DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H06-0129-19**	**Applicant:**	**Mr P Hannah**
Proposal:	Proposed conversion and extension of outbuilding to annexe		
Location:	Plum Tree House Harford Gate Gedney		
Terminal Date:	12th April 2019		

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

National Guidance

National Planning Policy Framework 2019

Section 12 of the National Planning Policy Framework (2019)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is an application for a proposed conversion and extension of an outbuilding to an annexe at Plumtree House, Harford Gate, Gedney. The proposal seeks to provide a single storey annexe that contains two bedrooms, a bathroom, lounge and kitchen / diner. Finished floor levels will be 300mm above existing ground level with a further 300mm of flood resilient construction. Proposed brick and tile will be to match that of the existing outbuilding and will be conditioned as such.

Site Description

The proposal is outside defined settlement limits and the surrounding area is predominately rural, characterised by dwellings of varying ages and design. The site is in Flood Zone 3 of the Environment Agency Flood Mapping and shows as a 'Danger for Some' hazard with a predicted maximum flood depth of 500mm on the 2115 South Holland Strategic Flood Risk Mapping.

History

H06-0037-17

Change of use of agricultural land to paddock - Approve - 28 February 2017.

H06-0039-17

Proposed extension/alterations to include new access and conversion of outbuilding to garage - Approved - 28 February 2017.

Consultation Responses

Historic Environment Officer

No archaeological impact.

Environmental Protection Officer

I have reviewed the Contamination Assessment screening Assessment Form submitted alongside this application, and request that the following condition be applied:

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to Environmental Health. An investigation and risk assessment must be undertaken in accordance with details to be agreed with Environmental Health. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by Environmental Health. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved by Environmental Health.

Gedney Parish Council

No objection subject to small development questionnaire submission or environmental report and permission being granted as an ancillary building (annex) to Plum Tree House.

Planning Considerations

There is not considered to be any material harm to neighbouring residential amenity from overlooking or overshadowing. The design, scale and layout is considered to be appropriate for the site and does not materially impact the character of the dwelling or the surrounding area. A standard annexe condition will be placed on the building preventing sale, lease or rental as an independent

living unit. In addition permitted development rights will be removed for the annexe to help preserve the character of the site and the surrounding area.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2019.
A delegated approval is considered to be appropriate.

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 to grant permission 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 to grant permission 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 to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.