DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H14-0440-24**	**Applicant:**	**Mr L Smith**
Proposal:	Alteration and Refurbishment of Former Stables and Traphouse and Installation of Metal Boundary Estate Fence		
Location:	8 Spalding Road Pinchbeck Spalding		
Terminal Date:	17th July 2024		

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
29	The Historic Environment
31	Climate Change and Renewable and Low Carbon Energy
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2023

Sections 12 and 16 of the National Planning Policy Framework (December 2024)
Planning (Listed Buildings and Conservation Areas) Act, 1990.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
RUBEN LOPEZ, HISTORIC ENVIRONMENT OFFICER	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This Listed Building Consent application is for alterations and refurbishment of the former Stables and Traphouse and installation of estate fence at 8 Spalding Road, Pinchbeck.

The application includes the conversion of the building into an annexe to the main property on site (known as the vicarage) and as such, internal layout alterations are proposed in order to create an entrance hall, W/C and utility room to the ground floor, whilst retaining ground floor storage and garage facility. To the first floor, an expansion of the floorspace to cover the entire upper area, over the existing storage area to the eastern end of the building, this will create space for 2 bedrooms, a living room / kitchen and an additional bathroom .

External alterations are also proposed, which include the following:

- 3 Conservation Style roof lights on the Northern roof pitch
- 3 new windows on the northern elevation
- Expansion of elliptical window opening to the 1st floor eastern elevation (currently boarded) to create a gothic-style opening to receive a new timber door in the gothic style, matching the various gothic openings extant. Steel external staircase to be installed to provide 1st floor access from the outside.
- Rebuilding of western elevation lean-to, to create small garden storage (matching brickwork, clay pantiles)
- Replacement / repair of various timber windows throughout, in a like for like fashion.

In addition, various minor structural issues are to be rectified using joint reinforcement. Internal walls are to be lime rendered. The property shall also be repointed making use of an appropriate lime mortar mix.

The proposed estate fence is a standard black metal traditional estate fence at a height of 1.2m, spanning the span of the frontage of the plot that covers the subject building.

Site Description

This site is an extremely sensitive and prominent element of the Historic Environment of Pinchbeck and South Holland at large. The host property is visually prominent and distinctive and bears a close visual and historic relationship with other similarly listed properties, including the other individually grade II listed properties on the same plot (both the vicarage and the storage building to the east are individually listed in their own right) and of course the Grade I listed adjacent church of St Mary

Historic England describes the Stables and Traphouse like so:

"Stables and trap- house to the Vicarage G.V. II Stables and traphouse, now stores and garage. Late C18, extended C19, altered C20. Red brick in Flemish bond, ashlar dressings, pantile roof, brick coped gables, single brick ridge stack. 2 storey, irregular 3 bay front having advanced central pedimented traphouse bay with double planked doors, basket arch with ashlar key and impost blocks. To left a pointed planked door with Gothick panels, flanked by single 2 light plain casements, also with pointed heads. To right C20 double garage doors. To first floor a central oval is flanked by single circular openings. All boarded. To left a single storey addition contains a blank Gothick arch and has a parapet."

The Vicarage is described like so:

"Vicarage. 1772, possibly incorporating earlier work. Red brick in Flemish bond, Westmorland slate roof, stone coped gables, 3 brick gable and 2 ridge stacks. T-plan. Front range is 2 storey plus attics, 3 bays, with first floor band, cornice and stone coped parapet. To ground and first floors 3 glazing bar sashes. In the attic 2 gabled dormers. The rear range is of 6 bays, with cornice and parapet. In theleft hand angle a C19 glazed door covered by C19 porch with outer door having stained bordered light with matching overlight flanked by single narrow glazing bar sashes. Moulded cornice and flat lead roof. to right are 5 glazing bar sashes. To first floor are 6 similar windows all

with brick segmental arched heads. In the roof are 3 pedimented dormers with glazing bar sashes and leaded cheeks. In the right hand gable a section of tumbling and steep roof pitch suggest a late C17 date for the core. The north side of the rear range has a brick inscribed CT 1772 over the door, and above a fire insurance plaque and number. Interior retains a stick baluster stair with wreathed handrail, carved open string."

The storage building described like so:

"Former detached kitchen, now store. Mid C18, altered C19. Red brick, pantile roof, brick coped gables, single brick gable stack. single storey, 3 bay front with reused central 6 panel door, flanked by single 2 light casements. All with brick segmental heads. Interior retains fireplace with chamfered girder, probably reused."

Finally, the Grade I listed Church of St Mary is described like so:

"Parish church. C12. C13, C14, C15, 1855, chancel rebuilt by Butterfield 1861. Ashlar, lead and Westmorland slate roofs. Western tower, clerestoried nave, aisles, chancel, south porch, northchapel. Tall 3 stage C14 tower with stepped corner buttresses, quatrefoil plinth, embattled parapet, crocketed corner pinnacles. To belfry stage are tall 3 light transomed louvred perpendicular lights. On the south side a tall 3 light C15 window to first stage and a smaller 2 light window. On the west side the buttresses contain niches with crocketed nodding ogee canopies. The west doorway is C14 with angle shafts and 3 orders of filleted roll moulding with elaborately cusped trefoil head to door. The canopy is ogee pattern with crockets, leaves and human head label stops. Above a 4 light Perpendicular window and 2 light window as the south side. The north side matches the south. The north aisle has an embattled parapet and contains 5 large 3 light Perpendicular windows, 4 to the south side and one to the west, with ogee heads to the lights, subdivided by stepped buttresses. Also a C15 4 centred arched doorway with trefoil headed panels to the reveals. Contemporary door with cusped Y tracery and crocketed finials, ogee headed wicket. The clerestory is embattled with shields in quatrefoil panels and has 5 pairs of 3 light Perpendicular windows. The north chapel contains a blocked large 4 light window in 4 centred arched surround now with C19 tracery. Beyond a 3 light C14 window, a C19 pointed doorway with above a blocked window. In the east end a broad 5 light late C14 window in the north chapel with pointed head, and in the chancel a C19 5 light window with Geometric tracery. On the south side a 2 light C14 window with flowing tracery, an early C14 doorway with double chamfered surround and a 2 light C19 window. In the east end of the nave a C13 mandorla in chamfered surround and steep earlier nave roof pitch. The south aisle is battlemented and contains 3 light panel traceried windows with moulded surrounds, mullions and cusped ogee heads to the lights, one to each end and 4 to the south side. Gabled C14 south porch with triangular headed moulded outer arch and C19 wrought iron double gates. Side benches. Originally vaulted with a fan vault, the springers of which remain. The C14 inner doorway has cusped ogee head with 3 orders of moulding and fleurons. The canopy has crockets, fleurons and floriated knops. Interior. Tall 5 bay C13 nave arcades, alternating round and octagonal piers with some reused C12 work, matching capitals and hobnail decoration. The easternmost piers are more elaborate with angle shafts. The arches are rolled and filleted with quirks and have dogtoothed hoods. The nave roof is C15 with arched tie beams with fleurons and brattishing, pierced cusped spandrels and queen posts supporting the moulded principals. Contemporary arms bearing angel supporters on the half bays. The C15 north aisle roof is similar. Tall continuously wave moulded tower arch with octagonal capitals. Tower has springing for a vanished vault. C13 double chamfered arch with octagonal responds and imposts. At the east end of the nave an ogee headed doorway to the rood loft. At the east end of the north aisle a broad continuously moulded arch leads to the north chapel. In the chancel a 3 bay arcade to the north chapel with quatrefoil piers and double chamfered pointed arches. In the south wall a C19 sedilia with tall pointed arches. In the east window of the north chapel and in the north aisle some C15 grisaille and stained glass remains in the upper panels. The east window stained glass is dated 1855 by O'Connor, the west window of 1861 by the same artist. Fittings. North aisle a much restored and painted C15 screen. C14 octagonal font with quatrefoil panels containing shieldsand crosses to the sides of the bowl and buttressed stem with quatrefoils and fleurons. Also an early C19 hud. Monuments. In the south aisle a tomb in the form of an altar with Purbeck marble ledger slab, panelled sides with crocketed ogee pinnacles and armorial shields. In the north chapel a wall plaque to Williame Wilde 1656, alabaster, with scrolled brackets, swagged base with escutcheon, pilasters, slate inscription panel. Above is an armorial escutcheon. Also in the north chapel a handsome chest tomb of 1708 to William Smithson, MD with raised and fielded inscription panel, gadrooned angle pilasters and facetted peaked top."

The area in general is characterised by residential and ecclesiastical development. Most residential uses in the immediate setting originate from the latter part of the C20th. The proposal site is in a

relatively central portion of the contiguous settlement of Pinchbeck.

History

H14-0012-02

Convert old lodge to office accommodation. Approved on 22-07-02

H14-0013-02

Alterations and conversion of former lodge to office accommodation. Approved on 22-07-02

H14-0051-03

Change of use to day spa / beauty treatment. Approved on 20-03-03

H14-0084-05

Formation of vehicular access and car parking facilities. Refused on 19-04-05

H14-0419-09

Proposed restoration of The Apple Store. Refused on 25-08-09

H14-0758-18

Proposed repair works. Approved on 14-09-18

Consultation Responses

Pinchbeck Parish Council

Appropriate for the location

Lincolnshire County Council Historic Places Team

Thank you for consulting us on this proposal.

This listed Coach and Trap house (Listed Building II 1359313) is a fine example of its kind. It forms part of a prominent and important group within Pinchbeck which includes the Church of St. Mary (Listed Building I 1064433), Vicarage (Listed Building II 1146762) and Store at the Vicarage (Listed Building II 1308805). The group lies within the Pinchbeck Conservation Area (DLI10606).

The building subject to this application have previously been subject to a programme of historic building recording in 2009, as a result of planning application H14/0419/09.

Having reviewed the application documents and the updated available Historic Environment information for this application, the proposal is unlikely to have an impact on any archaeological remains.

Consequently, no further archaeological input is necessary for this application. Regarding any potential indirect (setting) impacts to the nearby standing listed buildings, I defer comments to Historic England and the SHDC Conservation Officer.

Evaluation

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework (December 2023) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals. In this instance, no relevant neighbourhood plans have been adopted.

The Authority is able to demonstrate a supply of deliverable sites equivalent to in excess of 5 years through the latest Housing Land Supply Assessment.

Planning Considerations

The key considerations in this case are, but are not limited to:

- Principle of development
- Design and layout
- Heritage impact
- Flood risk
- Highway safety and vehicle parking

Principle of Development

Policy 1 of the SELLP sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

The site is within the defined settlement boundary of Pinchbeck, which is defined as a 'Main Service Centre' and as such, development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities.

In any event, the proposal solely relates to the conversion of an existing building, to be used as an annexe, containing domestic accommodation ancillary to the main house. Therefore, the proposal is not seeking the creation of an additional residential unit, and if the property were not listed, may not have even required formal consent at all.

As such, the proposal is considered to be in accordance with the requirements of the SELLP when viewed in principle. This is subject to the assessment against site specific criteria; including (but not limited to) the impact of the proposal on the character or appearance of the area, impact on the residential amenities of neighbouring occupiers, and impact on highway safety, which are discussed in turn in the following sections.

Heritage Impact

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving listed buildings, their setting, or any features of special architectural or historic interest which they possess.

Sections 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require decision makers to have special regard to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which they possess as well as the desirability of preserving or enhancing the character or appearance of conservation areas. Any adverse effect on a heritage asset, even if slight or minor, would not preserve the asset or its setting.

Furthermore, the importance of considering the impact of development on the significance of designated heritage assets is expressed in the National Planning Policy Framework (December 2023) (NPPF). The NPPF advises that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.

Section 16 of the National Planning Policy Framework (December 2023) states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

As such, the NPPF sets out that where proposals could lead to 'less than substantial harm' to a designated heritage asset, the consideration of such an application must be weighted against the public benefit.

Policy 29 of the South East Lincolnshire Local Plan (2019) (SELLP) confirms that in order to respect South Holland's historical legacy all proposals shall conserve and enhance the character and appearance of designated heritage assets. Additionally, Section A of that policy confirms that proposals that affect the setting of a Listed Building will only be supported where they preserve or better reveal the significance of the Listed Building, and that proposals that seek to alter a listed building shall be granted where the LPA is satisfied that the proposal is in the interest of the building's preservation and does not involve alterations that are prejudicial to the special architectural or historic interest of the Listed Building or its setting.

The site is also within the Conservation area for Pinchbeck (PCA), and therefore Section B of Policy 29 should also be accounted for in a decision. This section, which governs development within conservation areas confirms that: proposals within, affecting the setting of, or affecting views into or out of, a Conservation Area should preserve (and enhance or reinforce, as appropriate) features that contribute positively to the area's character, appearance and setting. It also confirms that this should be secured by, amongst other means; the retention of historic buildings / groups of buildings; retention of architectural details that contribute to the character of the area; and assessment of, and mitigation against, any negative impact the proposal might have on the townscape, roofscape, skyline and landscape.

Given that the structure is in a poor condition it should also be noted that paragraph 202 of the NPPF confirms that where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision. Nevertheless, in this instance, there is no evidence of malicious harm to the building. It's present state appears to be from consistent underutilisation and inoccupation, leading to a degraded condition. As such, the value and effect of bringing this heritage asset back into good order and sustainable use may be taken into account.

In this instance, given the extreme sensitivity of the site, in terms of its unique listing and also the density and importance of the historic environment surrounding, the preservation of the character and value of the asset is of paramount importance and shall be awarded great weight in the planning balance. The Local Planning Authority takes the entire scheme into account and does not identify a great risk to the historic environment via this scheme.

The proposed restoration seeks to utilise heritage-appropriate materials, effecting a restoration and partial rebuild of this dilapidated listed building. In effect, the proposed scheme seeks an authentic restoration which returns the property to good order. The only external design differences should be in the addition of the windows and roof lights on the Northern elevation, as well as the expansion of the first floor eastern elevation window opening to create a gothick-style door opening to be services by a small steel spiral staircase.

Relating to the above, the proposed windows are of an appropriate material and are scaled and positioned such that they would not throw off the balance of character to the building, offering the valuable utility of access to sunlight from the Northern direction. As viewed from the north, ensuring that the final details of the windows and roof lights are appropriate will protect the character of the site being unduly harmed within views from the churchyard.

During the pre-application phase of this scheme, some concern was raised by the conservation

officer about the proposal to alter the window opening to the East elevation, as it was felt that there was a risk that a character-valuable window could be lost. However, the applicant has provided evidence proving that the actual window no longer exists, having been boarded for many years, such that the rose window opening is empty. A gothick style opening is a design feature which matches the opening on the western elevation and other patterns visible on the site throughout, such that it is felt that the proposed opening alteration does not place the historic character of the site at risk, and that it is fully coherent with the design integrity of the property. The steel staircase could be seen as an awkward visual addition, although by means of condition, it shall be ensured that the design is appropriate and in considering the overall impact of this addition it is resolved to be exceptionally minor, particularly when accounting for the fact that it would be easy to remove in future and replace the doorway with a window that matched the extant window on the western elevation.

Nevertheless, these described alterations should still be considered to represent 'less than substantial harm' in that they are inauthentic additions, not original to the building, and in the case of the eastern window opening will result in the partial loss of a character feature. Therefore, the proposed harm must be weighed against the public benefit of the scheme. As previously mentioned, in this case, the deteriorated state of the site can be taken into account and as such, there is clear and overwhelming benefit in facilitating the restoration and occupation of this building which is an important part of the local historic environment and - in public benefit terms - more importantly a prominent feature within the PCA. This public benefit greatly outweighs the minor and justifiable harm presented by this scheme.

Indeed, by proposing the restoration of the site, utilising appropriate materials and design, the local planning authority considers the proposal to assist in enhancing the historic environment.

Flood Risk

Section 14 of the NPPF requires development plans to "apply a sequential, risk-based approach to the location of development - taking into account all sources of flood risk and the current and future impacts of climate change - so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: applying the sequential test and then, if necessary, the exception test as set out below".

Paragraph 168 of the NPPF states " aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding". The sequential approach is required in areas known to be at risk now or in the future from any form of flooding, with the flood risk assessment being the tool to demonstrate this.

If, following the application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exceptions Test can be applied if appropriate.

The site lies within Flood Zones 3 of the Environment Agency's Flood Maps. These have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences.

The South-East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how flood risk has been considered in shaping the proposals of the Local Plan; including the spatial strategy and the assessment of housing and employment sites. Policy 4 of the SELLP is clear in that "Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted" in instances where specific criteria is met.

It is worth noting that large parts of the district of South Holland lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the SFRA as a basis to apply the sequential test.

Within the SFRA, the site is classed as presenting no risk, with a hazard depth of 0m. As such, the site is at no realistic identified risk of flooding. Regardless of the fact that the proposal relates to an existing building, there is nevertheless no identifiable need for additional mitigation methods for the

site to be safe from a risk of flood. Even so, the applicant has proposed that there shall be no domestic living space at ground floor level, with the bedrooms, living room, main bathroom and kitchen all positioned above ground floor. As such, the proposal is considered to feature an appropriate degree of mitigation and as an extant structure does not in any appreciable manner enhance the risk of flood to adjacent land. Furthermore, the proposal is not considered to have any appreciable impact upon local drainage. Though details of the drainage shall be secured by conditional means.

Highway safety and vehicle parking

Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this, Paragraph 115 advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal. Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the SELLP, in conjunction with Appendix 6, sets out minimum vehicle parking standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

This proposal seeks to enhance the quantity of bedrooms available within the curtilage by 2. Nevertheless, the proposal itself contains a single car garage, and utilises an extensive private driveway network that it shares with the host dwelling.

The Lincolnshire County Council Highways authority were consulted, and recommended that the applicant be required to widen the existing vehicular access to be able to accommodate shared use to a minimum of 4.1m. It was also requested that the access should be upgraded to Lincolnshire County Council specification. Furthermore, the LCC highways authority were concerned that the drawings did not provide detailed information on vehicle turning and parking.

Upon reviewing the LCC Highways Authority's requests, the LPA does not consider these to be reasonable, proportionate or reflective of the fact that this proposal does not seek to create an independent residential unit. The historic environment must be taken account of, and given great weight - in this case, at the top of the planning hierarchy. Making adjustments to the existing, historic access could place an undue risk upon the character of the site. Additionally, because no independent residential use is proposed of the site, the access is not truly 'shared' and the increase in bedrooms proposed is minor and would have a similar effect to a small domestic extension to the host residency. As such, the LPA notes the concerns of the Highways Authority, but declines to require the requested amendments in order to consider the proposal to satisfy Section 9 of the NPPF and Policy 36 of the SELLP.

Residential Amenity

Paragraph 135 of the NPPF states that development should create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policies 2 and 3 of SELLP sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

In this instance, the local planning authority does not consider there to be any risk of material overlooking or overshadowing caused by this proposal. No dimensional alterations are proposed to the existing structures, and any new or altered above ground floor window openings are not oriented towards neighbouring residential properties. Indeed, the site sits within an exceptionally large plot, with no nearby neighbours, other than those positioned on the other side of Spalding Road.

Environmental Sustainability

In respect of the climate emergency, Section 14 of the NPPF states that new development should be planned for in ways that: 'avoid increased vulnerability to the range of impacts arising from climate change' with care taken to manage and adapt where development is brought forward in areas which are vulnerable; and that 'can help to reduce greenhouse gas emissions, such as through its location, orientation and design'.

Section 15 of the NPPF promotes the conservation and enhancement of the natural environment. Paragraphs 180 and 185 ensure sites of biodiversity value are protected through the planning system; while Paragraph 186 states that "if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused".

In line with both aforementioned sections of the NPPF, Policies 28 and 31 of the SELLP ensure the preservation and enhancement of the natural environment and that suitable mitigation and adaptation to the climate crisis is in place.

The proposal has been submitted under a householder application. Therefore, the proposal is exempt from the requirement for a 10% Biodiversity Net Gain.

Taking the above into account it is considered that given the details submitted, and those required by suitably worded condition, the proposal is acceptable with regards to environmental sustainability. The proposal would therefore be in accordance with Policies 28 and 31 of the SELLP and Sections 14 and 15 of the NPPF.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

As indicated in the 'Heritage Impact' section of this report, there are some elements of the proposal that are identified as 'less than substantial harm' in line with the requirements of Section 16 of the NPPF. However, as discussed, the public benefit identified within the proposal to restore and bring into regular use this important aspect of the historic environment, what little harm is risked it appropriately and thoroughly outweighed by the benefits.

The proposal represents appropriate development within the defined residential curtilage. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking, whilst conforming with the SELLP and the provisions of the NPPF when viewed as a whole.

Conclusion

For the reasons identified above, the application is deemed to be in accordance with Policies 1, 2, 3, 4, 29, 31, 33, 36 and appendix 6 of the SELLP, as well as Sections 12 and 16 of the NPPF. The recommendation, therefore, is to approve.

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.