

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H02-0747-22 **Applicant:** Mr & Mrs Branton

Proposal: Proposed extension and conversion of barn and stable to residential - approved under H02-0844-20. Modification of Condition 2 to allow amendments to previously approved plans

Location: Cloot House Cloot Drove Crowland

Terminal Date: 30th September 2022

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
23	The Reuse of Buildings in the Countryside for Residential Use
28	The Natural Environment
29	The Historic Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy

National Guidance

National Planning Policy Framework 2021

Sections 12 and 16 of the National Planning Policy Framework (2022)

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This Section 73 Application is for the modification of condition 2 of H02-0844-20, which itself was a S73 Application which modified Condition 2 of H02-0388-19.

This application specifically seeks to amend Condition 2 of H02-0844-20 by proposing for consideration drawings which alter the approved plans in the following ways;

North Elevation - Farm Office

- o External wall levelled
- o Exposed columns omitted.
- o Extents vertical cladding boards altered

Courtyard North Elevation - Glazed link from Entrance Hall to Farm Office omitted

North Elevation

- o Rear Corridor extension - tall openings in lieu of high-level strip window.
- o Glazed end detail omitted
- o 1no rooflight omitted to Master Bedroom
- o 1no additional rooflight added to Guest Bedroom 1

Courtyard Elevation South - Vertical glazing bars added to openings

South Elevation - Size of window to Cloaks Room increased, width and height.

East Elevation - Roof to Back Entrance Hall / Gun Room, altered to gable end in lieu of hipped end.

Courtyard West elevation to Kitchen and Dining Room

- o Opening sizes altered.
- o Materials and configuration changed.
- o Exposed columns to dining room opening removed
- o Section of external wall in lieu of glazing

Internal layout changes:

- o Staircase and first floor layout internally altered.
- o WC / cupboard, adjacent the Kitchen and Larder.
- o Ensuites and Bathrooms throughout
- o Layout of Bedroom 1 Ensuite

Additional / relocated external flues for wood burners

Slight reconfiguration of windows and doors.

Site Description

As in host consent

History

As in host consent

Consultation Responses

Crowland Parish Council

Supports the proposal.

Planning Considerations

Principle of Development and Design

As indicated in paragraph 47 of the National Planning Policy Framework, 2019, planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The principle of the conversion of this range of buildings to a dwelling has been accepted by the extant permission on the site.

Multiple amendments to the originally approved plans are proposed. The most visually impactful and key alterations are proposed to the Southern most 'wing' of the building at the south end of the courtyard. The Northern wall of the room marked in the floor plan as 'farm office' is to be levelled off, creating a flat elevation. It is also proposed that the exposed columns will no longer be included and the area of vertical cladding on this elevation shall be shrunk in scale. This wing of the building is also to be amended by the removal of the proposed glazed link between entrance hall and farm office - instead, this northern elevation of the courtyard will be finished in materials matching the rest of the build.

Additionally the hipped roof on the Northernmost section of the Eastern elevation (marked 'gun room' on plans) is to be changed to a dual pitch roof with gable end facing east. On the western elevation in the courtyard, the glazing and external columns on the dining room section of this elevation are to be removed, replaced with external wall in matching materials with floor-ceiling glass doors.

Furthermore, the addition of woodburner flues is proposed on the farm office and dining room roofs is proposed.

a number of other small alterations are proposed regarding the resizing of windows throughout as well as the addition of glazing bars

There are also some internal amendments which are illustrated on the floor plans.

It is considered that these alterations are acceptable and would maintain the character of the buildings. None of the proposed alterations run contrary to the overall character of this non-designated heritage asset.

Amenity of nearby residents

A dwelling is situated immediately to the south - Cloot House - this is in the applicants ownership and in any event the distance and relationship between the sites and there would be no material loss of amenity to either site.

It is considered that the amenity of nearby residents would not be materially harmed in terms of such matters as overlooking, lack of privacy, overshadowing, noise and disturbance, etc.

There are modern farm buildings immediately adjacent to the south but these are also within the control of the applicant and no unacceptable material loss of amenity is likely from the presence of these buildings.

Highway Safety

LCC Highways does not wish to restrict the grant of permission on highway safety grounds.

Flood Risk

In terms of flood risk, the site is within Flood Zone 3 of the Environment Agency's Flood Maps. However, the flood maps do not take into account any flood defences. Also, large parts of the South Holland District lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the South Holland Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test.

The SFRA indicates that the site is within several areas ranging from no risk to;

Less than 0.75
(Low Hazard)
Between 0.75 and 1.25

(Danger for Some)
Between 1.25 and 2.0
(Danger for Most)

Guidance on Flood Risk identifies that a building used for a dwelling house is classed as a more vulnerable use. However, the Framework states at paragraph 164 that minor development and changes of use applications should not be subject to the Sequential or Exception Tests, unless falling within certain types of development. Given the nature of the scheme, neither the sequential or exception test is required in this case. It should be noted that paragraph 164 also stresses that proposals should still meet the requirements for site specific flood risk assessments.

Drainage

Foul water would be disposed of package treatment plant, this is the most preferred method.

Ecology

An ecological survey has been carried out. Its recommendations can be conditioned.

Contamination

The application is accompanied by a Contamination Screening Assessment. Environmental Protection has recommended a condition relating to previously unidentified contamination.

Conclusion

For the reasons set out above it is considered that this SEC 73 MODIFICATION accords with policies 2, 3, 4, 23, 28, 29 and 30 of the SELLP 2019 and the guidance within the NPPF 2019 and for this reason it is recommended that the alterations are approved.

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.