DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H02-1042-20**	**Applicant:**	**Mr & Mrs M Rayment**
Proposal:	Alterations to dwelling including new windows and doors and changes to internal layout.		
Location:	Wyvern House Hulls Drove Crowland		
Terminal Date:	20th January 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
23	The Reuse of Buildings in the Countryside for Residential Use
29	The Historic Environment

National Guidance

National Planning Policy Framework 2019

Sections 12 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

Full planning permission was granted for a change of use of the site from residential institution to domestic dwelling in September 2020. This application is for alterations to the dwelling, including new windows and doors and changes to the internal layout.

Site Description

The barns are located on the northern side of Hull's Drove and are in open countryside, some 0.7 miles from Shepeau Stow to the east and 3.9 miles from Crowland. The site is presently overgrown. Preserved trees are situated along the site's eastern, southern and western perimeters. A drain runs along the site's frontage.

A dwelling (Postland House) is located to the west. The barns and Postland House are served off a shared private roadway.

Relevant Planning History

H02-1090-99 - Full - Barn conversion (into 3 dwellings) - Granted 11 January 2000

H02-1406-03 - Full - Change of use from residential (C3) to use as an Education Centre for children/young people in need (D1) - Granted 14 January 2004

H02-1010-09 - Full - Change of use from Use Class D1 (non-residential institutions) to Use Class C2 (residential institution) - Granted 17 February 2010

H02-0311-10 - Full - Proposed extensions and alterations - Granted 3 August 2010

H02-0422-11 - Full - Extensions and alterations (re-submission of H02-0311-10) - Granted 1 September 2011

H02-0592-20 - Full - Change of use of site from residential institution to domestic dwelling - Granted 14 September 2020

Consultation Responses

Crowland Parish Council - No objections.

North Level Internal Drainage Board - No comments.

Planning Considerations

The main issues in this case are:
- Character/appearance;
- The likely impact upon the amenity of nearby residents;

Character/appearance

The buildings are mainly of brick/timber clad construction. In all probability, they are a 19th Century former crew yard and of architectural/historic merit.

The proposed alterations include replacement of external timber doors and windows, as well as installing a new window to the south elevation and a new bi-folding door to the courtyard east elevation and enclosing the current walkthrough adjacent to the garage. Black timber cladding would also be installed on exposed blockwork.

The building presently has contemporary windows and doors of standardised design and appearance. They are generally inappropriate and unsympathetic. Although the proposed replacement windows are anthracite grey aluminium, they would be of a higher specification than those presently existing and more in keeping in terms of design. Consequently, they would improve the appearance of the building. The doors would be a combination of oak timber and anthracite aluminium and are considered acceptable. The proposed internal alterations include sub-division of some sections of the building and are not significant.

The proposal therefore satisfactorily complies with Policies 2, 3 and 23 of the South East Lincolnshire Local Plan, 2019. Policies 2 and 3 indicate that new development should be acceptable in terms of character/appearance and design. Policy 23 relates to barn conversions and states that the design should be sympathetic to the character and appearance of the building in terms of architectural detailing and materials of construction and that the development should lead to an

enhancement of the immediate setting of the building.

Amenity

The nearest residential property is Postland House to the west, which is accessed off the same private roadway. The proposed use remains unaltered, as does the western elevation other than the addition of an entrance hall. It is considered that the amenity of neighbouring residents would not be materially harmed in terms of overlooking, lack of privacy, noise and disturbance, etc.

The proposal therefore satisfactorily complies with Policies 2 and 3 of the SELLP in this respect.

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 proposed alterations would enhance the present character/appearance of the building and would not materially harm the amenity of neighbouring residents. The proposal therefore satisfactorily complies with Policies 2, 3, and 23 of the South East Lincolnshire Local Plan (SELLP), 2019, plus advice within the National Planning Policy Framework (NPFF), 2019. The are no significant factors in this case that indicate against the proposal and outweigh factors in favour of the proposal and the policies referred to above.

Conclusion

The planning balance lies in favour of the proposal. It is therefore recommended that the application be approved under 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.

Recommendation

That the application be approved under delegated powers.