DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0692-21**	**Applicant:**	**Mr K Copping**
Proposal:	Detached Garage		
Location:	8 Hudson Road Spalding		
Terminal Date:	20th August 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

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

National Guidance

National Planning Policy Framework 2019

NPPF 2021
Section 12 - Achieving well-designed places

Representations:

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for a detached garage to the front of the site. The garage would measure 6.5 metres x 8 metres and standing at 4.9 metres (2.3 metres to the eaves). The garage would be constructed using cement fibre boarding and tiles/brickwork to match the existing dwelling. A new 1.5 metres high fence is proposed along the eastern boundary and the

existing fence to the north of the dwelling would be relocated further towards the west to accommodate the garage.

SITE DESCRIPTION

The property is a detached dwelling located on Hudson Road in Spalding. The dwelling is yellow brick built and has a single integrated garage to the north. It has a tarmacked driveway to the front with off-street parking provision for several vehicles. the norther boundary of the site faces Magellan Way. To the south-east of the site is a pond and a small area of open space.

RELEVANT PLANNING HISTORY

H16-0877-15 - Proposed boundary fence - Approved

REPRESENTATIONS

Residents

One adjacent neighbour at 1 Mallory Drive commented on the application asking for confirmation that their boundary fence will not be altered as a result of the proposed scheme.

PLANNING CONSIDERATIONS

Layout, Design, Size and Scale

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; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting; and 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, among other considerations. 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.

The garage sits forward of the dwelling along the northern/eastern boundaries. The footprint of the garage is acceptable and proportionate to the site and its design, siting and use of materials is considered to be in keeping with the character of the existing dwelling. Furthermore given the large plot the proposed development is not considered to result in overdevelopment of the site.

The proposed new fence along the eastern boundary and the repositioned fence to the north of the dwelling are both considered acceptable and would not unacceptably alter the overall appearance of the site or the character of the area.

As such the development on balance complies with the aforementioned policies on design, layout and impact upon the character of the local area.

Impacts upon Residential Amenity

One adjacent neighbour at 1 Mallory Drive commented on the application asking for confirmation that their boundary fence will not be altered as a result of the proposed scheme. The garage would be located a significant distance from this neighbours boundary therefore it will not impact this nieghbours boundary fence.

With regards to the proposed garage and the fence these would be located well away from all neighbours therefore no unacceptable impact would result upon neighbouring amenity.

As such the proposal would accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed scheme does not increase the number of bedrooms in the property therefore the parking requirement for the site remains the same. A maximum of 3no parking spaces

are required for the site. The garage meets the size requirements for covered parking spaces and there is space in the remaining driveway for several vehicles. As such the scheme is considered to comply with the current parking standards.

Planning Balance

The proposal will not materially harm the character or appearance of the locality or amenity of nearby residents. The planning balance is therefore considered to be in favour of the proposal.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2021).

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.

RECOMMENDATION

The application can be approved under delegated powers.