

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H08-0504-20 **Applicant:** Mr T Mason
Proposal: Erection of Garage/Shed
Location: 2 Panton House Hedgefield Hurn Gosberton
Terminal Date: 14th September 2020

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
36 Vehicle and Cycle Parking
APPENDIX 6 Parking Standards

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	0	0
WARD MEMBER	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

This full planning application is for the erection of a garage/shed on the grounds of 2 Panton House, Hedgefield Hurn - A Grade II listed property. The proposed garage would be constructed using an iron angled frame, clad with grey cladding steel.

Site Description

Panton House, is a Grade II Listed property. The Historic England Listing Description describes the property as such;

"Red brick in Flemish bond, stucco dressings, slate roof, stone coped gables. 2 gable stacks. L-plan. 2 storey, 3 bay front with central double panelled doors and overlight, panelled reveals, plain pilastered doorcase, flanked by single margin light sashes. To first floor 3 similar windows. All windows have splayed stucco lintels."

The exact proposal site is on the grounds of the Listed Building to the East. The immediate area surrounding the plot can be considered to be open countryside, although the building is adjacent to the formerly associated barns which have been significantly altered to an industrial character (although this is to be addressed under a recent planning approval, if implemented). To the south, on the opposite side of the road, there is a commercial property which has structures similar to that proposed in this application.

History

None relevant

Consultation Responses

Cllr Walsh - Local Ward Member

No observations.

Planning Considerations

Heritage Impact

The Local Planning Authority considers this application to present an unacceptable impact upon the character of the curtilage and setting of the Grade II Listed Panton House. The proposed structure is not in any way appropriate to the curtilage of a Grade II Listed, early C19 property. The use of a steel frame and corrugated grey steel cladding is entirely inappropriate to the setting of such a property, giving a stark and industrial looking addition to the plot which would be at odds with the C18th rural architecture of the host property. The Local Planning Authority seeks to use the controls that are available in order to ensure wherever possible that development preserves or enhances the character and appearance of the District's Listed Buildings. The installation of a simple steel framed industrial style structure, particularly one clad using entirely modern materials, would have an unacceptably harmful impact. The alien appearance of modern corrugated steel in a listed curtilage would undermine the character and appearance of the host property.

Furthermore, the proposed location of the structure, to the side of the property would be completely and clearly visible from the public realm, obviously impacting upon public appreciation of the setting of the building.

The Local Planning Authority recognises that there previously was in the location of this proposal an aesthetically similar structure which had been on site for some time, but which was pulled down in recent years. Inspection of reference images provided and available in historic archived images from 2009 in Google Street View show that the previous structure was significantly smaller in scale than the structure hereby proposed. Moreover, the existence of a previous structure on site, even if visually and structurally similar to a proposal does not substantiate a precedent for future inappropriate development within the curtilage of a listed structure.

For the reasons above, it is determined that these proposals are contrary to Policy 29 (specifically Section A) of the South East Lincolnshire Local Plan (2019) and to national guidance set out in Section 16 of the National Planning Policy Framework (2019), in that they neither conserve nor enhance the significance or visual/aesthetic qualities of the Spalding Conservation Area nor the wider Historic Environment.

Design and Layout

As listed above, the Local Planning Authority does not consider that the design of the proposal is appropriate to the site. However, the proposed layout would be appropriate to the proposed use as

a vehicle garage and shed.

Residential Amenity

The Local Planning Authority does not consider that the proposed structure would have any negative impact upon the residential amenity of any neighbouring properties. This is because the proposed structure would be single storey in nature and feature no eye-height windows and would sit a significant distance away from any particular building on the Eastern side of the plot, away from any residential property.

Vehicle parking

Panton House has a significant amount of gravelled driveway, this proposal would not impact upon the parking provision at the site as it is to allow a structure for the storage of a single vehicle in interior conditions. The parking provision on site is more than ample to satisfy the requirements of both Policy 36 and Appendix 6 of the South East Lincolnshire Local Plan (2019)

Conclusion

For the reasons listed above, this application is considered to be in contravention of Policies 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 refusal.

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.