DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H02-0904-22**	**Applicant:**	**Mr P Speechley**
Proposal:	Existing bungalow to be demolished and all rubble to be re-used as hardcore for hard standing to be used for storing and loading crops and straw and storage of agricultural equipment.		
Location:	An Hendra Common Drove Crowland		
Terminal Date:	16th November 2022		

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 2021

12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full application at An Hendra, Common Drove, Crowland for the existing bungalow to be demolished and all rubble to be re-used as hardcore for hard standing to be used for storing and loading crops and straw and storage of agricultural equipment. The hard standing will cover the entirety of the existing residential site.

SITE DESCRIPTION

The site on which the original dwelling is sited is outside of defined settlement limits and the surrounding area is predominately rural, characterised by non-nucleated linear buildings of varying ages and designs. The site is adjacent to existing agricultural buildings, and there are open fields to the east and west of the site. This is a wide plot with little depth. The existing bungalow is of a standard design. As the site is not for habitable accommodation, flood risk is not a material concern.

RELEVANT HISTORY

H02-0922-76

Outline - Bungalow and garage with provision of vehicular access at Common Drove - Approved - 08 December 1976

H02-0093-13

Section 191 Lawful Use Certificate - Occupation of dwelling by persons not employed in agriculture (Condition 3 of H02-0922-76) - Approved - 11 April 2013.

H02-0572-16

Full - Proposed replacement dwelling - Approved - 31 August 2016.

H02-0014-17

Full - Proposed replacement dwelling - resubmission of H02-0572-16 - Approved - 20 February 2017.

H02-1107-19 - Adam's Farm (to western rear of site)

Agricultural Determination - Proposed grain store - Approved - 27 November 2019.

H02-0614-22

Full - Proposed replacement dwelling - approved under H02-0014-17. Removal of Condition 11 to allow retention of original dwelling - Refused - 24 August 2022

CONSULTATION RESPONSES

South Holland District Council - Environmental Protection

No objection.

South Holland District Council - Trees & Conservation Officer

"The bungalow is very near to the River Welland, good hunting grounds for bats, few other structures nearby for bats to roost in, making this a potential site for a roost. May be as well to have a survey prior to granting consent for demolition."

Welland & Deepings Internal Drainage Board

No comment.

Crowland Parish Council

"Crowland Parish Council have no objections & are pleased to see original requirements are being

followed."

PLANNING CONSIDERATIONS

Principle of development

The dwelling has already been conditioned for removal as a result of a replacement dwelling being granted to be built on a separate plot of land under reference H02-0014-17. The replacement dwelling is now inhabited. The use of the land for agricultural purposes adjacent to existing agricultural buildings at Adam's Farm is considered not to be out of keeping with the character of the surrounding area.

Assessment against SELLP Policy 2 - Development Management

When assessed against the relevant criteria the following can be observed:

1. The size, scale and layout is appropriate for the site. Approximately 8 unprotected trees and a boundary hedge will be removed to facilitate the proposal. There is not considered to be a material impact on the character and amenity of the surrounding area by the demolition of this dwelling, which has already been conditioned for removal by the approved replacement dwelling under H02-0014-17.

2. The design is appropriate for the site.

3. The proposal is sustainable as it will utilise the existing materials from the dwelling to provide the rubble for the hardstanding.

4. The existing access is not being altered and parking and storage provision for agricultural purposes is improved by provision of this site.

5. The capacity of existing community services and infrastructure is not impacted by this proposal.

6. There is not considered to be a noise, odour, disturbance or visual impact from this proposal. The storage and parking of agricultural vehicles and goods in a rural location is not considered to impact the amenity of the area.

7. The proposal will allow surface water to soak through. As the site is not for habitable accommodation, flood risk is not a material concern.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

When assessed against the relevant criteria the following can be observed:

1. A sense of place is not impacted by this proposal. The size, scale and layout is appropriate for the site. Approximately 8 unprotected trees and a boundary hedge will be removed to facilitate the proposal. There is not considered to be a material impact on the character and amenity of the surrounding area by the demolition of this dwelling, which has already been conditioned for removal by the approved replacement dwelling under H02-0014-17.

11. There is not considered to be a noise, odour, disturbance or visual impact from this proposal. The storage and parking of agricultural vehicles and goods in a rural location is not considered to impact the amenity of the area.

12. The proposal will allow surface water to soak through. As the site is not for habitable accommodation, flood risk is not a material concern.

This application accords with SELLP Policy 3.

PLANNING BALANCE

The proposed hardstanding is in keeping with the character of the surrounding area and will not materially impact the character or amenity of the surrounding area. This application is considered to

accord with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019, and Section 12 of the National Planning Policy Framework, 2021.

CONCLUSION

This application is recommended for 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.