DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H23-0369-25**	**Applicant:**	**Mr S Steward**
Proposal:	Proposed Car-Port		
Location:	Springway Stockwell Gate Whaplode		
Terminal Date:	24th June 2025		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is an application for householder development for the erection of a car port to the front Springway, Stockwell Gate, Whaplode.

The carport is proposed to the front, away from the existing access and behind the boundary wall. Further planting is also proposed.

Site Description

The application site is located inside the defined settlement for Whaplode and relates to a dwelling known as Springway, which is a bungalow property rendered white.

The application site is also located within flood zone 3 in accordance with the Environment Agencies Mapping System. The flood hazard and depth maps show that the site is located in an area at low risk of flooding.

An approved salon is located in the rear garden of Springway, it is accessed through a side gate located to the south of the dwelling. The parking for that salon was secured under H23-0259-24 and amended under a S73 application (H23-0905-23), this showed 3 number spaces.

History

H23-0905-23 - Proposed dwelling with garage, swimming pool and storage building. Refused 15-11-23
H23-0402-21 - Demolition of dwelling and erection of 2 houses. Approved 07-07-21
H23-0722-23 - Extension & Alterations - Resubmission of H23-0278-23. Approved 04-10-23.
H23-0259-24 - Erection of Salon - Retrospective. Approved 17-05-24
H23-0264-24 - Change of Use of Land to Domestic and Erection of Family Games Room, including Security Camera (Retrospective). Approved 04-06-24
H23-0267-24 - Erection of dwelling, garage, and swimming pool - Re-submission of H23-0905-23. Approved 26.07.24 H23-0428-24 - Change of use of agricultural land to storage of building materials and equipment including erection of 2.4m high fence (retrospective). Approved 15-10-24
H23-0889-24 - Proposed Car Port. Refused 09-12-24
H23-0368-25 - Erection of Salon - Retrospective - Approved under H23-0259-24. Modification of Conditions 2 & 3 to allow the reposition of staff and visitor parking for the salon and amended layout plan. Approved 6th June 2025

Consultation Responses

Highways & Suds Support

No objections - The proposal is for a car-port, as it is an open car port it will not affect the parking available therefore the proposal will not have an adverse impact on the public highway.

South Holland IDB

Thank you for your consultation on planning application H23-0369-25. Having screened the application, whilst the site in question lies within the Internal Drainage District of the South Holland Internal Drainage Board the proposed application does not meet our threshold for commenting as per our Planning and Byelaw Strategy. Therefore the Board has no comments to make.

Representations

This application has been advertised in accordance with eth Development Management Procedure Order 2015. It has been subject to one objection, of which the material points are summarised:

-Impact upon trees
-Parking issues
-Dust & Noise.

Evaluation

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework (December 2024) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.
Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals. In this instance, no relevant neighbourhood plans have been adopted.

The Authority is able to demonstrate a supply of deliverable sites equivalent to in excess of 5 years through the latest Housing Land Supply Assessment.

Planning Considerations

The proposal is for householder development for the erection of a car port to the front of the property. On this basis it is not considered that matters of principle require consideration.

The main issues and considerations in this case are (but are not limited to):

- Layout, Design and Impact on the Character of the Area
- Impact on Neighbouring Residents/Land Users/Land Uses
- Highway Safety and Parking

Layout, Design and Impact on the Character of the Area

SELLP Policy 2 outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals.

SELLP Policy 3 requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically designated or undesignated townscape or landscape surroundings.

NPPF Section 12 is concerned with Achieving well-designed and beautiful places, it states that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

The application was previously refused in (in part) for the following reasons:

In relation to its siting and appearance the proposal would represent an incongruous feature along the street scene, being out of keeping with the location and appearance of other ancillary outbuildings. The proposed development therefore represents an unsympathetic design approach, that would not contextually relate well to its environment. The proposal then is considered contrary to Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 as well as Section 12 of the National Planning Policy Framework, December 2023.

The changes made by this proposal relate to an increase in landscaping, where a Laurel Hedge will be planted between the carport and the road (Stockwell Gate). The carport itself would remain in the same dimensions. In support of this proposal the applicant has also provided a justification statement. The statement points to examples where car ports have been approved to the from of dwellings. One is located in Weston (H22-0708-24), this is considered not to have many simailritres with this scheme given that other dwelling's along this street (Small Drove) also have outbuildings to the front. another example is in Crowland where a car port is allowed to the front of a detached property and ther are locational differences that made it difficult to compare these two sites.

Notwithstanding the limited weight that is given to the justification statement, the planting of the Laurel to the front, along with the retention of Magnolia Tree, the presence of the boundary wall and the location of the neighbours Fir trees to the south would result in the proposed car port being screened sufficiently to reduce the detrimental impacts upon the street scene.

Whilst there are a limited number of examples where outbuildings are located to the fore of properties, the broad housing mix (2 storey dwellings, bungalows, detached and linked properties) mean that the irregularity of the built form would allow for this outbuilding to be absorbed into the plot subject to the scheme of planting being reinforced through condition. Without this planting a harsh interface was presented to the street scene. Given method of construction in that the carport is supported by 8 number posts and is timber clad, it is unlikely the ground will be overly disturbed, information relating to the protection of retained trees (including the neighbour's trees) is therefore not required in this instance.

Given the aforementioned mitigation the proposal then is considered to accord with SELLP Policies 2 and 3 as well as NPPF section 12.

Impact on Neighbouring Residents/Land Users/Land Uses

Policy 2 and of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

Policy 30 is concerned with pollution and places impacts in relation to noise, disturbance and air quality as important consideration when considering proposals for planning.

NPPF Paragraph 135f states that development should 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. The proposal is of a scale and in a location that would not give rise to unacceptable impact upon neighbouring amenity.

On this basis the proposal would accord with SELLP Policies 2 and 30 as well as NPPF Paragraph 135f.

Highway Safety and Parking

Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation.

Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

Policy 36 detail with parking and cycling provision and is also considered relevant. Policy 36 also states that all new development, including change of use, should provide vehicle and cycle parking, in accordance with the minimum Parking Standards adopted by the Local Planning Authorities (in Appendix 6).

The carport previously submitted was refused (in part) for the following reasons:

The proposed car port is located on land allocated for the parking of staff and patrons (approved

under H23-0259-24). On this basis it is considered that the proposal would jeopardise the existing parking arrangement for patrons and staff of the salon and result in an under supply of parking provision for that business, placing unreasonable restrictions upon its operation. The proposal is therefore contrary to Policies 2, 3 and 36 of the South East Lincolnshire Local Plan, 2019 as well as Section 9 and Paragraph 163 of the National Planning Policy Framework, December 2023.

Since this refusal the applicant has submitted a planning application (H23-0368-25) to relocated staff and patron parking to another location in the front curtilage of Springway. This reason for refusal has now been addressed. Moreover, given that highways have not put forward an objection in terms of the parking manoeuvrability, there are no longer the same concerns regarding highway safety and parking on this site. The proposal is therefore complicit with SELLP Policies 2, 3 and 36.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The previous refusal was two folded, based upon jeopardising the car parking for staff and patrons of eth salon and character impacts. The parking situation is resolved as a recent approval (H23-0368-25) has moved the allocated parking associated with eth salon away from this area. The character impacts, whilst not wholly acceptable are made better by the scheme of planting proposed.

Therefore, when weighing up the balance of this scheme it is considered that the changes brought about since the last refusal are sufficient now to support this application subject to conditions.

Conclusion

Taking into consideration these factors, the proposal is considered to accord with Policies 2, 3, and 36, along with Appendix 6, of the South East Lincolnshire Local Plan (SELLP), 2019; in addition to the identified sections contained within the National Planning Policy Framework (NPPF) (December 2024).

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.