DECISION DELEGATED TO HEAD OF PLANNING

Application No: H11-0041-21 **Applicant:** Mr & Mrs Middleton

Proposal: Proposed swimming pool

Location: Sutton House 8 High Street Long Sutton

Terminal Date: 11th March 2021

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework 2021

Sections 12 and 16 of the National Planning Policy Framework (2021)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

This Planning Application is for the proposed installation of a swimming pool in the Garden of Sutton House, 8 High Street, Long Sutton. The proposed pool is an in-ground pool, being sunk into the ground and would be permanent in nature, in that it will be established by lining the aperture and

laying a block below. There would also be a 1m wide block paving surround to the pool.

As part of the proposal, it is also suggested that the existing orangery will be converted for use as a plant room and pool room. No physical alterations are proposed to this structure.

Site Description

Sutton House is a Grade II listed property of Georgian/early C19th origin. Given the property's prominence and close proximity to the Grade I listed adjacent church it is understood that the property was once the Priory. The primary elevation of the Property is East facing and perpendicular to the road. The property is 3 stories in height, of a 5 bay frontage, with double bay width bay windows at ground floor. Property features a parapet roof, revealing a slated hipped roof. The eastern elevation is has had a stone-effect concrete render with false quoins. The property is furnished throughout with white timber vertical sliding sash windows.

The building was mentioned in Pevsner's Lincolnshire, adding provenance and credence to the value and significance of the building. Pevsner described the site as follows;

"Between High Street and Churchyard is the stately former vicarage. Early C19th, stone front, yellow brick sides. Three storeys, five bays, Roman Doric porch."

To the east of the property, forward of the grand frontage is a large, partially landscaped garden and garden building / summer house (which forms the conversion part of the proposal). This structure appears much later than the main property, and has faced significant alteration historically, the main materials of construction give the impression that this building is of late C19th to early C20th construction. The roof has been replaced at some point, and is now finished in crude felt.

Of particular additional note, although not at all impacted by this proposal is the small brick folly forming part of the perimeter wall of the site, at the North Eastern corner. This appears original to the construction of the wall, (C19th), and features a hybrid design of vaguely medieval styles, including crenelated roof. It is noted for its peculiarity within the setting and the relative uniqueness to the area, with follies not being found locally in such a state of preservation.

History

H11-0870-12

Notification to remove a large beech tree within the garden of Sutton House, High Street, Long Sutton, located immediately to the south east of the dwelling, adjacent to the boundary with the church yard. Sutton House is located within Long Sutton Conservation Area. The root plate of the tree is infected with Meriphilus giganteus, making the tree potentially liable to wind throw. The branches have been dying back for a while. TPC Tree Wks Consent 30-11-12.

H11-1035-16

Proposed extension and alterations. Approved on 23-01-17

H11-0514-17

Works to trees in Long Sutton Conservation Area. Approved on 14-06-17

H11-0963-17

Proposed extension and alterations (re-submission of H11-1035-16). Approved on 04-12-17.

H11-1193-17

Conversion of existing garages and outbuildings to form annex, plus erection of timber car port. Approved on 13-02-18.

H11-0292-18

Details of large scale constructional drawings, external materials, colour of render, roof materials and windows (Conditions 3, 4, 5, 6 and 7 of H11-0963-17). Approved on 16-05-18.

H11-0297-18

Details of large scale constructional drawings, external materials, colour of render, roof materials and windows (Conditions 3, 4, 5, 6 and 7 of H11-0964-17). Approved on 16-05-18

Consultation Responses

Lincolnshire County Council Historic Environment Officer

Heritage Impact Assessment is insufficient and inaccurate and there is a great risk of potential archaeological interest in this site due to the former churchyard location of the site. Requests that the Full Archeaological Scheme conditions be employed to any subsequent approval.

South Holland District Council Environmental Protection Officer

No Objections.

Planning Considerations

Heritage Impact

The Local Planning Authority does not consider there to be any risk to the value or significance of the Heritage Asset. Whilst there are severe inaccuracies and a complete lack of detail in the associated HIA document, it is self-evident that apart from the Aesthetic and Communal value of the site as the former vicarage, that the key area of significance in this site, is the potential for highly sensitive archaeological finds, given the extreme likelihood that the land upon which this property is situated would previously have been used as a part of the church's graveyard prior to the development of the vicarage in the early 19th Century. With this in mind, an approval will be furnished with archaeological scheme conditions, which may mean that work would halt if remains are discovered - this will ensure that any archaeological evidence is preserved and dealt with in a professional manner.

Otherwise, the simple change of use of the existing orangery to a plant room will have no impact upon the significance of the site, and the addition of a pool into the garden of the host building is of little to no visual consequence to the significance of the site. Therefore, by virtue of a lack of impact upon the heritage asset, this application is deemed to help to conserve the Historic Environment in accordance with Section 16 of the National Planning Policy Framework (2021).

Conclusion

For the reasons listed above, this application is deemed 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 2021). Therefore, it 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.