

DECISION DELEGATED TO DEVELOPMENT MANAGER
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Application No:	H11-1034-19	Applicant:	Mr & Mrs Brown
Proposal:	Storage outbuilding		
Location:	Tenmay 172 Seagate Road Long Sutton		
Terminal Date:	19th January 2020		

Planning Policies**South East Lincolnshire Local Plan - Adopted: March 2019**

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk

National Guidance**National Planning Policy Framework 2019**

Section 12 - Achieving well designed places

Representations:

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

CASE OFFICER ASSESSMENT**Proposal**

This application is for full planning permission for a storage outbuilding, for storage of a small tractor and other agricultural equipment to service the land which is incorporated into the ownership of the

applicant which surrounds the host property, Tenmay, 172 Seagate Road, Long Sutton.

The outbuilding is proposed to be positioned on the other side of the brick wall to the south of the dwelling's curtilage.

The proposed structure will be 4.017m in height at its highest point and its foot print will be 9m x 7m. It is proposed that the structure will be clad in Olive Green Box Section Profile Steel Cladding sheets, with an Olive Green Steel Roller Shutter door and an Olive Green Smooth Finish Steel personnel door. Roof lights will be Translucent Box Section Profile Heavy Duty PVC Cladding sheets.

Site Description

The site is outside of any settlement boundary in the South East Lincolnshire Local Plan (2019) and sits at the southern end of Seagate Road, which is characterised by a mix of predominantly residential properties and a small amount of agricultural buildings backing onto open agricultural land. The host property is a bungalow which features a sizeable plot of land which is currently used as gardens and for domestic growing. The plot is in close proximity to the A17 and, as such, the proposed building would be easily visible from it.

History

H11-0118-10

Occupation of dwelling by persons not employed in agriculture (Condition 1 of EE212-67).
REFUSED on 23/08/2010.

H11-0739-12

Occupation of dwelling by persons not employed in agriculture (Condition 1 of EE212-67).
APPROVED on 05/10/2012.

Consultation Responses

Long Sutton Parish Council

No Observations.

SHDC Environmental Protection Officer

No Objections.

Public - 1 objection

One member of the public has submitted comments of objection, within which they brought up the following concerns;

- Proposal is too large and would be very similar in size to the host property itself and many other nearby properties. As such it is out of character in the area and is thusly in contravention to paragraph 127(c) of the NPPF which states that proposals should be sympathetic to local character, history, surrounding built environment and landscape setting.
- Proposal in contravention of paragraph 130 of the NPPF in that it is a poor design and will not improve the character and quality of the area and the way it functions.
- H11-1493-07 was refused as the proposals were deemed to be visually intrusive to the visual amenity and character of the locality and detrimental to the setting of Seagate Hall.
- H11-0973-99 was refused as it would be out of character with the countryside.
- H11-0972-99 A detached house with garage was refused for being in a prominent position visible from the A17 and because it would impact upon the adjacent property (Grade II listed).
- H11-0541-94 A workshop was refused permission for being in an area of open countryside which would set a precedent for further development.
- H11-0772-19 A dwelling on a smallholding was refused permission for similar reasons. If a proposal of this scale can be refused for these reasons, the scale of this proposal must be considered unacceptable.
- Siting of proposals is ill-considered as it will impact on views of the countryside and should be

moved to the rear of number 172 in order to be considered.

- No other similar buildings along Seagate Road and the colour, scale and materials are alien to the area as such is out of keeping with its surroundings.

Planning Considerations

Principle of Development

The proposal site is outside of the settlement boundary as defined by the South East Lincolnshire Local Plan (2019). However, as the proposed structure is not a residential development and is instead a vehicle storage building for personal agricultural use, the principle of development is deemed to be appropriate to the site, especially given the site's agricultural surroundings.

Resident Comments

Local residents raised several points of objection. Residents suggested that the proposal would be too large in relation to nearby residential properties. Whilst it is accepted that the proposal would be similar in height to the neighbouring property (owned by the applicant), the actual footprint of the building is not large in comparison to nearby properties and so it is the opinion of the Local Planning Authority that it would be clearly subservient to the surrounding properties.

Local residents mentioned that the proposal would be out of character for the area and therefore harmful to the qualities of the area. However, the Southern end of Seagate Road is surrounded by agricultural land and similar agricultural outbuildings are familiar to the visible surroundings of the site and it would be unreasonable for the Local Planning Authority to restrict agricultural and agricultural-style development in this area which is characterised by agricultural use (with residences mixed in), even if in close proximity to existing residences.

Objectors also identified a number of applications which were refused largely for negatively impacting upon their countryside setting. However, the applications highlighted were South of the A17 and were either in visual proximity to the Grade II Listed Seagate Hall or residential developments outside of the settlement boundary, neither of which characteristics can be attributed to this proposal. Additionally, it is only possible to consider applications on a case-by-case basis and all of the highlighted proposals were refused permission under the controls of previous local plans. The Local Planning Authority adopted the South Holland District Council Local Plan in March 2019.

Objectors also raised concerns over the colour and materials proposed, suggesting that they would be out of keeping for the area. However, the site is not within a conservation area that requires limitations on material types beyond what is appropriate and reasonable and the box section steel is a commonly used material for such structures that is present on several such buildings in the area. The olive green can be considered to be highly suitable for the proposed structure as it is a muted tone that should help to blend the structure to the surroundings and will not be a distracting or offensive tone.

Design and Layout

The Local Planning Authority does not seek any amendment to the design or layout of the proposal. This is because the design of the proposal is deemed to be appropriate to the area and 172 Seagate Road. The structure is proposed as an agricultural style structure for the storage of agricultural equipment (amongst other things) in an agricultural/open countryside area. The materials are appropriate to the structure and area - box section steel cladding is a common material for such structures and the proposed uPVC fittings would not be alien to the area.

Additionally, the local Planning Authority considers the layout to be suitable to service the proposed use of the structure.

Flood risk

A flood risk assessment has been submitted by the agent of this application which identifies that the site is not at a risk of flooding which is especially great when compared to its surroundings. Additionally, the proposal is a small, non residential proposal which cannot be considered to be at great risk from flooding and so satisfies policy 4 of the South East Lincolnshire Local Plan (2019).

Residential Amenity

The Local Planning Authority does not consider there to be a risk to residential amenity of any nearby residential properties. This is because the proposed building is single storey and non-residential and so cannot be considered to present a risk of overlooking to any nearby properties. Additionally, due to the single-storey nature of the proposal coupled with its distance from any of the surrounding residences, it is not considered that the proposal will present any risk of overshadowing any residences.

Conclusion

For the reasons listed above the Local Planning Authority finds this application to be in accordance with Policies 1, 2, 3, and 4 of the South East Lincolnshire Local Plan (2019) and Section 12 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.