

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H23-1025-20 **Applicant:** Mr V Mustafa
Proposal: Proposed replacement quadruple garage with games room/study above
Location: Home Farm Millgate Whaplode
Terminal Date: 11th January 2021

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

- 01 Spatial Strategy
- 02 Development Management
- 03 Design of New Development

National Guidance

National Planning Policy Framework 2019

Paragraph 127 (Section 12. Achieving well-designed places)

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application that seeks permission for proposed replacement quadruple garage with games room/study above at Home Farm, Millgate, Whaplode, Spalding

Site Description

The site lies on the countryside. It is approximately 2.90 km to the south of Whaplode and 1.63 km to the north-west of Whaplode St Catherine.

Bleu Raye Farm is immediately to the rear of the site. To the east, Millgate is a single carriageway lane from north to south. A drain runs in parallel with Millgate on its eastern side. Home Farm is

onto the western side. The main dwelling is a two-storey detached house. A narrow front garden extends along the principal elevation of the building. A grassed garden is to the rear. To the north of the garden, there is a slab paved drive where two joined old outbuildings stand. A low picket fence split both areas. A 2 metre high mixed timber closeboarded fence is on the rear boundary of the site. Further to the north, a large piece of grassed land enclosed by trees forms part of the curtilage.

History

H23-1106-17 - Change of use from Nursery to Residential Annexe - Approved

Consultation Responses

Whaplode Parish Council

No objection.

Planning Considerations

Principle of development

The site lies in the countryside as set out in the South East Lincolnshire Local Plan (SELLP), 2019. Irrespective of spatial strategy considerations, the principle of developing an outbuilding that is incidental to the enjoyment of a dwelling house is acceptable.

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 SELLP, 2019 goes on to say that considerations shall be met about size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses. In this regard, Policy 3 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 existing joint outbuildings will be demolished to release floorspace for the erection of the proposed garage/games room. The footprint of the development will be approximately 32 metres in width and 16 metres in depth. The apex height will be in the region of 13.90 metres and the eaves, 6.75 metres. Having regard to the bulk of the house, the development will be commensurate with the dwelling on the site.

The intended building will be gable pitched with ends on both sides of the unit. The front elevation facing Millgate will have four garage doors. There will be 4 roof lights on each slope. A standard sized first-floor window will be opened on each gable wall of the building. A smaller ground-floor level window will be on the southern side elevation.

Internally, open space is on the ground floor to accommodate four cars. Two separate rooms will adjoin the southern side wall, one for storage and the other for a hall with staircase leading to the games room on the loft space. The first-floor space will be open with a small toilet.

Appendix 6 of SELLP sets out the minimum requirements of car parking provision for new development. The maximum number of car spaces is 3 for dwellings with 4 or more bedrooms. It is unknown the number of bedroom that the house has. However, the proposed garage contains 4 car spaces and therefore the proposals will ensure sufficient car parkin provision in line with Appendix 6 of SELLP. In any case, the drive area is clearly large to accommodate further car spaces.

Facing brickwork and roof tiles are proposed to match those existing in the dwelling. Garage doors will be roller shutter type. Overall, the appearance of the development will not detract from the dwellinghouse on the site.

In summary, the aim of the development is to upgrade the existing outbuilding used as a garage and provide extra space for a new games room. It will contribute to meet the needs of the current house occupiers without being at odds with the main residential of the land. The external appearance will be closely similar to the house so no detrimental impact will take place. For these reasons, the proposals are acceptable in line with the aforementioned policies on design and layout.

Residential amenity

The new outbuilding will stand approximately 12.30 metres away from the dwellinghouse. Likewise, there is a long separation distance with the nearest building in the adjacent Bleu Raye Farm. The distance will be in the region of 11 metres. Currently there is no residential use in Bleu Raye Farm which is the closest property to the application site. Therefore, the proposals will not create any detrimental effect onto residential amenity.

Planning Balance

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 householder development is ancillary to the residential use of the main dwellinghouse. The scale and height will be commensurate with the house. The external appearance and design is similar to the existing buildings.

No adverse impacts of granting permission will significantly and demonstrably outweigh the benefits of doing so, when assessed against the planning policies taken as a whole.

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; and Paragraph 127 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.