

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H13-0425-20 **Applicant:** Mr J Tointon

Proposal: Proposed barn and coach house conversion (2 additional properties) and proposed new drive and turning area to Austendyke Hall - approved under H13-0541-15. Modification of Condition 2 to allow amendments to previously approved plans.

Location: Austendyke Grange Austendyke Road Weston Hills

Terminal Date: 28th July 2020

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 and 16 of the National Planning Policy Framework (2019)

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This Section 73A application is for the modification of condition 2 of application H13-0541-15 in order to allow for the rebuilding of the Eastern wing of the building after suffering structural damage and partially falling down and also to allow for the installation of thicker double glazed windows, in timber frames, as it has been subsequently been found by the joiner that the effected openings are too large to support slimline double glazed panels.

Site Description

The site is a curtilage listed set of former coach house and barn buildings to the Grade II listed Austendyke (A.K.A Austendike) Hall, which Historic England describes as;

"House. Mid C18 with C19 alterations. Red brick with some render and some ashlar dressings. Slate roof with broken dentillated eaves, tumbled gables, single ridge and 2 gable stacks. 2 storeys with attic, 4 bay front with ashlar quoins. Doorway with panelled door and reveal. Doorway flanked by single projecting bay windows with raking roofs and each with 2 glazing bar sashes. Single glazing bar sash further left with segmental head. Single semi-circular headed glazing bar sash over doorway with ornate glazing bar head. This window is flanked by single Venetian windows and to the far left is a single glazing bar sash with segmental head. 4 C19 slate hung dormers with segmental heads and single glazing bar casements. The original dormers would have broken through the dentillated eaves."

Hall which is directly adjacent to the property. The proposal site itself, whilst only curtilage listed by virtue of its association, does show handsome 18th century contemporary features and especially the main, large barn is a fine example of the vernacular style.

The surrounding area is characterised as being open countryside with the only other nearby property being the adjacent Austendyke Hall.

History

H13-0541-15

Proposed barn and coach house conversion (two additional properties) and proposed new drive and turning area to Austendyke Hall. APPROVED on 30/09/2015

H13-0237-16

Details of roof structure of stable and coach house, large constructional drawings, external materials and design and position of meter boxes (Conditions 3,4,5,and 7 of H13-0542-15). APPROVED on 26/07/2016

Consultation Responses

None received

Planning Considerations

Heritage Impact

The local planning authority does not consider there to be a risk to the Historic Environment presented by this application. As the property is curtilage listed the Local Planning Authority wishes to preserve its unique qualities, however, it is felt that the change from slimline double glazing to thicker glazing would not present a harmful effect upon those qualities, this is because the timber frames are proposed to remain and in the previously approved layout, and it is felt that whilst slimline glazing would have been preferred, the joiner/glazier has confirmed that the openings as agreed are not sufficient to structurally support slimline glazing. This change is deemed acceptable from a conservation perspective as the proposed timber frames are being retained and the visual change brought by the amendment of the glazing will be minimal if noticeable at all.

The second, more significant and potentially damaging element of this proposal is the rebuilding of the Eastern small barn building after it suffered irreconcilable structural damage and partially collapsed due to adverse weather. Whilst the Planning Authority regrets the loss of an original structure, it is proposed that the building shall be rebuilt in a truly like-for-like manner, using reclaimed materials wherever possible. As the proposal is for a like for like reconstruction using vernacular and reclaimed materials, it is considered that the proposal is in the best interest of the preservation of this structure and that reconstructing it in a manner which is structurally sound will be to the enhancement of the site at large.

Design and Layout

As neither the design nor the layout of the proposal are to be changed as part of this application, the local planning authority considers it to be unchanged from the approval under application ref: H13-0541-15

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) as well as sections 12 and 16 of the National Planning Policy Framework (2019). This application is therefore 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.