DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H06-1149-21**	**Applicant:**	**Mr M Godfrey**
Proposal:	Change of use of Station House from offices to domestic dwelling and timber clad garage - retrospective		
Location:	Old Station House Station Road Gedney		
Terminal Date:	13th January 2023		

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
23	The Reuse of Buildings in the Countryside for Residential Use
28	The Natural Environment
29	The Historic Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 2. Achieving sustainable development.
Section 4. Decision making.
Section 5. Delivering a sufficient supply of homes.
Section 12. Achieving well designed places.
Section 14. Meeting the challenge of climate change, flooding and coastal change.
Section 15. Conserving and enhancing the natural environment.
Section 16. Conserving and enhancing the historic environment.

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
SHDC INTERNAL	1	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Retrospective planning permission is sought for a change of use of Station House from offices to domestic dwelling, plus a detached timber garage/store. It should be noted that a caravan on site has been omitted from the current application, but may not require permission if used for a purpose incidental to the enjoyment of the dwelling.

Site Description

The site is currently occupied by a 19th Century period property (former station house), plus detached garage. Industrial premises are located to the rear, including a dark green fabricated steel storage building and a prefabricated office, plus storage compounds/areas. Access to the latter is via an existing surfaced roadway running along the northern boundary adjacent Station House, which also serves concrete works located further to the rear (east).

A converted barn (Apple Barn) is situated to the north-east beyond existing fencing and a pair of semi-detached houses (Mimosa Cottages) to the north fronting Station Road. A bungalow and associated nursery are situated to the south.

Recent Planning History

H06-0077-17 - Full - Proposed storage compound and storage building and offices associated with construction specialists - Granted 21 March 2017.

H06-0643-17 - Full - Proposed storage compound and storage buildings and office in old station house associated with construction specialists (thus the existing B1 classification remains) (re-submission of H06-0077-17) - Granted 29 August 2017.

H06-0213-19 - Cond Comp - Details of external materials, window frames and doors and palisade fencing (Conditions 4 (external materials), 6 (details of window frames), 7 (details of external doors) and 13 (details of palisade fencing) of H06-0643-17) - Approved 29 April 2019.

H06-1106-19 - Cond Comp - Details of surface water drainage (Condition 16 of H06-0643-17) - Approved 13 January 2020.

H06-1210-21 - Full - Storage compound, storage building & offices associated with existing use - retrospective - Granted 16 June 2022.

Consultation Responses

Gedney Parish Council

Council has no objection to this change of use but wonder if the caravan for subsidiary use is necessary?

LCC Highways/SUDs

Does not wish to restrict the grant of permission.

Environmental Protection

Noise - No objections

Contamination - Request condition.

LCC Historic Environment Officer

No archaeological input.

Public

No responses received.

Planning Considerations

The main issues in this case are:
- Policy;
- The likely impact upon the amenity of nearby residents;
- Highway safety;
- Other material considerations such as flood risk, drainage and ecology.

Policy/Principle

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 site is outside a settlement boundary as defined in the South East Lincolnshire Local Plan (SELLP), March 2019. It is therefore within an area regarded as countryside.

SELLP Policy 1 indicates that development in the countryside will be permitted that is necessary to such a location, or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits.

Policy 23 of the SELLP specifically relates to the re-use of buildings in the countryside for residential. It indicates that proposals for the conversion of existing buildings which are located outside defined settlement boundaries to residential use will be permitted provided that:
1. the building is structurally sound and capable of conversion without the need for significant extension, alteration or rebuilding;
2. the building is of architectural or historic merit or makes a positive contribution to the character of the landscape, to justify conversion to ensure retention;
3. the proposal is in keeping with its surroundings;
4. the design is sympathetic to the character and appearance of the building in terms of architectural detailing and materials of construction; and
5. development leads to an enhancement of the immediate setting of the building.

Where permission is granted, permitted development rights may be removed in order to control future alterations or extensions that may impact on the appearance and character of the surrounding area.

Policies 2 and 3 of the SELLP essentially indicate that new development should be in character and appearance and have a satisfactory relationship with existing development.

Addressing the above, the building is a 19th Century period property (former station house). It is of architectural/historic merit and is classified as a non-designated heritage asset. It is therefore an important rural feature that should be preserved. The proposal is a means of seeking its retention.

The detached garage (9.2m x 5m approximately) is timber clad with a slate effect roof. It has the appearance of a traditional outbuilding and is considered satisfactory.

It should be noted that the proposal does not result in the loss of a business office because permission has been granted for temporary offices at the rear (ref. H06-1210-21).

Consequently, the proposal accords with Policies 1, 2, 3 and 23 of the South East Lincolnshire Local Plan, 2019 and advice within the National Planning Policy Framework, 2021 on spatial grounds and in terms of character/appearance.

Amenity

Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) set out residential amenity and the relationship to existing development and land uses as main considerations when making planning decisions. They are consistent with advice within the National Planning Policy Framework (2021). Paragraph 130, amongst other matters, seeks places with a high standard of amenity for existing and future users.

The nearest residential properties are a pair of semi-detached houses (Mimosa Cottages) to the north fronting Station Road. A bungalow and associated nursery are situated to the south and a converted barn (Apple Barn) to the north-east beyond existing fencing.

The proposed use is considered to be less intensive than the previous business. No public comments have been received. It is considered that the amenity of neighbouring residents would be affected to a lesser degree. The business to the rear is associated with the proposed dwelling. The proposal therefore satisfactorily complies with Policies 2 and 3 of the SELLP in this respect.

Highways

Policies 2 and 3 of the SELLP indicate that sustainable development considerations should be met in terms of access and vehicle generation levels and layout of car parking. Policy 36 and Appendix 6 set out the minimum standards for parking provision based upon the use class. Two spaces for dwellings with 3 or less bedrooms should be provided within the curtilage. Three spaces for dwellings with 4 or more bedrooms should be provided within the curtilage.

There is an existing access to the site and ample car parking is available. The County Highways Authority has concluded that the use of the former offices as a dwelling would not be expected to have an unacceptable impact upon highway safety and therefore does not wish to object to this planning application.

The proposal satisfactorily complies with Policies 2, 3 and 36 in terms of highway safety and parking requirements.

Flood Risk

Policy 4 of the SELLP is concerned with flood risk management and states, inter alia, that new development within Flood Zones 2 and 3 should pass the sequential test and be accompanied by a site specific flood risk assessment which should propose appropriate flood resistance and resilience measures to ensure the development maintains an appropriate level of safety for its lifetime.

The site is located within Flood Zone 3 of the Environment Agency's Flood Maps. However, they do not take into account any flood defences. Also, large parts of the South Holland District lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth Maps) within the South East Lincolnshire Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test

The SFRA indicates that the site is within an area designated as no hazard. Moreover, the Framework states at paragraph 164 that minor development and changes of use applications such as this should not be subject to the sequential or exceptions tests. Given the nature of the scheme, neither the sequential or exception tests are required in this case. However, paragraph 164 also stresses that proposals should still meet the requirements for site specific flood risk assessments. The proposal is classified as a more vulnerable development. In this case, however, Station House is some 600mm to 800mm above general ground level due to being set up on a platform. The detached garage/store has limited human usage and is deemed not to be a risk.

The proposal therefore satisfactorily complies with Policy 4 of the SELLP and advice within the National Planning Policy Framework, 2021.

Contamination

Policy 30 of the SELLP indicates that development proposals will not be permitted where, taking into account of any mitigation measures, they would lead to unacceptable adverse impacts upon the health and safety of the public, the amenities of the area, or the natural, historic or built environment by way of such factors as air quality, noise, light levels and land quality and condition.

The site was formerly railway premises. Poly Aromatic Hydrocarbons (PAH's) were identified at concentrations above those considered suitable for retention in a domestic garden, and a remedial solution is therefore proposed. Environmental Protection consider that the remedial solution is feasible and request that that the validation of the remediation proposed be submitted within 12 months of the date of permission being granted. This can be addressed by means of a condition.

Planning Balance

The building is a 19th Century period property (former station house). It is of architectural and historic merit and is classified as a non-designated heritage asset. It is therefore an important rural feature that should be preserved. The proposal is a means of seeking its retention. The detached garage (9.2m x 5m approximately) is timber clad with a slate effect roof. It has the appearance of a traditional outbuilding and is considered satisfactory.

It should be noted that the proposal does not result in the loss of a business office because permission has been granted for temporary offices at the rear (ref. H06-1210-21).

No objections are raised on amenity, highway safety and flood risk grounds. Issues relating to contamination can be addressed by means of a condition.

There are no issues in this case which outweigh factors in favour of the proposal.

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.

Conclusion

The proposal generally accords with the development plan and advice within the National Planning Policy Framework, 2021. It is therefore recommended that the application be approved under delegated powers.