DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H11-0593-19**	**Applicant:**	**Mr & Mrs N Benfell**
Proposal:	Demolition of existing wooden garage, demolition and replacement of brick outbuilding and installation of 5 air bricks to external wall of existing dwelling		
Location:	34 Market Street Long Sutton Spalding		
Terminal Date:	22nd October 2019		

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

Section 12 - Achieving well designed places
Section 16 - Conserving and enhancing the historic environment

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

The proposal is for the demolition of extant wooden garage/shed, demolition and replacement of an extant brick outbuilding as well as installation of air bricks to main property in order to allow ventilation.

The extant wooden garage/shed is in a very poor condition and would likely fall down of its own

accord in the near future. Again, the brick-built outbuilding appears also to be in a very poor state of repair. A structural report has been submitted alongside the application which highlights that the structure has been subject to severe movement and a history of poor repair work. The report states that the structure is unstable and recommends demolition followed by rebuilding, using the same design albeit with a newly designed roof that is structurally sound.

The 5 proposed sets of air bricks would be positioned on either side of both front ground floor windows as well as either side of both ground floor side windows. Additionally, a set would be on the left hand side (Northern end) of the front elevation of the property.

Site Description

34 Market Street is a Grade II listed building which sits in the prominent Market Street area of the Long Sutton Conservation Area (LSCA) and is neighboured by numerous, similarly Grade II listed properties, chief amongst which being the directly adjacent 30/32 Market Street.

The principal property on the site dates back to ~ c.1820. However, the wooden garage/shed structure is most definitely not original and the brick outbuilding also appears to be non-original, however, it was present at the time of listing (26 November 1987) as records indicate it has been present on the site since at least 1867.

Both outbuildings are in extremely poor states of repair and do appear to be detracting from the character of the site somewhat.

History

H11-1229-18

Tanking works to inside of property in Kitchen, dining room and study to rectify long standing damp issues. APPLICATION WITHDRAWN on 24/04/2019.

Consultation Responses

Long Sutton Parish Council

No objections.

Planning Considerations

Heritage Impact

It is not deemed that the proposed works will present a significant enough risk to the character of the Listed building and the LSCA to be considered to the detriment of the qualities of the application. This is due to the following reasons;

The wooden garage/shed is of very little significance to the property at large and is in an incredibly poor state. So much so that it detracts from the visual qualities of the principal property. The structure is not original to the property, therefore it is deemed that removal/demolition would be satisfactory and would not negatively impact upon the significance of the overall property listing or the LSCA.

The applicant proposes the demolition of the brick outbuilding, with the support of a structural report which recommends the same. Whilst the Local Planning Authority recognizes that the demolition of a historic structure associated to a listed property would, of course, be regrettable, it is suggested that the structure be rebuilt like-for-like in all aspects apart from the roof, which, as per the structural report, requires an internal redesign in order to be structurally sound. The structural report determines that the outbuilding is beyond economic repair. To deny this work, would cause the outbuilding to deteriorate further, becoming even more of a drain on the value of the principal, listed building with which it shares a curtilage.

The demolition of both the wooden garage/shed and the brick outbuilding will not impact upon the quality of the LSCA as these structures are not at all visible from the public realm.

The proposals to install 5 sets of airbricks on either side of all ground floor front and side windows

as well as on the Northern end of the front elevation will result in only a minor amendment to the visual properties of the listed building and should assist with preventing further damage to the property due to an on-going damp problem.

Design and Layout

The Local Planning Authority seeks no amendment to the design and layout of the proposals. The proposed works will result in no change to the design of the property, apart from the minor installation of 5 sets of airbricks which should prove to be discreet additions. The demolition of the wooden garage/shed will be of no detriment to the overall property and it is proposed that the brickwork outbuilding will be rebuilt in a like-for-like design.

Conclusion

For the reasons listed above, it is considered that this application is in accordance with policies 1, 2, 3 and 29 of the South East Lincolnshire Local Plan (2019) and 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.