DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H02-0844-20**	**Applicant:**	**Mr & Mrs A Branton**
Proposal:	Proposed extension and conversion of barn and stable to residential - approved under H02-0388-19. Modification of Condition 2 to allow amendments to previously approved plans.		
Location:	Cloot House Cloot Drove Crowland		
Terminal Date:	3rd December 2020		

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 2019

Sections 2, 4, 5, 12, 14, 15 and 16.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Proposed extension and conversion of barn and stable to residential - approved under H02-0388-19. Modification of Condition 2 to allow amendments to previously approved plans.

Specifically:

The original plans were agreed so that the master bedroom, en suite and dressing room were as an extension of the original stable block. It was at a right angle and had two apex roofs. This alteration proposes to continue the roof line of the stable block. The footprint of the extension is now smaller with some internal room size changes.

An amendment has been made to the rear porch and gunroom. This is because the internal ceiling height was in reality, too low and it restricted access for vehicles to the rear entrance of the property due to the position of existing trees.

The master bedroom, dressing room and en suite have been repositioned in the area originally granted permission to be the snug and playroom. This has meant that a chimney for the snug stove has been removed.

The final key amendment is in relation to the main entrance. Rather than an inset porch, the amendment proposes a slight roof overhang with timber or metal posts.

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

Site Description

As host consent.

History

H02-0388-19. Proposed extension and conversion of barn and stable to residential. Approved 06-06-19.

Consultation Responses

Crowland Parish Council

The Parish Council feel that this is more aesthetically pleasing and therefore have no objections.

North Level IDB

No comment to make with regard to this application.

Planning Considerations

The main issues in this case are:
- The Principle of Development and Design;
- The likely impact upon the amenity of nearby residents;
- Highway safety;
- Other material considerations such as flood risk, drainage and ecology.

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.

It is considered that the amendments to the proposals, to extend the stable block to continue the roof line of the stable block is an acceptable alternative design, and the footprint of the extension is now smaller with some internal room size changes.

An amendment has been made to the rear porch and gunroom. This is because the internal ceiling height was in reality, too low and it restricted access for vehicles to the rear entrance of the property due to the position of existing trees.

The master bedroom, dressing room and en suite have been repositioned in the area originally granted permission to be the snug and playroom. This has meant that a chimney for the snug stove has been removed.

The final key amendment is in relation to the main entrance. Rather than an inset porch, the amendment proposes a slight roof overhang with timber or metal posts.

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.

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.