DECISION DELEGATED TO DEVELOPMENT MANAGER

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Application No:	**H23-0044-21**	**Applicant:**	**Mr A Hubbard**
Proposal:	Erection of detached timber framed garage (retrospective)		
Location:	High View 15 Stockwell Gate West Whaplode		
Terminal Date:	18th June 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

Section 12. Achieving well-designed places.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a retrospective householder application seeking permission for a detached timber framed outbuilding located to the north of the existing dwelling. The building comprises 2no garages, a store and a gym. The main part of the building measures 20 metres x 6.1 metres with the gym projecting a further 4.4 metres forward. It stands at 3.8 metres in height (2.4 metres to the eaves)

SITE DESCRIPTION

The property is a detached two storey dwelling on located on Stockwell Gate West in Whaplode. The site is at the edge of the settlement boundary and abuts the open countryside to the south and west. There is a further outbuilding located within the site along the western boundary. The site has a shared private access off Stockwell Gate West leading to a large driveway. The site is enclosed by mature trees/planting along the southern and western boundaries and gates/wall on the northern boundary.

RELEVANT PLANNING HISTORY

H23-0429-21 - Conversion of garage into self-contained annexe - Pending consideration

REPRESENTATIONS

Whaplode Parish Council

Asked for clarification whether the application is retrospective. No further comments received.

PLANNING CONSIDERATIONS

Layout, Design, Size and Scale

Paragraph 127 of the National Planning Policy Framework (NPPF), 2019 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 outbuilding sits forward of the dwelling along the northern boundary. It is accepted that the building has a rather large footprint, however, given the presence of mature trees/planting around the site boundaries there would be limited views from the main public realm. Furthermore given the relatively large plot the proposed development is not considered to result in overdevelopment of the site.

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

The proposed building is be located a significant distance from all neighbouring properties therefore it is not considered that any unacceptable impact would result on neighbouring amenity. The closest neighbour to the proposed development is to the north of the site, located to the opposite side of the street with the proposed building located approximately 12 metres from this neighbours closest boundary. As such it is not considered that any unacceptable impact results on this neighbour.

The only other close neighbour is towards the south-west of the application site at Shalom, 13 Stockwell Gate West. The outbuilding is located some 30 metres from the nearest elevation of this neighbour. As such it is not considered that any overbearing impact or unacceptable overshowing results on this neighbour.

As such the proposal would accord with Paragraph 127 of National Planning Policy Framework (2019) 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 prosed 2no garages 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 (2019).

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.