DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H08-0073-21**	**Applicant:**	**Mr T Mason**
Proposal:	Erection of garage/shed - re-submission of H08-0504-20		
Location:	2 Panton House Hedgefield Hurn Gosberton		
Terminal Date:	25th March 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
29	The Historic Environment

National Guidance

National Planning Policy Framework 2019

Sections 12 and 16 of the National Planning Policy Framework (2019)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0
WARD MEMBER	0	1	0	0

CASE OFFICER ASSESSMENT

Proposal

This planning application is for the erection of a small garage/shed structure, proposed to be constructed from timber. The structure would be W 3.2M x D 6m x H 2.3m.

Site Description

As in H08-0504-20

History

H08-0504-20

Erection of Garage/Shed. Refused on 04-11-20

Consultation Responses

Local Ward Member - Cllr H Bingham

No objections.

Gosberton Parish Council

Support the application.

Planning Considerations

Heritage Impact

The local planning authority consider there to be no risk to the value or significance of any heritage asset either designated or non-designated whilst the proposed structure is not of any particular or great architectural value, it is proposed to be constructed of timber, which is a vernacular material and therefore should feather the appearance of the structure and give the impression of a fairly non-intrusive domestic timber garden shed with very little impact upon the listed building as appreciated from the public realm, if any at all. Due to the neutral impact of this proposal this application is considered to help to conserve the historic environment in accordance with Section 16 of the National Planning Policy Framework (2019).

Planning Balance

It could be argued that a relatively modern, featureless ancillary building, even if constructed from vernacular materials would have a negative impact upon the setting of a listed building, however, this structure is fairly small in scale and would be set back from the actual listed property by some distance, because of the small, ancillary nature of the proposed structure, it is not considered that this proposal would have a discernible negative impact upon the appreciable qualities of the listed building.

Conclusion

For the reasons listed above, this application is found to be in accordance with Policies 1, 2, 3 and 29 of the South East Lincolnshire Local Plan (2019) as well as Sections 12 and 16 of the National Planning Policy Framework (2019). 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.