised parking and turning area in respect of 2a, 2b, and 2c Carrington Road, Spalding. The proposed seeks to provide an improve parking layout and additional residential garden space by purchasing existing garden land to the rear of 4 Carrington Road. Two off road parking spaces will be provided beyond the northern side elevation of 2c Carrington Road, two off road parking spaces for 2b Carrington Road to the eastern rear of the existing bungalow, and two off road parking spaces for 2a Carrington Road to the western frontage of the existing bungalow. Two off road parking spaces for 208 Winsover Road are to be provided on garden land to the rear of the dwelling at 208 Winsover Road.

The previous parking plans were as follows: Parking for 2c was located to the front of the new dwelling. Parking for 2b and 2a was located to the north (one space each) and south of the vehicular access (one space each), with parking for 208 Winsover Road, as currently proposed, provided on garden land to the rear of the dwelling at 208 Winsover Road. The new parking arrangement will allow for parking immediately adjacent the relevant addresses. The parking areas for 2a Carrington Road and 208 Winsover Road will remain of gravel construction as existing, 2b will remain concrete hardstanding as existing, and the parking area for 2c Carrington Road will be of gravel construction with block paving edging so that the gravel stays put.

SITE DESCRIPTION

The site is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and designs. The 2c Carrington Road garden area will require repositioned fencing or new boundary treatment. This matter can be assessed by condition.

A 1.8 metre high fence is located at the southern boundaries with 192 to 208 Winsover Road. Currently no boundary is present with 2 Carrington Road to the west, however, a row of hedging is proposed adjacent to the proposed off road parking area for 2 Carrington Road. The site is in Environment Agency Flood Zone 3 and is not subject to increased hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

RELEVANT HISTORY

H16-0960-18

Full - Erection of bungalow, including the demolition of existing industrial premises - Refused - 26 November 2018 - Allowed on appeal - 23 August 2019.

H16-1333-21

Section 73 Modification - Erection of bungalow, including the demolition of existing industrial premises - approved under H16-0960-18 - Allowed on Appeal. Modification of Condition 2 to allow amendments to previously approved plans - Approved - 23 February 2022.

H16-1334-21

Full - Conversion of existing 5 bedroom bungalow into 2no self-contained flats (re-submission H16-0012-21) - Approved - 23 February 2022.

H16-1089-22

Condition Compliance - Details of contamination of land and pollution of controlled waters, landscaping, proposed boundary treatments and foul and surface water disposal. (Conditions 3, 5, 6 and 7 of H16-1333-21) - Approved - 26 June 2023.

CONSULTATION RESPONSES

Lincolnshire County Council - County Highways & SUDS Officer

No objections - *"The proposal is for an extension to existing garden area and provision of revised parking and*
turning area in respect of 2a, 2b, and 2c Carrington Road and it does not have an impact on the Public Highway or Surface Water Flood Risk."

South Holland District Council - Environmental Protection

No comments.

KEY PLANNING CONSIDERATIONS

The main issues and considerations in this case are (but are not limited to):

Principle
Flood Risk
Character
Amenity
Garden provision
Parking / Highway Safety

EVALUATION

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland. The relevant development plan policies are detailed above.

The policies and provisions set out in the National Planning Policy Framework (updated July 2021) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals. In this instance, no relevant neighbourhood plans have been adopted.

Principle

Policy 1 of the SELLP directs developments to the most sustainable locations. As Spalding is defined as a sub-regional centre, it is therefore deemed to be a sustainable location for development. Furthermore, since the property is within central Spalding, access to services is increased, making the site an even more sustainable location.

As such, the proposal is considered to be in accordance with the requirements of Policy 1 of the South East Lincolnshire Local Plan when viewed in principle. This is subject to the assessment against site specific criteria; including (but are not limited to) the impact of the proposal on the character or appearance of the area, impact on the residential amenities of neighbouring occupiers, and parking provision which are discussed in turn as follows.

Flood Risk / Site Levels

The South East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how flood risk has been considered in shaping the proposals of the Local Plan; including the spatial strategy and the assessment of housing and employment sites. Policy 4 of the South East Lincolnshire Local Plan is clear in that "Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted" in instances where specific criteria is met.

The site is in Environment Agency Flood Zone 3 and is not subject to increased hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. Parking for 2a Carrington Road and 208 Winsover Road remains of gravel construction as existing. Whilst the parking for 2b is concrete hardstanding, this has been in place since construction of original bungalow on site and is not at a scale that materially contributes towards surface runoff in the area.

It is not considered that the proposal for parking on garden land to the north of 2c Carrington Road will matter impact surface water drainage. This is because the proposed use of gravel should allow for water to drain into the land without increasing flood risk in the vicinity of the site. The County

Highways & SUDS Officer has no objections to the submitted details.

Character / Appearance

Section 12 of the National Planning Policy Framework (2021) specifically relates to 'Achieving well-designed places' and details that "The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 130 of the National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area. That they are visually attractive, as a result of good architecture, and are sympathetic to local character. Likewise, Policy 2 of the SELLP, states that 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.

It is not considered that this proposed will materially impact the character of the surrounding area. The new parking provision to the garden area is not visible from the public highway and will be bordered by boundary treatment to neighbouring properties.

There is not considered to be a material impact on character and appearance from this proposal which accords with the relevant criteria of Policies 2 and 3 of the SELLP.

Amenity

Paragraph 130 of the National Planning Policy Framework (2021) states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The amenity of the occupiers of 2a, 2b and 2c Carrington Road, as well as 208 Winsover Road will be improved by the proposal. Each property will have two off road parking spaces adjacent to the properties, and the amended layout will likely reduce conflict between the neighbours by giving each property a dedicated area, away from neighbouring parking provision. The amenity of the surrounding area is not materially impacted by the change to parking layout, nor the amended parking location for 2c Carrington Road.

As detailed above, the scale and design of the proposal is considered to be such that there would be no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the provisions of the Section 12 of the National Planning Policy Framework, and Policies 2 and 3 of the Local Plan.

Garden provision

The new layout is overall considered to positively impact garden provision for each property. 208 Winsover Road will not see a reduction in garden space from previous approvals, 2a has never had a dedicated garden area, 2b will see a small garden area removed but will benefit from a dedicated parking area that they can use for other purposes should they not have access to private motor vehicles. 2c will have substantially increased area of garden compared to previous approvals, even when parking provision is taken into account. Whilst an area of garden space will be lost from 4 Carrington Road when purchased, a sizeable garden remains for the enjoyment of the occupant. Overall this application provides an overall gain in garden area for the properties when compared to previous approvals, which will benefit the amenity of existing and future occupants.

Parking / Highway Safety

Section 9 of the National Planning Policy Framework (2021) specifically relates to 'Promoting sustainable transport'. Paragraph 111 of the National Planning Policy Framework (2021) advises that "development should only be prevented or refused on highways grounds if there would be an

unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

Furthermore, Policy 36, to be read in conjunction with Appendix 6 of the South East Lincolnshire Local Plan, sets out minimum vehicle parking standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

Each property at 2a, 2b and Carrington Road, as well as 208 Winsover Road will have two off road parking spaces. This meets the minimum amount of off road parking spaces requested under Appendix 6 of the SELLP. Additionally, this will help ease on road parking in an area where not every property has off road parking provision. This in turn, should help improve highway safety by aiding visibility when exiting the site, and reduce traffic due to on street parking at either side of Carrington Road. The amended parking layout will improve manoeuvrability and allow for dedicated parking areas for each property.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Local Plan Policies 2, 3 and 36, and Section 9 of the National Planning Policy Framework.

PLANNING BALANCE

As detailed above, Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

This application will provide a dedicated parking area of two off road parking spaces for each property and will provide greater garden provision for the occupants of 2c Carrington Road. There is not considered to be a material impact on the character and amenity of the surrounding area as a result of the amended site layout.

CONCLUSION

This application is considered to accord 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, 2021.

RECOMMENDATION

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.

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.