

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H22-0770-21 **Applicant:** C Hanson-Roose

Proposal: Part change of use to domestic including side extension & detached garage

Location: The Hollies 30 Austendyke Road Weston Hills

Terminal Date: 27th September 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 2021

Section 12

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full application seeking permission for part change of use of a private access to domestic curtilage associated with The Hollies, 30 Austendyke Road. A single storey side extension to create a sun lounge is proposed on this land, to the west of the existing dwelling. The side extension would measure 4.5 metres (width) x 4.7 metres (depth) and stand 4 metres in height (2.6 metres to the eaves). A detached garage measuring 6 metres x 6 metres and standing at 4.2 metres in height (2.4 metres to the eaves) is also proposed to the north-east. The external materials would match the existing dwelling.

SITE DESCRIPTION

The application site comprises a detached dwelling located on Austendyke Road in Weston Hills. To the west of the dwelling is a private access previously used by the depot to the rear of the property which has now been developed into residential dwellings and the access is currently unused. To the east of the dwelling is a driveway offering off-street parking provision for several vehicles. the application dwelling is red brick built with white fenestration and has a large gable fronting the street.

RELEVANT PLANNING HISTORY

H22-1137-18 - Residential development (2 plots) - Approved

H22-1061-17 - Proposed 4 no. dwellings - Approved

H22-1300-16 - Proposed 4 detached houses - Approved

H22-0629-10 - Change of use of haulage yard to office and depot for storage of new kitchen units and storage pending disposal of old kitchen and bathroom fitments - Approved

REPRESENTATIONS

No representations received.

PLANNING CONSIDERATIONS

Layout, Design, Size and Scale

Paragraph 130 of National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting, 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 proposed extension to the residential curtilage of The Hollies, 30 Austendyke Road would not unacceptably impact the character of the area.

The proposed side extension and the garage are considered proportionate to the existing dwelling and the plot. Given their modest footprints and set-back from the front of the site they would not appear overly prominent in the street scene. In addition the use of materials to match the existing dwelling would further ensure the proposed development is in keeping with the existing dwelling.

As such the proposals are considered visually acceptable within the locality and comply with Policy 2 of the SELLP and Section 130 of the NPPF.

Impacts upon Residential Amenity

The closest neighbour to the proposed development is no.34 to the east of the site. The proposed garage would be sited close to the shared boundary with this neighbour and would sit adjacent to this neighbour's rear garden. Given the modest footprint and height of the garage it is not considered that any unacceptable overshadowing or overbearing impact would result. The proposed side extension would not be visible to this neighbour as it would be blocked by the applicant's existing two storey house. As such this element would also not result in any unacceptable impact.

With regards to the neighbour to the west at no.26A the proposed side extension would be located approximately 5.3 metre from the shared boundary with this neighbour. Given the single storey nature of the extension this separation distance is considered sufficient as to not result in any overbearing impact or unacceptable overshadowing. The proposed garage would be located on the opposite end of the plot and at a significant distance from this neighbour therefore this element is also not considered to result in any unacceptable impact on no.26A.

To the rear of the site is currently a depot but planning permission has been granted for residential

dwelling. The permitted dwellings would have driveways directly behind the application site therefore the proposed garage and extension would not result in overbearing impact or unacceptable overshadowing.

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).

Access and highway implications

The proposed side extension would be located on what was previously a private access leading to the depot to the rear of the application site. The depot has not been developed into residential dwellings and this access is no longer required to access the properties to the rear as they have been authorised alternative accesses. As such the proposed change of use of this access to residential curtilage associated with the application dwelling and the proposed extension are considered acceptable as they would not obstruct access or result in highway implications.

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 1, 2 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.