DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0764-21**	**Applicant:**	**Miss L Lambert**
Proposal:	Proposed shed in designated parking space		
Location:	23 Britannia Gardens Spalding		
Terminal Date:	3rd November 2021		

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

Section 12 of the National Planning Policy Framework (2021)

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	1	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is an application on behalf of 23 Britannia Gardens to place a shed in a designated parking

space for the storage of a mobility scooter. The parking is in a shared parking area that is accessed via an archway sited beneath number 23. The applicant has access to one parking space. They own a car but no longer use it due to their mobility difficulties. The proposed timber shed is 1.94 metres in height, 1.83 metres in depth and 1.22 metres in width. The parking space is of a standard size.

SITE DESCRIPTION

The surrounding area is characterised by dwellings of a similar age and design. There are 10 parking spaces in the parking court. The proposed shed would be sited on a parking space that is in Environment Agency Flood Zone 3 and is not subject to increase flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

HISTORY

None relevant.

CONSULTATION RESPONSES

LCC - County Highways & SUDS Officer

No objections - "The proposal is for a proposed shed in designated parking space and it does not have an impact on the Public Highway or Surface Water Flood Risk."

Member of the public - 1 no. objection

Affect the value of my property - This is not a material planning concern.

"The shed would also be an eyesore if it were placed according to the proposed plans. It would also look untidy as this area is not a council estate."

PLANNING CONSIDERATIONS

Principle of development

This application is for residential development on a parking space in the ownership of 23 Britannia Gardens. It is considered that the principle of development is acceptable on this site.

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."

1. The size and scale of the shed can be easily accommodated within the existing parking space. The proposed timber shed is 1.94 metres in height, 1.83 metres in depth and 1.22 metres in width. The parking space is of a standard depth and width. It is considered that the footprint of the shed is comparable to that of a parked car. The shed is not highly visible from Britannia Gardens or the wider public realm and is not considered to materially impact the character and amenity of the surrounding area.

2. The design is that of a standard small shed and the orientation best enables the mobility scooter

to easily enter and exit the shed to be securely stored.

3. Materials are that of a standard shed and best suit the required need.

4. Access and vehicle generation levels are unaffected by the proposal.

5. The capacity of existing community services and resources is not affected by the proposal.

6. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion, whilst a shed is not a common fixture in parking spaces, it is for a specific purpose and would be conditioned to be removed from site when the applicant vacates the property or shed is no longer required for storage of the mobility scooter.

7. The proposed shed would be sited on a parking space that is in Environment Agency Flood Zone 3 and is not subject to increase flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. The County Highways & SUDS Officer has no surface water drainage concerns.

This application accords with SELLP Policy 2.

When assessed against the above relevant criteria the following can be observed:

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 and scale of the shed can be easily accommodated within the existing parking space. The proposed timber shed is 1.94 metres in height, 1.83 metres in depth and 1.22 metres in width. The parking space is of a standard depth and width. It is considered that the footprint of the shed in

comparable to that of a parked car. The shed is not highly visible from Britannia Gardens and is not considered to materially impact the character and amenity of the surrounding area. There is not considered to be a material impact on a sense of place as the shed is sited to the rear of existing dwellings, mostly hidden from the public realm.

5. The layout of car parking is unaffected by this proposal as the shed takes up a similar footprint to that of a standard car.

8. The proposed shed is considered to increase crime prevention as the mobility scooter is currently sited in a publicly accessible area and would be securely stored to reduce the likelihood of theft or damage.

11. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion, whilst a shed is not a common fixture in parking spaces, it is for a specific purpose and would be conditioned to be removed from site when the applicant vacates the property or shed is no longer required for storage of the mobility scooter.

12. The proposed shed would be sited on a parking space that is in Environment Agency Flood Zone 3 and is not subject to increase flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. The County Highways & SUDS Officer has no surface water drainage concerns.

This application accords with SELLP Policy 3.

PLANNING BALANCE

Whilst a shed may be an uncommon feature in a car parking space, this parking area is located behind dwellings and is not immediately visible from the public realm. Conditions will be added to the decision notice to ensure that the shed is used for mobility scooter storage only, and removed from site when no longer required. On balance there is not considered to be a material impact on the character and amenity of the surrounding area. The application is considered to accord 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, 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.