DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H03-1205-22**	**Applicant:**	**Mr J Wyers**
Proposal:	Proposed car ports & workshop - approved under H03-0290-22. Re-orientation of garages/car ports with additional lean to.		
Location:	East Reach Farm Main Road Hop Pole		
Terminal Date:	18th January 2023		

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is application at East Reach Farm, Main Road, Hop Pole seeking a non-material amendment to the application H03-0290-22 for proposed car ports and workshop . This non-material amendment seeks to re-orientate an existing garage with the addition of a small lean-to at the eastern side elevation of the building. Proposed external materials for the converted outbuilding are timber framed walling throughout clad in Larch or Green Oak boarding. Roof finish from Norfolk style clay pantiles as supplied by Weinerberger and type Weinerberger NEO Red Clay Pantile.

The proposal seeks to provide a building that remains 11.18 metres in width and 4.615 metres in depth. Whilst part of the building housing the car port and workshop will extend out a further 15.5cm than previously approved at 5.52 metres rather than 5.365 metres, the area to the east elevation of the garage has now been removed. The original and amended building measures 11.18 metres by 4.615 metres providing a total of 51.5957 square metres. The projection on the original building measures 8.162 metres by 0.75 metres giving an area of 6.1215 square metres. The amended projection measures 5.03 metres by 0.905 metres giving an area of 4.55215 square metres. Therefore, the is a reduction is a reduction of floorspace as a result of the amendment.

SITE DESCRIPTION

The proposal site is outside of defined settlement limits and the surrounding area is predominately rural, characterised by non-nucleated linear development of varying ages and designs. Agricultural buildings are located to the north-west, a bungalow named Fen Fields to the north-east, Main Road with Glanford House and arable fields to the south-east and the host dwelling East Reach House to the south-west. The site is in Environment Agency Flood Zone 2 and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

RELEVANT HISTORY

H03-1182-21 - Barns to the north

Prior Approval - Conversion of barns to form 2 dwellings - Approved - 12 January 2022.

H03-0353-22 - Betterment dwelling at northernmost barn

Full - Proposed 4 bed detached dwelling - Approved - 10 June 2022

H03-0452-22 - Barns to the north

Condition Compliance - Details of landscaping, boundary treatments, proposed means of foul & surface water disposal and ecological biodiversity measures (Conditions 3, 4, 7 & 9 of H03-1182-21) - Approved - 15 September 2022

H03-0675-22 - Betterment dwelling at northernmost barn

Condition Compliance - Details of ecological biodiversity measures (Condition 8 of H03-0353-22) - Approved - 15 September 2022.

CONSULTATION RESPONSES

None

PLANNING CONSIDERATIONS

This application is assessed against the criteria for assessing whether the proposal amendments are non-material.
All of the following criteria must be met for amendments to be considered under this procedure:

1 - There would be no alteration to the application site boundary (red edge).

2 - The amendment would not conflict with Development Plan Policies or other Government Guidance.

3 - The proposal would not exacerbate concerns raised by third parties at original planning application stage.

4 - The proposed change would not be contrary to a condition on the original approval.

5 - The approved footprint / siting of the building will not be moved materially and will not have a material impact on a neighbour.

6 - The height of the building or extension would not be increased.

7 - The amendment would not result in any potential overlooking of any neighbouring property.

8 - The amendments must not result in a fundamental change in the design of the building.

9 - The proposal does not amount to new works or elements not considered by any Environmental Statement submitted with the application.

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

1. There is no alteration to the application site boundary.

2. The amendment does not conflict with Development Plan Policies or other Government Guidance.

3. The proposal would not exacerbate concerns raised by third parties at original planning application stage.

4. The amended proposal is not contrary to a condition on the original approval.

5. The footprint of the building has not been moved materially and will reduce any impact on neighbouring properties. The overall footprint of the building has been reduced from 57.7172 square metres to 56.14785 square metres.

6. The height of the building is reduced from 3.9 metres high to 3.7 metres high

7. The amendment would not result in any potential overlooking of any neighbouring property.

8. The amendments do not result in a fundamental change to the design of the building.

9. The proposal does not amount to new works or elements not considered by any Environmental Statement submitted with the application.

The amended garage accords with the non-material amendment assessment criteria.

PLANNING BALANCE

The proposed amendments reduce any potential for amenity or character impact and accord with the non-material amendment assessment criteria.

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.