DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H06-1163-19**	**Applicant:**	**Miss C A Bushby**
Proposal:	Proposed gates with pillars to all three accesses		
Location:	Green Acres Park Ropers Gate Gedney		
Terminal Date:	17th March 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
28	The Natural Environment
29	The Historic Environment

National Guidance

National Planning Policy Framework 2019

NPPF 2019.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Proposed gates with pillars to all three accesses to the site form the Ropers Gate frontage.

The gates and red brick pillars are proposed to be a maximum of 2.8 metres (9 feet), and the pillars are to be a max of 0.9 metres (3 feet) square. A ball detail finial is proposed to the pillars.

There are two sets of gate style proposed.

Site Description

The application site is outside of defined settlement limits and is, therefore, designated as being located in the open countryside. Vehicular access is gained to the site from Ropers Gate. The land accommodates traveller pitches.

The land is bounded to the south by a field drain. The site and the surrounding land is located within Flood Zone 3.

Hallgate Cottage, which is a detached dwelling in substantial gardens, stands to the west of the site. Further away there are dwellings within sizeable garden plots.

Hallgate House (Grade II Listed) is located to the south west of the road junction to the xxx. The listed property sits within its own gardens and is not related to the application site. The property sits as an entirely independent dwelling unrelated to the application land.

History

H06-1046-19 - Details of foul and surface water disposal (Condition 4 of H06-0233-19). Under consideration.

H06-0233-19 - Change of use of land (part retrospective) to provide five additional gypsy/traveller pitches with one day room per pitch and existing stables converted to dayrooms. Also, erection of one new store and retention of sheds for pitch 1, with construction of internal road to facilitate separate ingress and egress to and from the site, including hardstanding. Approved 05-09-19.

H06-0226-18 - Erection of day room - Approved 22 June 18

H06-0022-17 - Erect fencing around the site with associated landscaping and planting - Approved 7 March 2017

H06-0558-15 - Change of use of paddock to gypsy/traveller site comprising of 2 pitches, including alterations to existing accesses and construction of roadways and hardstanding - Approved 21 October 2015

H06-0105-15 - Provision of three stable blocks, animal feed/supply store and alterations to existing accesses - Approved 15 May 2015

H06-0145-13 - Change of use of paddock to gypsy/traveller site comprising 2 pitches, including alterations to access and construction of roadway and hardstanding - Approved 6 September 2013.

H06-1091-13 - Details of landscaping, surface materials and Flood Risk Assessment 'safe haven' (Conditions 5, 6 and 7 of H06-0145-13) - Approved 4 March 2014.

Consultation Responses

Gedney Parish Council

No response received.

LCC Highways & SUDS Support

No objection.

Conservation Officer

Being familiar with the site, I can confirm that from a conservation perspective, I do not wish to raise any objections to these proposals. The proposed site sits a decent distance away from the nearest listed building - Hallgate House (Grade II). Additionally, the proposal site is screened from the

heritage asset by the large curtilage of Hallgate Cottage. Therefore, I do not believe that the proposals would have an impact upon the listed significance of Hallgate House or that of the wider historic environment.

Third Parties

No representations received.

Planning Considerations

Visual Impact

It is considered that the provision of gates and pillars to each of the 3 entrances to the site would not result in an urbanisation of this part of Ropers Gate, but would be read as entrance features set back from the highway.

There are two sets of gate style proposed, which are ornate, but would not impact detrimentally on the environs or the nearby dwellings.

Within the locale there is a mix of domestic boundary treatments, consisting hedging, railings, timber fencing and brick with railings. There are some gated accesses in the area. The wider area is openly rural.

As the materials have not been finalised a condition is recommended below, to seek approval of the final details.

Impact on Neighbouring Residents

The proposal would not impact on any neighbouring properties, due to the distance to adjoining residences.

Impact on a Listed Building

The Conservation Officer raises no objection to the proposals and considers that the pillars and gates would not have an impact upon the listed significance of Hallgate House or on the wider historic environment.

Highway matters

It is not considered that the gates would impact on the use of the highway; the gates would be set back and domestic vehicles would be able to stop clear of the highway in front of the gates if the gates are closed.

LCC Highway Officer raises no objection.

Conclusion

Approve, for the reasons set out above.

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.