

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H12-0227-20 **Applicant:** Mrs Caroline Hyden

Proposal: Change of use from "part bed and breakfast/part residential" back to full residential

Location: Garnsgate Hall Lutton Garnsgate Long Sutton

Terminal Date: 20th May 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
11	Distribution of New Housing
17	Providing a Mix of Housing
23	The Reuse of Buildings in the Countryside for Residential Use
29	The Historic Environment

National Guidance

National Planning Policy Framework 2019

Section 16 - Conserving and Enhancing the Historic Environment

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 full planning application for a change of use from mixed residential (C3) and bed & breakfast (C1) back to the former fully residential use.

No material changes are presented to the building.

Site Description

Garnsgate Hall is a Grade II* Listed, early 18th Century house. The Historic England Listing description describes the building as such:

"House and adjoining walls. Early C18 with C19 and C20 alterations. Red brick. Slate roof. 2 gable and single ridge stacks. Single gable stack to the rear. Brick coped gables. C20 patching to eaves with wooden cornice. Plinth and first floor band. T-plan. 2 storeys, 7 bays. Central doorway now part blocked with inserted glazing bar sash. C19 porch open to front with Doric half columns and carved heads on dosserets. Either side are single narrow glazing bar sashes and further left and right 2 glazing bar sashes. Corresponding window pattern above with glazing bar sash over doorway. All sashes with flush wedge lintels. Left gable wall with stepped band to first floor. Projecting from the left is a red brick wall broken by a small gateway with 2 red brick piers with moulded ashlar coping and terminating in a single similar pier. Extending from this pier at a right angle in front of the house are spiked iron railings broken by 2 small gateways and terminating in a single similar pier. Interior. Moulded and bolection panels to a single room and single wall of a further room. 2 rooms on the first floor with similar panelling, one with bolection fire surround. Some doors with moulded panels and L hinges. Panelled shutters. Fielded panels to stairs. Good open well staircase extending to the top floor with barley sugar balusters with turned bases."

The associated boundary wall and railings should also be noted as they form an integral part of the listing.

The area surrounding the property is characterised as open countryside and the only properties in close proximity to the application site are unremarkable C20th agricultural buildings.

History

H12-0372-94

Proposed alterations internally and externally. APPROVED on 05/04/1995

H12-0075-10

External security alarm box (retrospective). APPROVED on 01/04/2010

H12-0309-10

Internal Works. APPROVED on 27/07/2010

H12-0308-10

Erect timber stables and timber gates with post and rail fence. APPROVED on 27/07/2010

H12-0661-10

Details of materials, design and method of construction of cupboard in bedroom 2 (Condition 3 of H12-0309-10). APPROVED on 27/08/2010

H12-0129-11

Replacement of cement pointing, insertion of helibars, chemties and bowties to areas of defective brickwork and repairs to internal chimney structure. APPROVED on 21/04/2011

H12-0460-11

Re-instatement of shutter doors to north west windows of bedroom 3, cupboard over south facing window of bedroom 2 and doors at foot and top of stairs between kitchen and snug. APPROVED on 03/08/2011.

H12-0015-12

Change of use from residential to residential/bed and breakfast (retrospective). Declared as PERMITTED DEVELOPMENT on 23/01/2012.

H12-0014-12

Change of use from residential to residential/bed and breakfast (retrospective). APPROVED on 27/02/2012

H12-0095-12

Removal of airing cupboard containing hot water heating cylinder and boiler from utility room and replace with extended unvented system and boiler in garage. APPROVED on 05/04/2012

H12-0148-12

Proposed post and rail fence and wooden field gate. APPROVED on 04/05/2012

H11-0533-12

Internal alterations - cornice to first floor bedroom and amendment to panelled door surround. APPROVED on 03/09/2012

H12-0908-12

Proposed conversion of outbuilding to staff accommodation annexe. REFUSED on 19/12/2012

H12-0975-12

Proposed gazebo, shed, horse shelter, log store, trellis, dog kennels and bin store. APPROVED on 18/01/2013.

H12-0131-13

Large scale details of the gazebo (Condition 3 of H12-0975-12). APPROVED on 13/03/2013

H12-0592-13

Conversion of garage/store to create first floor office. APPROVED on 23/08/2013

H12-0812-13

Vehicular passing place, pull in and path to front of Garnsgate Hall (retrospective). REFUSED on 21/11/2013

H12-1086-13

Details of windows, doors and rooflights (Condition 3 of H12-0592-13). APPROVED on 03/03/2014

H12-0031-14

Replacement of timber gates with wrought iron gates and extension of path. APPROVED on 24/04/2014

H12-0030-14

Replacement of timber gates with wrought iron gates and extension of path. APPROVED on 24/04/2014

H12-0411-14

Details of footpath (Condition 3 of H12-0031-14). APPROVED on 09/06/2014

H12-0410-14

Details of footpath (Condition 3 of H12-0030-14). APPROVED on 09/06/2014

H12-0614-14

Re-instatement of cornice gutter, dormer windows, central chimney and re-furbishment of second floor. APPROVED on 10/10/2014

H12-0613-14

Re-instatement of cornice gutter, dormer windows, central chimney and re-furbishment of second floor. APPROVED on 10/10/2014

H12-0932-14

Landscaping including paved surface to rear of house and restoration of previously demolished garden boundary wall. APPROVED on 02/02/2015

H12-0642-15

Details submitted relating to constructional drawings, bricks and cornice (Conditions 3, 4 and 5 of H12-0614-14). APPROVED on 21/08/2015

H12-0641-15

Details submitted relating to constructional drawings, bricks and cornice (Conditions 3, 4 and 5 of H12-0613-14 (Full)). APPROVED on 21/08/2015

Consultation Responses

None received

Planning Considerations

Principle of development

As this is an application to reuse a property as a dwelling house outside of the settlement boundaries, this proposal falls under the controls of Policy 23 of the South East Lincolnshire Local Plan (2019) which states;

Proposals for the conversion of existing buildings which are located outside defined settlement boundaries to residential use will be permitted provided that:

1. the building is structurally sound and capable of conversion without the need for significant extension, alteration or rebuilding;
2. the building is of architectural or historic merit or makes a positive contribution to the character of the landscape, to justify conversion to ensure retention;
3. the proposal is in keeping with its surroundings;
4. the design is sympathetic to the character and appearance of the building in terms of architectural detailing and materials of construction; and
5. development leads to an enhancement of the immediate setting of the building.

It is the opinion of the Local Planning Authority that this proposal meets all five of the above criteria as the proposals require absolute no adjustments to the building whatsoever, the building is of great historic and aesthetic value and the bringing of the property back into its original residential use will enhance the structure and its setting.

For the above reasons, the principle of development is deemed to be acceptable.

Heritage Impact

The Local Planning Authority does not consider there to be any risk of harm to the value and/or significance of the Heritage Asset. This is because the proposals present no alterations to the property at all. Therefore, the building will remain unchanged apart from the use. Additionally, the original use for the property would have been as a single private residence and therefore, restoring it to this use enhances the overall character and originality of the property.

For the above reasons, the Local Planning Authority considers this application to ENHANCE the Historic Environment in line with Section 16 of the National Planning Policy Framework (2019).

Design and Layout

The Local Planning Authority raises no concerns over either the design or layout of the proposals. This is due to the fact that the proposals do not include any material alterations to the property as it stands currently and the building's layout is deemed to be suitable to its original use as a residence.

Conclusion

For the reasons listed above, the Local Planning Authority considers this application to be in concordance with Policies 1, 2, 3, 11, 17, 23 and 29 of the South East Lincolnshire Local Plan (2019) as well as Section 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.