

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H23-0481-20 **Applicant:** Mr & Mrs C Woods
Proposal: Construction of Domestic Garage
Location: Westfield House Pipwell Gate Saracens Head
Terminal Date: 13th August 2020

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 2019

Section 12. Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application that seeks permission for construction of domestic garage at Westfield House, Pipwell Gate, Saracens Head, Spalding.

Site Description

The site is part of ribbon development of Saracen's Head. Two other dwellings adjoins the plot, High View (south-west) and Crownhill Farm (north-east). The latter is within a sizeable curtilage that also accommodates agricultural engineers workshop and stores.

The application property is a large two-storey dwellinghouse. There is a spacious drive laid in gravel to the front of the property. A nearly 2 metre high timber closeboard fence bounds the entire site. Further fencing is between the south-western side elevation of the house and the boundary nearby. A garden shed is behind this means of enclosure. Both will be removed should permission be granted for the proposals.

There is a similar outbuilding albeit in smaller scale behind the south-western boundary fence which will run in parallel with the proposed garage.

History

H23-1044-89 - (Outline) Residential development - one dwelling - Approved

H23-0015-98 - (Condition Compliance) Bricks: Butterley Old English Rose and Tiles: Sandtoft Calderdale Slates (Condition 3 of H23/1442/89) - Approved

Consultation Responses

South Holland IDB

No objection.

Reminds that the proposals should comply with Byelaws and other legislation.

Whaplode Parish Council

No comments.

Planning Considerations

Principle of development

The site is out of the settlement boundaries of Saracen's Head as set out in the South East Lincolnshire Local Plan (SELLP), 2019. However, the principle of developing a domestic garage that is incidental to the enjoyment of a dwelling house is acceptable.

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise. The key material considerations are addressed below.

Design and layout

Paragraph 127 of 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 proposed garage will be an outbuilding adjacent to the south-western elevation of the house. It will measure 5.85 metres in width, 10.45 metres in length and 4.35 metres in apex height. The eaves will be 2.55 metre high.

The garage will be as deep as the dwellinghouse although it will appear commensurate with the

main property in terms of height and width. Therefore, the intended development will be acceptable in terms of scale, mass and bulk.

The internal floorspace will amount approximately 51.80 square metres. There will be open space with no partition walls. The 30 degree roof pitch across the above-mentioned footprint will allow a maximum head height of 1.50 metre. By the reason of the proposed floorplan, there is no intention to make the loft habitable. In any case, the proposed head height is not sufficient for such purpose. In principle, the available floorspace on the ground level will ensure the parking of 2 no. cars in tandem which is appropriate given the residential nature of the site and overall the character of the area nearby.

A gable pitched roof will be formed on top of the outbuilding. A steel roller door will be on the front elevation onto the driveway of the house. A single panel door and a three panel horizontal window will be opened on the rear elevation onto the private garden. Brick lintels above the openings and dentil eave brickwork will be the detailing of the development. Albeit at a minor extent, both features are considered to enhance the quality design of the garage above standard aesthetics.

With regards to external materials, facing brickwork and concrete roof tiles will be used to match the existing in the property. The door will be light grey UPVC. Identical material in white will be present in the openings and rainwater goods, white UPVC. By reason of the material schedule, the appearance of the development will not excessively differ from the property. Thus, the visual amenity of the site will be preserved after developing the proposals.

In summary, the form of development has a sufficient sense of scale and hierarchy with the main property. The external appearance is appropriate in terms of visual amenity and somewhat of high quality design in view of the proposed detailing. The development will meet the functional needs of the householder. For these reasons, the design and layout of the proposals are acceptable and accord with the aforementioned policies at the top of this section.

Residential amenity

The garage will be narrowly separated from the adjacent buildings. As the south-western boundary is set at angle, the separation distances range between one metre to the front and 17.5 centimetres to the rear. A 1.2 metre separation will be provided with the side elevation of the house.

In close proximity to the boundary line, there is a similar gable pitched outbuilding on the other side of the fence. After checking both planning and building control history, this building has no residential use (e.g, an annexe). Therefore, the proposed development will have no immediate impact upon the residential amenity of the house occupiers of High View.

The roof slope will be perceived from the first-floor bedroom window of the north-eastern elevation of this adjacent property. However, there will be at least 14 metres of separation distance and the upper side of the outbuilding is not deemed to be harmful in terms of overbearing impact.

Therefore, the development complies with residential amenity which is one of the key principles of design and development management as set out in Policies 2 and 3 of SELLP (2019).

Highway safety and parking provision

The proposals will not entail the increase of bedrooms, thereby no impact on the car parking provision required. In any case, the proposed garage will be able to accommodate 2 no cars in tandem and the current driveway is broadly spacious to accommodate at least one further car.

In total, 3 no. cars could be parked within the curtilage which is the highest number of the minimum requirements for car parking provision as per Appendix 6 of SELLP, 2019.

Conclusion

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2, 3, 36 and Appendix 6 of the South East Lincolnshire Local Plan (SELLP), 2019 as well as Section 12 of the National Planning Policy Framework (NPPF), 2019.

It is accordingly recommended to approve this planning application via delegated powers.

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.