

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H23-0814-19 **Applicant:** Mr & Mrs J Crunkhorn
Proposal: Proposed garage and garden room/store
Location: Bakers Corner, 60 High Road Whaplode Spalding
Terminal Date: 10th October 2019

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	1	0	0
WARD MEMBER	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application for a proposed garage and garden store at Bakers Corner, 60 High Road, Whaplode.

Site Description

The property is a detached two storey dwelling which is set back from the main road, and has a large accessible driveway and a front garden south/west of the property. The surrounding boundary treatment is mostly made up of mature trees and hedging.

There is what used to be an orchard to the west of the property, a part of this will be removed to accommodate the proposed garage and garden store. There is a privet hedge which be taken down

in replacement of the garage and garden store.

The road is of low density housing with several properties to the east of High Road, as well as a caravan storage business. There is one house opposite the road, to the south which is of a different design and style to this property, but the dwellings in that area vary in design.

History

The applicant has advised that the property used to have an orchard to the west, but eventually that part of the land became a part of the garden at 60 High Road. It appears that historically this was part of the curtilage and thus there are no planning issues.

Consultation Responses

Whaplode Parish Council are in support.

Councillor A C Beal - does not have any issues with the proposed application as contained within the curtilage of a large plot, well screened from the road and neighbours to the east,

Planning Considerations

Size and Scale

The garage will be approximately 11m x 6.7m in size, which although large in terms of scale, is acceptable in the context of the large curtilage that surrounds the property and much of that space right now is unused and overgrown with shrubbery. An extended gravel driveway will steer towards the new garage and create more parking for the property.

Layout and Design

The brickwork is proposed to match the existing property to the best of its capability, however the roof tiles are of a new colour and material which is slate. The applicant has advised that they will eventually be changing the roofing on the existing property as well to the same material in the future. On the basis of this, the proposed materials are considered to be acceptable.

The applicant has advised that there will be approximately a 1m gap between the proposed garage and the existing property to create a narrow side access to the garden, instead of the easily accessible opening to the west side of the property. This distance is acceptable.

Impact upon residential amenity

The space which is proposed for the development is situated to the west side of the existing property. There are dwellings further down the road, westwards, which will not be affected by the development in anyway. This is due to the large buffer of agricultural land in between the properties. There are several dwellings and a small business to the east of the property which will not be affected by this proposed garage, it is a single storey proposal and will not overlook any of the neighbouring dwellings to the east. The garage would be a good distance from the nearest property (approximately 43m), therefore the proposed garage would be acceptable.

Conclusion

In light of the considerations above, the proposed garage and garden room/store is in accordance with Policy 2 and 3 of the South East Lincolnshire Local Plan (2019) and of Section 12 in the National Planning Policy Framework (2019).

The recommendation is therefore a delegated approval.

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.