DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H22-1219-19**	**Applicant:**	**Mr & Mrs Crowl**
Proposal:	Erection of open sided timber framed carport		
Location:	66 Austendyke Road Weston Hills Spalding		
Terminal Date:	10th February 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019	
02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2019

Section 12 - Achieving well-designed places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a householder application for the erection of an open sided timber framed car port at 66 Austendyke Road, Weston Hills.

The car port would measure approx. 5.2m in length, 4m in width and 3.2m at its highest point. It would be constructed of timber (stained black) and red bitumen roofing tiles. It would be set back

from the highway by approx. 3m at its closest point and would be 3.7m and 5.7m away from the western and eastern boundaries respectively. The eaves height would be the same as the associated dwelling.

Site Description

The site sits within a row of 5 new build bungalows which front on to Austendyke Road. These are on a varied 'building line'. There are L shaped bungalows at either end of the row of 5 and these properties project forward of the other 3. All 5 bungalows are constructed of a mixed traditional brick, partly clad in marley cedral lap boarding and with red and brown roof tiles. The design of other development in the area is varied. There is a public house opposite 66 Austendyke Road.

History

H22-0046-18 - Reserved matters application for residential development of 5 dwellings - outline approval H22-1004-16 (allowed on appeal) (approved March 2018)

H22-1004-16 - Outline Residential Development (allowed on appeal August 2017)

Consultation Responses

Weston Parish Council - No objections, comments or observations.

LCC Highways/SUDS - Does not wish to restrict the grant of permission.

Public (1 objection) -
- Would not be in keeping aesthetically with existing outlook
- Do not understand why a carport is required when there is already a garage

Planning Considerations

Impact upon character and appearance of the area

There are no other examples of car ports in the vicinity and the proposed car port would be set further forward than no's. 64 to 70 Austendyke Road. However, the proposed materials (black stained timber and red roof tiles) have been chosen to be in keeping with the 5 new build dwellings along this part of the road. Furthermore, it would be on a similar 'building line' to the forward projection of no. 70. When viewed from the east, it is anticipated that the proposed car port would, to a large extent, blend in visually with the garage projection of the adjacent no. 64. Similar can be said of the opposite direction whereby it would harmonize with the materials of the bungalows in the background at a distance. In addition, the newly planted landscaping along the southern boundary will establish over time and provide better screening.

Given the above, it is considered that, on balance, the impact of the proposal on the character and appearance of the area would be acceptable.

Residential amenity

It is not considered that there would be a material adverse impact on residential amenity in terms of loss of privacy, loss of light or being overbearing in nature. The proposed car port would be located approx. 13m away from the front facing windows of no. 64 and approx. 9m away from those of 68, and these would be at an oblique angle.

Impact on outlook is a consideration, however it is one that carries minimal weight in the planning balance in this instance.

Other considerations

The need for a car port in this location is not a consideration that carries significant weight in respect of this application and wider material planning considerations.

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.

Conclusion

Taking the above into account, the proposal is considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019), as well as Section 12 of the National Planning Policy Framework (2019).

The recommendation is therefore for a delegated approval.