DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H13-0133-21**	**Applicant:**	**Mr J Thorpe**
Proposal:	Proposed log cabin with veranda to house hot tub and provide entertainment area		
Location:	Wishing Well Woodhouse Lane Moulton Seas End		
Terminal Date:	19th April 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 2019

Section 12. Achieving well-designed places

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 planning application that seeks permission for proposed log cabin with veranda to house hot tub and provide entertainment area at Wishing Well, Woodhouse Lane, Moulton Seas End, Spalding.

Site Description

The property lies in the countryside. It is located approximately 850 metres south-west of Moulton Seas End and 1.19km north-east of Moulton. Large arable fields, a few of them highly enclosed with hedges, open views upon the landscape and several drains are the main features of the area.

The site has a triangular shape. There is significant soft treatment that screens views onto the site. In particular, a line of very mature and high conifers stands on the western boundary.

A farmhouse style two-and-a-half storey modern detached dwelling appears set back from the road. A spacious gravelled drive serve access to the house and garage. A detached gable pitched outbuilding used as a garage runs in parallel with the western boundary. To the rear, a slabbed patio and domestic garden laid in grass.

History

H13-0604-14 - Replacement Dwelling - Approved

H13-0319-15 - Replacement Dwelling, re-application following approval on H13-0604-14 - Approved

H13-0498-15 - Replacement dwelling, re- application following approval of H13-0604-14 - approved under H13-0319-15. Modification of Condition 2 to allow amendments to previously approved plans - Refusal

H13-1191-16 - Rear extension and alterations - Approved

H13-0777-20 - Detached double garage with annexe above (part retrospective) as well as retrospective amendments and alterations to the main dwelling - Approved

Consultation Responses

None.

Planning Considerations

The site is out of the boundaries for any urban settlement as set out in the Policies Map of South East Lincolnshire Local Plan (SELLP), 2019. Irrespective of spatial strategy the principle of developing extensions and alterations that are incidental to the enjoyment of a dwelling is acceptable.

Design and layout

Paragraph 127 of National Planning Policy Framework (NPPF), 2019 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting. Policies 2 and 3 of SELLP 2019 amongst other matters seek to ensure that development respects the character and appearance of the area and the relationship to existing development and land uses.

The proposed development would be located to the rear of the detached garage and set back 2.5 from the western boundary line. It will be also positioned running in parallel with the curtilage boundary. The existing boundary treatment at such point of the site would totally obscure the visual impact of the log cabin. Thus, the development would not lead to any harm upon the countryside that buffers the applications site.

The external footprint of the intended log cabin would be roughly 28.8 square metres. The maximum height would be up to 3.15 metres. Having regard to the scale of the existing development, the proposed outbuilding would appear subservient to them in terms of scale, mass and bulk.

The northern half of the structure would host the log cabin room and the southern half, a hot tub with open front covered veranda. The intended use is clearly incidental to the enjoyment of the dwellinghouse.

The roof would be gable pitched replicating the existing layout in both the house and garage. The external materials of the development would be loglap timber cladding on the walls, eco slate roof tiles and timber framed openings. The combination of slate tiles and timber would be in keeping with the rural character of the wider location and would not unacceptably detract from the prevailing brickwork of the existing buildings on the site.

Residential amenity

Paragraph 127 of National Planning Policy Framework (2019) amongst other matters seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of South East Lincolnshire Local Plan (2019) set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

Wishing Well has no immediate adjoining property. Therefore, the proposals would have null effect onto the amenity standards of other residents.

Planning Balance

The principle of an extension and alterations that are incidental to the enjoyment of a dwelling is acceptable. The aim of the proposals is to meet the increasing living conditions of the householders.

The scale and height of the development is clearly subservient to the host property. The position of the log cabin is such that no visual harm would occur upon the rural landscape that buffers the application site. The proposed materials would be characteristic of a log cabin and would not be at odds with the prevailing brickwork in the fabric of existing buildings. No residential amenity would be harmed in view of the lack of other residents living in the immediacy of the property.

On balance, no adverse impact of granting permission would significantly and demonstrably outweigh the benefits of doing so, when assessed against the planning policies taken as a whole.

Conclusion

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.

Taking into account the above, this application accords with Policies 1, 2 and 3 of South East Lincolnshire Local Plan (2019) as well as Section 12 of National Planning Policy Framework (2019).

Accordingly, it is recommended to approve this application via delegated powers.

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.