DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H11-0778-21**	**Applicant:**	**Mr R Spenceley**
Proposal:	Proposed Outbuilding		
Location:	Celey House 4a The Wentworths Long Sutton		
Terminal Date:	14th September 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2021

Section 12

Representations:

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission for an outbuilding to the north-east of the site measuring 7.6 metres x 4.9 metres and standing at 3 metres in height (2.4 metres to the eaves). It would be constructed from brickwork to match the existing dwelling, eurocell slateskin GRP roof tiles and an anthracite door.

SITE DESCRIPTION

The application site comprises a newly constructed dwelling located to the rear of no's 4 and 5 The Wentworths in Long Sutton. The site is outside the defined settlement boundary of Long Sutton and within the open countryside. Access to the sit is from a private drive between no's 4 and 5 The

Wentworths. There are open fields to the north and west, with dwellings to the south and east.

RELEVANT PLANNING HISTORY

H11-0750-19 - Proposed house and detached garage (outline H11-0124-18) - re-submission of H11-0104-19 - Approved

H11-0104-19 - Proposed house and detached garage (Outline application H11-0124-18 - Approved

H11-0124-18 -
Proposed house and detached garage - Approved

REPRESENTATIONS

No representations received.

PLANNING CONSIDERATIONS

Principle of development

Policy 1 of the South East Lincolnshire Local Plan, 2019 indicates that new development will be permitted in the countryside where it is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits. Explanatory text indicates that there are certain types of use that need to function in the countryside, such as agriculture and forestry.

The site is outside the settlement boundary and within the open countryside as set out in the South East Lincolnshire Local Plan (SELLP), 2019. However, as the proposed outbuilding would be within the residential curtilage of the existing dwelling and no new unit would be created in the open countryside, the principle of a development associated with an existing dwelling is considered acceptable.

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise. The key material considerations are addressed below.

Layout, Design, Size and Scale

Paragraph 130 of National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting, among other considerations. Likewise, Policy 2 of the SELLP states that 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.

There would not be any prominent views of the proposed building from the main public realm given the siting of the proposed building and location of the site. The building would be subservient to the main dwelling and relatively modest in size. It is considered that it would not materially harm the street scene or the character or appearance of the locality. Overall, the size and external appearance of the proposal would not be at odds with the existing dwelling on the site or the immediate area. Furthermore the use of materials matching the existing dwelling on the site would ensure the outbuilding would be in keeping with the existing dwelling. As such there would be very little impact on the character of the area.

In summary, the proposals are considered visually acceptable within the locality and comply with Policies 2 and 3 of the SELLP and Section 130 of the NPPF.

Impacts upon Residential Amenity

The proposed buildings would be sited in a similar position to the existing building on the site and would also have a similar footprint. As such the relationship with neighbouring properties is not considered to be significantly different. The only adjacent neighbours are to the south of the proposed buildings therefore no overshadowing would result on these neighbours. No additional noise disturbance is considered to result as the buildings would be used in conjunction with the

existing residential use at no.110 Siltside and the proposed domestic garage and swimming pool would not create any new activities not already associated with the current dwelling.

The proposed outbuilding would be located a significant distance from all neighbouring dwellings therefore no unacceptable impact would result on neighbouring amenity. The closest neighbours are to the south-east and the proposed outbuilding would be located some 39 metres from the shared boundary with this neighbour. With regards to the neighbours to the north-east the proposed outbuilding would be located at least 47 metres from the rear boundaries of these neighbours. Given the single storey nature of the proposed outbuilding and the significant separation distances it is not considered that any unacceptable impact would result.

As such the proposal would accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Planning Balance

The proposal will not materially harm the character or appearance of the locality or amenity of nearby residents. The planning balance is therefore considered to be in favour of the proposal.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2021).

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.

RECOMMENDATION

The application can be approved under delegated powers.