

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H04-0027-23 **Applicant:** Mr A Stevenson

Proposal: Internal and external alterations & extension to house and conversion including alterations and partial demolition of outbuildings to be used as storage, workshop, swimming pool changing room and annexe.

Location: Wykes Manor Wykes Lane Donington

Terminal Date: 13th March 2023

Planning Policies**South East Lincolnshire Local Plan - Adopted: March 2019**

01	Spatial Strategy
02	Development Management
03	Design of New Development
28	The Natural Environment
29	The Historic Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance**National Planning Policy Framework 2021**

Sections 12 and 16 of the National Planning Policy Framework (2021) (NPPF)
Planning (Listed Buildings and Conservation Areas) Act 1990

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This planning application is, nominally, for internal and external alterations & extensions to the host property, as well as the conversion including alterations and partial demolition of outbuildings to be used as storage, workshop, swimming pool changing room and annexe.

For the sake of ease of interpretation, the proposed works will be broken down below into categories relating to the main house, the outbuildings, the chitting shed and general curtilage development.

Main House:

- Partial demolition of the wall to the left (south west) of the existing fireplace within the ground floor living room, creating an entrance into the proposed ground floor extension.
- Widening of internal opening between the existing ground floor hallway and the stairwell.
- Underfloor heating is proposed to the ground floor rooms excluding the hallway and pantry.
- Demolition of internal stud wall between the 1st floor bathroom (marked RM.14 on plans) and associated store room, in order to expand the bathroom.
- Demolition of wall between the smaller 1st floor bathroom and the bedroom (marked RM.10 on plans), to create a larger bedroom.
- Restoration of the door way between the existing store room to the master bedroom (marked RM.09 on plans) and the storage space beyond, with the intention of creating a walk-in wardrobe-type arrangement.
- Creation of a door opening between the 2nd floor bedroom marked RM.17 and the storage room marked RM.18 to mirror the same arrangement that has been created at the other bedroom on this floor.
- Removal of un-permitted timber lean-to on the North Eastern elevation.
- Remedial works to the building fabric including cleaning and repointing of brickwork, repair of windows and doors, cleaning and relaying of roof tiles and replacement 'Alumasc Heritage' rainwater goods.
- Addition of four small rooflights to the north roofslope of the 17th Century range
- Demolition of the small scullery and outhouse attached outbuildings on the North Western elevation of the property. Retention of the South Western most elevation which contains some aesthetic qualities..
- Replacement of the above small outbuildings with a set of two interconnected, faux-outbuildings, forming a single extension of slightly enhanced dimensions over the current scullery courtyard. The extension will feature two forms of roof pitch, both with the ridge running Northwest - Southeast, the easternmost pitch will be a hipped, cut off roof, the other a standard dual pitch, with both finished in batten-rolled, 'pigmento red' zinc, manufactured by VMZINC. It is proposed that the two, mock outbuildings will be connected by a flat glazed roof, giving the replicated appearance of the former courtyard when viewed from above. Side elevations will be completed mostly in Brick (Petersen TEGE Kolumba K46). However, the extant southwest elevation of the toilet block outbuilding is to be retained, and will be highlighted by the fact that the new brickwork will be slightly recessed. The Northeast elevation of the extension will be a mix of waist-ceiling glazing and timber slatted cladding and columns.

Outbuildings:

- Removal of existing unpermitted infill plastic and rough timber lean-to between the dovecote and the storage buildings to the Southeast. Replacement with the reinstatement of the former infill building, with full height dual pitched roof, featuring clay pantiles to match, with the South Western elevation being open-air with 3 brick pillars, creating a 3 bay car-port/garage, with oak beam lintel above the openings.
- Installation of a timber door and ventilation holes onto the southwestern elevation of the southeasternmost storage building
- Demolition of modern extension to north east of the Traphouse and free standing timber shed

- Erection of a new, timber construction stabling building with corrugated galvanised metal roof with dual pitch roof featuring east-west ridgeline, enclosing the Northern side of the former courtyard of outbuildings. The northern elevation of this structure will feature 4 stable bay doors, a large central sliding door. The structure will feature 4 stable bays, a rug room, wash room and W/C.
- Addition of a covered colonnaded walkway to the south side of Range A (marked in figure 73 within the heritage impact assessment) linking the new stables to the existing courtyard buildings. This structure is to be timber framed with a flat metal roof.
- Removal of existing timber and corrugated plastic porch structure from west elevation of the traphouse.
- Installation of metal balustrade to staircase on the western elevation of the traphouse.
- Conversion of three hatched openings on the north elevation of the traphouse to timber framed windows.
- Installation of new rooflight windows on the south roofslope of the traphouse
- New glazed screen and door to replace existing timber doors on single storey wing of Range A
- Change of use of the upper floor of the traphouse to regularise the use as a domestic annexe.
- Change of use of the ground floor of the traphouse to use as an ancillary domestic space (pool changing room)

Chitting shed

- Complete like for like refurbishment to restore original condition.

Curtilage development:

- Removal of the existing landscaping and garden structures from space to the North of the traphouse and replacement with open air below ground pool.
- Removal of all existing hard standing surrounding the property, and relaying of tarmac in all existing locations, apart from surrounding the main house, which is to be instead finished in stone paving. No replacement of the existing tarmac drive to the North of the main house, instead to be returned to garden space.

Note

Only the proposed external demolition works, as well as the proposed extension, new stables, conversion of the traphouse, alterations to the hard standing and the creation of the outdoor pool strictly required planning permission. However, the applicant has included all of their proposals regardless of if they only needed listed building consent for the sake of completeness.

Site Description

Wykes Manor represents a complex range of existing structures, including the main house and multiple historic outbuildings. The house itself is Grade II* listed and the associated traphouse outbuilding is itself, uniquely listed as grade II.

The main house, or manor, is oriented in a stepped 'T' format with the head of the 'T' being in the southern orientation. The Southern wing of the building represents the original house on the site, being C17th in origin and featuring 3-bay frontage, with string course, red brick completed in stretcher bond. Upon the Southern and Northern elevations of this block, evidence of bricked-up historic windows can be readily seen, windows remain on the Southern, Western and Eastern elevations and are all Victorian sliding sash in style, clearly having been replaced somewhat recently. Upon the Western elevation at ground floor level, a simple door frame with entablature is situated in the likely position of the original main entrance to the property. The roof of this block is covered with clay tiles which is an uncommon feature in the setting. The roof contains 1 central chimney stack.

To the rear (north) of the main wing, forming the stalk of the 'T' is a 2 storey C18th 1.5 storey kitchen range extension with dormer windows and clay pantile roof. To the east of this is a later, C19th 2 storey extension.

Historic England describes the house like so:

"Farmhouse. 1680, built by Thomas Cowley, founder of Donington School, altered and extended C18 and C19. Red brick in English bond, machine plain tiled and pantile roof, large axial ridge stack. T-plan. Two storey and garret, irregular three bay front, originally five, with plinth, first floor

band, two tall margin light sashes to ground floor, one glazing bar sash lighting stair mezzanine at the centre. To first floor three glazing bar sashes and two blocked openings. All openings have brick segmental arches. In the right hand gable an ashlar datestone inscribed "TC1680," with fan above. In the right hand gable, which is offset, the initials TC in the tie plates. To the rear a single storey C18 kitchen range, partly covers the site of the original door, and has a six panel door and overlight and a tripartite plain sash, both with segmental heads. Above a three light dormer. Behind a mid C19 addition.

Interior. Contemporary dogleg stair with large turned balusters, wide moulded handrail. Large square panelled newels and panelled risers. Bolection moulded panels to stair wall. Small cellar beneath stair. Left hand room with full height bolection moulded panelling, deeply moulded cornice, bolection moulded architrave to door. To first floor a very fine room with full height bolection moulded pine panelling, bolection moulded fireplace surround with large C18 cast iron grate, cornice, architrave to match, double doors, full wooden cornice. Doors have original H hinges. Six bays of staggered butt purlin roof in sawn softwood, pegged. The principal rafters rest on posts. The chimneys join in an arch to form the ridge stack. Original planked doors, and stair partition. Two roll moulded beams in former kitchen."

Due to a combination of the Grade II* listed status, the architectural interest of the site and the local historic significance of the property, it is feasible to state that Wykes Manor is amongst the very most important listed buildings in South Holland.

In addition to Wyke's manor, the traphouse and associated outbuildings are also uniquely listed at a grade II level. Historic England describes this building like so:

" Former traphouse, stables, granary and pigeoncote, now garage and store. 1810, altered C20. Red brick in English bond, pantile roof, raised brick coped tumbled gables with gable stack to left. traphouse and stables to ground floor, granary and pigeoncote to first floor. Two storey, five bay front with brick dentillated eaves. Planked door with segmental head has to left a louvred vent with three panes over in segmental opening. To right two oval openings, glazed upper lights, boarded below. Beyond again a C20 sliding garage door. To first floor three small hinged planked openings to eaves. At the right hand end, stone steps lead to a planked doorway at first floor granary. Above are four ledges and pigeon holes. The top brick is dated 1810 and bears the initials TH."

The tandem listed building status of this plot is highly unusual in this area, and this, in conjunction with the importance of the main house mean that this site is given great weight of significance with regards to the consideration of impact.

The surrounding area is mostly open countryside, with a lone additional dwelling immediately to the Southwest of the site and some farm facilities are situated within eyeshot, but some substantial distance away to the North.

Within the grounds of the property, at the southern end of the plot is a large, timber and glass structure which has become extremely dilapidated, with numerous improvised repairs. This structure is an historic potato chitting shed, which is a form of structure once common in the fens but of which scant few remain, particularly in South Holland. Given this fact, this structure is also considered to be a non-designated Heritage Asset.

History

H04-1283-97

Installation of central heating, with 300 gallon oil tank and flue. Approved on 02-06-98.

H04-0028-23

Internal and external alterations & extension to house and conversion including alterations and partial demolition of outbuildings to be used as storage, workshop, swimming pool changing room and annexe. undecided

Consultation Responses

Donington Parish Council

The Parish Council are in total support of this application and pleased that the extensions and renovations are in keeping with the original building and will be pleased to see it being brought back to something like the imposing residence it was.

Lincolnshire County Council Historic Environment Officer

Wykes Manor in the parish of Donington has been a manorial centre since the early mediaeval period, when a free manorial chapel was founded during the reign of Richard I (1189-1199). By 1280 the manor belonged to the Earl of Richmond. The manor house and chapel are likely to have been high status stone buildings, and the chapel was recorded as still standing in 1526. The present Grade II* Listed Manor House is thought to have been built in 1680 by Thomas Cowley, the founder and patron of Donington School, after he had acquired the manor.

Earlier Roman pottery has also been found to the north of the site, and there is some uncertainty about whether earthworks in the field to the north of the manor are from Roman or medieval settlement.

Wykes Manor is remote from the medieval settlement core on an area of slightly raised ground that would have been on the edge of the former Bicker Haven. Such an area may therefore have been attractive for settlement during earlier periods.

The proposed development would involve partial demolition of the Listed building and others within its curtilage and a number of alterations to the historic fabric, as well as a new extension, new buildings, swimming pool and other landscaping. We welcome the detailed and well-researched Heritage Impact Assessment produced by Locus Consulting, which provides considerable information on the historic development of the standing buildings and potential for survival of below ground archaeological remains.

This office supports the conclusions of the developer's Heritage Impact Assessment regarding potential impacts on remains of the earlier medieval manor from the proposed development. We would therefore recommend that all groundworks, including excavations within the 17th century manor (required to install underfloor heating) be subject to archaeological monitoring and recording. This should be secured using South Holland District Council's standard condition AR1, AR2, and AR3.

In addition to below ground remains there will also be a number of impacts on and the partial loss of the building's historic fabric, which are also of evidential value. However, the recording carried out for the Heritage Impact Assessment is sufficient to serve as a record of the current condition of the building's fabric prior to demolition and alteration. We would therefore not recommend any further recording be required on archaeological grounds, but if the Local Planning Authority's conservation officer recommends any further recording we would recommend that copies should also be required to be deposited with the Lincolnshire Historic Environment Record.

"They should.... require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part), in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible." National Planning Policy Framework, section 16, paragraph 205.

Lincolnshire Bat Group

Thank you for referring the ecological appraisal and survey to Lincs Bat Group for comments. There are several. 1) The survey is valid for 18 months only, meaning it will expire at the end of March 2023. 2) It could be argued that late September, whilst still OK for an activity survey, is too late for an emergence survey, as bats from summer maternity roosts will have dispersed by then, and whilst there was no internal evidence of roosting, pipistrelle species roost round the edges of buildings, under tiles, lead flashing, etc, where evidence of the roosts is frequently not visible. There is no comment to this effect. 3) There is also no recommendation re potential enhancement of the buildings, given the amount of activity seen, and we do have one very old record of a bat getting into the house. We would therefore suggest that a summer bat survey would be appropriate, to take place between May and August (as per guidelines) and that in the interests of Biodiversity Net Gain enhancement be looked at, most likely by installation of bat boxes. And of course if the work is not started before the end of March an updated survey will be needed anyway

Lincolnshire County Council Lead Local Highways and Flood Authority

No Objections

Planning Considerations

Heritage Impact - Policy

The Local Planning Authority is satisfied that there is no unjustified risk to the value or significance of this historic site. Generally, the LPA agrees with the findings of the supplied Heritage Impact Assessment with regards to impact of each proposal.

Policy 3 of the South East Lincolnshire Local Plan (2019) (SELLP) states that proposals will be permitted where they are acceptable in the following terms:

"1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses (...)

8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets(...)"

Furthermore, Section A of Policy 29 of the SELLP, relating to alterations to listed buildings states the following;

1. Proposals to change the use of a Listed Building or to alter or extend such a building will be granted where the Local Planning Authority is satisfied that the proposal is in the interest of the building's preservation and does not involve activities or alterations prejudicial to the special architectural or historic interest of the Listed Building or its setting.
2. Proposals involving the demolition of Listed Buildings will not be permitted, unless in an exceptional case, or wholly exceptional case (depending on their grade) where a clear and convincing justification is made in line with national policy. South East Lincolnshire Local Plan 2011-36
3. Proposals that affect the setting of a Listed Building will be supported where they preserve or better reveal the significance of the Listed Building.

Weighted against the above relevant policies, we can say the following regarding the impact of the proposal. Given the scope of the works, they are assessed below in order of; main house, outbuildings and curtilage:

Heritage Impact - Main House

The Local Planning Authority is satisfied that all proposed works to the main house do not risk the value or significance of the heritage asset. The proposed maintenance processes include; localised repointing and cleaning of brickwork, cleaning and relating of existing roof coverings where necessary, repairs of existing doors and windows, repairs to the for ventilation hatch on the Eastern elevation of the property, so that the opening may be reused as log storage and the replacement of UPVC guttering with aluminium alumasc heritage half round gutters and round downpipes. All of the above seek to restore to original and like for like or better than original condition. Several of the referenced features, especially the windows and doors are in obvious need of repair and the replacement of entirely inappropriate UPVC fixings with material-appropriate alternatives is considered to be an obvious improvement to the condition of the site. The above maintenance processes should lead to the improvement of the site which through neglect and a lengthy period of vacancy has begun to deteriorate visually.

The proposed demolition of the Northern range of scullery buildings (save for the western elevation wall) and replacement with modern extension is, again, not considered to be of great detriment to the character of the property. As the HIA states;

"Wykes Manor is a substantial 6 bedroom dwelling of the highest significance. The property has not undergone any significant maintenance or modernisation works through the 20th and 21st centuries and is in pressing need of improvement to align with expected modern living standards.

The proposed demolition and extension works, which acceptably bring about a low level of less than

substantial harm, will allow for the creation of additional useable space on the ground floor of the building. This in turn will support and compliment the overall improvement in the building's facilities and sustain its optimum viable use as a large dwelling house in the long term.

The periodic improvement of the building's facilities over time is nothing new. The construction of Ranges B, C and D, which provided additional accommodation to support the original 17th century house, are testament to this fact. As such the construction of an appropriately designed and modestly scaled extension at the north end of the building, which is most receptive to an extension of all facades, would therefore represent a logical continuation of the building's development."

This office fully concurs with the above assessment and additionally confirms that there is very little value in the structures which are proposed to be lost. They are of very little character (with the only characterful wall - the west - being retained fully), constitute an extremely small part of the building and therefore their loss should not be given much weight in considering harm to the listed building. The proposed replacement extension makes use of modern styling and materials combined with traditional in order to make good reference to the history of the site whilst not appearing to ape the historic style or create a facsimile. Therefore, the modern styling will allow for a design dichotomy, whilst being sympathetic to the extant structure.

Internal alterations are largely restricted to minor removal of interior walls, restoration of historic layouts and installation of fully reversible new stud partitions.

The proposed installation of underfloor heating on the ground floor of the main house would mean the loss of the historic timber flooring within the historic core of the main house. This floor is not original, however, it is likely a C19th addition, covering compacted earth. It is proposed to remove the flooring and infill with a limecrete pad including the underfloor system. Whilst the loss of the timber floor is considered to bear a moderate degree of less than substantial harm to the listed property, the excavation necessary to conduct this work is likely to reveal archaeological evidence pertaining to the C17th origin of the property. Additionally, underfloor heating bears the additional benefit of creating a more sustainable modern residential use to the thermally inefficient historic core without necessitating the installation of unsightly, modern radiators in interior spaces, meaning that this remains the optimal heating solution for the preservation of the internal character of the property.

Heritage Impact - Outbuildings

The Local Planning Authority does not consider that any of the works proposed to the outbuildings risk the value or significance of the heritage asset. The proposed demolition works are only related to either insubstantial and valueless sections of the site, such as the timber and corrugated plastic colonnaded cover and connecting wall between the pigeoncote and the southwestern storage building, the modern, unauthorised extension to the traphouse, as well as the timber temporary shed. The replacement of the eastern wall of the outbuilding courtyard is considered to be of minimal impact to the overall condition and appearance of the site as the new structure will be constructed using matching materials and is not proposed to be of a scale which is incongruous to the remainder of the site. Furthermore, the open fronted nature is of a style which is well suited to the agricultural outbuilding and stables history of the site.

The proposal to convert the use of the above ground section of the traphouse is a largely welcome one, in that it does not involve substantial alteration of the interior. However, replacement of the existing outdoor balustrade and porch is proposed. Given the existing is an eyesore made of inappropriate materials and styles, the proposal to introduce a replacement of higher quality style and materials is appreciated and should be to the benefit of the character of the property. The only additional work which is proposed to this structure is the addition of 2 roof lights to the Southern elevation, the glazing of the hatch openings upon the Northern elevation and the installation of a glazed panel and door behind a reproduction shutter, in the opening currently taken by the barn style doors in the northern elevation of the single-storey section of the Traphouse. It is noted that the applicant has taken the well-considered advice of the HIA in offering up a reduced amount of roof lights to the southern elevation, which does lead to only a minimal character alteration and certainly nothing more than less than substantial harm to the structure. The applicant did seek to have the barn style doors removed entirely for the glazed panel on the Northern elevation. However, both the Local Planning Authority and the authors of the associated HIA felt that this was a negative option and therefore, the proposal has been amended to ensure that the character of the site is retained via use of barn style matching doors as shutters over the glazed panel and door.

With regards the creation of the new stable block to the West side of the courtyard, it is proposed that this large structure will be thoroughly current in style, ensuring that there is a degree of stylistic separation with the original structure. The structure is to be entirely detached from the original, listed buildings, however, a timber colonnaded area will stretch between the Eastern elevation of the stables and the Southern elevation of the trap house to allow use of the site in all weather conditions. In doing this, the proposal avoids a material impact upon the existing structures and a further degree of visual separation is achieved, making a clear demarcation between the new and old. Otherwise, whilst the proposal appears to be of an exceptionally high-quality, it's like can be compared to other large stables buildings in the area, meaning that it bears no harmful or alien impact upon the wider open setting. Furthermore, the outbuildings used to form a full 'horseshoe' courtyard, but several former buildings were demolished in the latter part of the 20th Century. By erecting the stables in the position that is proposed, the applicant is assisting in recreating the historic form of the site and the historic use, which would have been for horse stabling and tack storage.

Heritage Impact - Curtilage

Curtilage development in this instance is relatively limited. The removal and replacement of 20th century macadam surfaces is not of any concern or negative impact upon the listed property, and the restoration of flag stones around the host property is of clear aesthetic benefit to the site. The existing landscaping to the North of the traphouse is currently an eyesore, the removal of this and replacement with an open air pool will again prove to provide a clear benefit to the character of the site. Whilst it does present an exceptionally high likelihood of uncovering archaeological evidence, the applicant will be required by condition to ensure that a full recording of the archaeology of the site is conducted in all instances of excavations, and therefore the proposal represents an opportunity to enhance the understanding of this historic site.

The restoration of the chitting shed will again, provide a clear benefit by bringing an historic building back into ancillary daily use and into good condition. Seeing as the proposal only suggests a like for like restoration, the impact upon the building shall be purely positive. Should the applicant ever wish to deviate from an exactly like for like restoration, they would, of course, need to seek the appropriate listed building consent.

Heritage Impact - Summary & Conclusions

Taking into account all of the above sections of this report, the Local Planning Authority concludes that the proposal is fully compliant with both Policies 3 and 29 of the SELLP. The design and use of materials used throughout, as outlined above, is considered to be fully appropriate to the history, importance and appearance of the site. Furthermore, proposals including the removal of unsightly additions and the reestablishment of the outbuilding courtyard and its equestrian past as well as general repair and restorative works throughout in addition to the renovation of the chitting shed are all major enhancements of the character, condition and appearance of the site and are undoubtedly in the interests of the building's preservation. Moreover, excavation works throughout offer up the opportunity to better reveal the history of this exceptionally important site. All proposed new additions are sensitive in nature and design and allow for modern, sustainable usage of this neglected site, which is again, fully in the interest of the preservation of the site, in line with P29 of the SELLP.

On account of the fact that much of the proposed works seek to enhance this already, exceptionally important site, both in terms of appearance and condition as well as the accessibility of its history, in conjunction with the fact that all other proposals are restorative, reversible or fully sensitive in nature, this application is deemed to assist in enhancing the historic environment in accordance with Section 16 of the NPPF (2021).

Residential Amenity

The Local Planning Authority does not consider there to be any risk of harm to local residential amenity presented by this application. Primarily, the property is fairly isolated on a large plot with only a single neighbouring property within reasonable distance of the site, being a minimum of 40m from the closest curtilage structure (the chitting shed) and roughly 60m to the Southwest of the main house at their closest points. Furthermore, the works proposed within this application are largely restorative of the existing structures and do not include the creation of any above-ground-floor windows which face toward any nearby residential property. Therefore, it cannot be said that this proposal contributes towards any additional risk of overlooking to neighbouring properties.

In addition, the proposed structural additions to the site are both single storey in nature and distanced substantially from the lone neighbouring property, screened from view by both the Main house and the existing outbuildings, respectively. It therefore is not considered that the new structural additions on-site will bear any additional risk of overshadowing upon any neighbouring residential property.

The creation of a stables may present some small risk of noise generation both from the animals and the associated care procedures. However, the proposed stables is solely for personal, domestic use and contains only space for up to 4 horses. This, in addition to the fact that the site of the stables and associated yard is distanced substantially from the nearest residential property, cause the level of associated noise generation risk to be considered as being extremely low.

Parking Provision

Whilst some removal of existing parking surfaces is proposed by this application, the creation of further parking provision elsewhere on the site as well as the provision of a 3 bay garage, in conjunction with the fact that the bedroom capacity of the site or use are both unchanged mean that parking access at the site will be enhanced by this proposal, with enough parking space to easily satisfy the standards set forth by Appendix 6 of the SELLP.

Ecological/Biodiversity Impact

The Lincolnshire Bat Group were consulted as part of the application process, and whilst they did not object to the proposal, did request that any approval be met with a condition requesting that a summer bat survey be completed and approved in writing by the Local Planning Authority, and another requesting that Bat Boxes be installed as a part of the development. In order to ensure compliance with Policy 28 of the SELLP, should this application be approved, the above requested conditions shall be imposed.

Conclusion

For the reasons listed above, this application is found to be in accordance with Policies 1, 2, 3, 28, 29, 36 and Appendix 6 of the SELLP as well as Sections 12 and 16 of the NPPF. Therefore, 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.