

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	H11-0516-23	Applicant:	Ms K Streets
Proposal:	Erection of outbuilding - Retrospective		
Location:	Holmhurst 24 Wisbech Road Long Sutton		
Terminal Date:	9th August 2023		

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 2023

Sections 12 and 16 of the National Planning Policy Framework (2023)

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
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This Listed Building Consent application is for the erection of an outbuilding at Holmhurst, 24 Wisbech Road, Long Sutton. The application is retrospective, and the structure has been fully erected at the time of application.

The proposed outbuilding is 2 storey structure, measuring 9.135m x 7.656m (footprint) with a dual pitch roof and a frontage balcony. The height at eaves is 3.495m, and the height of the roof apex is 5.358m.

The structure is completed in dark stained reclaimed timber, with a reclaimed brick plinth and central front pillar. The roof is constructed using reclaimed, corrugated metal roofing sheets.

Site Description

Holmhurst is a grade II listed, early C19th house, surrounded by a large, open plot, backing onto open countryside. Historic England describe the property like so:

"House. Early C19. Red brick. Hipped slate roof. 2 lateral stacks. 2 storeys, 3 bays. Central doorway 2 steps up with panelled and part glazed door, moulded pilastered doorcase with entablature and cornice. Either side are single glazing bar sashes. 3 similar sashes above. All sashes with flush wedge lintels."

The area in general is characterised as being a part of the ribbon development from Long Sutton. However, Holmhurst, at the time of its construction, would have been an isolated dwelling in open countryside.

History

H11-0454-13

Works to trees in the grounds of Holmhurst, 24 Wisbech Road, Long Sutton.

Consultation Responses

LCC as Lead Local Highways and Flood Authority

No objections.

LCC Historic Places Team

No archaeological input required.

Long Sutton Parish Council

Objects to the proposal. Retrospective planning applications are not acceptable and unfair upon those who apply correctly.

SHDC Environmental Protection Team

No comment

South Holland Internal Drainage Board

Attaches a letter reminding the applicant of their duties to fulfil the requirements of the local IDB byelaws as well as the Land Drainage Act 1991.

Planning Considerations

Heritage Impact

The Local Planning Authority considers the proposal to present substantial and unacceptable harm to the historic environment in the context of the Listed Property which serves as the proposed structure's host.

In this instance, the erected structure which this proposal seeks retrospective consent for is a 2 storey chalet style barn/shed type building. The structure is situated ~3m from the listed building (at the closest points) and as a 2 storey structure is readily visible from the roadside and features very prominently within views of the heritage asset.

3 Policies within the South East Lincolnshire Local Plan (2019) (SELLP) govern the impact upon the historic environment; Policies 2, 3 and 29. These are outlaid below:

Policy 2 of the SELLP states the following;

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to: (...)

8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets (...)"

Policy 3 of the SELLP states the following;

"All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. Design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:

1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;(...)"

And finally, Policy 29, Section A (Listed Buildings) of the SELLP states:

"(...)3. Proposals that affect the setting of a Listed Building will be supported where they preserve or better reveal the significance of the Listed Building."

It is the opinion of the Local Planning Authority that the structure is an unattractive and incongruous addition to the curtilage of the listed building. The applicant has stressed that they have sought to rebuild an outbuilding that was on the site previously, and states that a former officer of the LPA advised them that a like-for-like rebuild would not need consent. However, neither the agent nor the applicant have been able to produce evidence of this advice and no such advice is catalogued within the LPA's records. Additionally the local planning authority has been able to obtain photographic evidence of the former building, inspection of which and comparison against the Officer's Site Photos reveals that the structure which has been erected in its place (subject to this consent application) is far larger in size and scale to that which it replaced, and that the former structure was extremely dissimilar in architectural style, with the replacement building appearing far more like a chalet, with a balcony and brick plinths, compared to the former structure which appeared to be a simple, single storey timber shed-type structure.

The newly erected building is far larger in scale than that which it replaces and is of a totally different style, considered inappropriate for a setting within such close proximity to a locally prominent listed building. The visual impact that the proposed structure bears upon the host listed property and the close proximity it is set within, relatively compared to its scale results in highly infringed views of the listed property, particularly from the roadside and wider public realm. Therefore, it appears totally incongruous in the setting of its host, having an unacceptable impact upon the setting of the listed building, failing to either preserve or better reveal its significance and also to respect the wider historic environment in terms of scale, massing, and visual impact upon a locally prominent heritage asset. Therefore, the proposal is considered to be in breach of Policies 2, 3 and 29 of the SELLP.

Residential Amenity

The proposal sits within a very large, open plot away from any other residential properties other than its host. Because of this, and because of the lack of above ground floor windows, despite the scale of the building it is not considered to contribute to any additional material risk of overlooking or overshadowing to any nearby residential properties.

Conclusion

For the reasons listed above, this application is deemed breach Policies 2, 3, and 29 of the SELLP and therefore, the recommendation is to refuse permission.

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.