

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H18-0019-22 **Applicant:** Mr D Bunn
Proposal: Re-build existing small garage/store including link to existing barn
Location: 36 Petts Lane Sutton Bridge Spalding
Terminal Date: 8th March 2022

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 2021

Section 12. Achieving well-designed places

Representations:

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission to re-build the existing garage/store including a link extension to the existing barn. It would measure 10.2 metres (width) x between 3.8 and 4.7 metres (depth) and standing at between 3.6 and 3.9 metres in height (2.6 metres to the eaves). It would be constructed from timber cladding, concrete roof tiles and grey upvc doors and windows.

SITE DESCRIPTION

The site is approximately 600 metres due north-east of the built-up area of Sutton Bridge. Petts

Lane serves access between New Road to the west and the embankment of the River Nene to the east. The area is predominantly rural. No. 178 New Road is the nearest property to the application site within a 100 metre distance. Further properties are located down the lane. The site is surrounded by open fields. The dwelling is a two-storey high pitched bungalow with a modern extension to the front/northern-west side elevation. On the other side of the driveway there is the old barn subject to conversion into an annexe.

RELEVANT PLANNING HISTORY

H18-0671-19 - Extension and alterations of existing house. Existing outbuilding to be converted into annexe and buildings linked together with a link building - Approved

REPRESENTATIONS

Sutton Bridge Parish Council

The Parish Council requests that officers undertake a site visit to check that the use of the existing barn as well as the application are in order.

PLANNING CONSIDERATIONS

Principle of development

The site is outside any settlement boundary, however, the proposed extensions would be sited within the residential curtilage of the existing dwelling therefore the principle of extending the existing dwellinghouse is acceptable.

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. The key material considerations are addressed below.

Layout, Design, Size and Scale

Paragraph 130 of National Planning Policy Framework (NPPF), 2021 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. Paragraph 197 of the NPPF states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

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. Policy 29 of the SELLP states that development proposals will conserve and enhance the character and appearance of designated and non-designated heritage assets including conservation areas.

It is accepted that the proposed extension would result in a rather wide frontage when combined with the existing buildings/approved extensions. However, there would still be an element of subservience as the extension would not sit forward of the existing house/buildings. Given its modest height the proposed extension would appear subservient in relation to the barn conversion and the existing dwelling.

The proposed materials are considered to respect the rural character of the area and the heritage asset and its setting. The proposal is not considered to unacceptably alter the overall appearance of the site or the character of the area.

As such the development on balance complies with the aforementioned policies on design, layout and impact upon the character of the local area.

Impacts upon Residential Amenity

Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) set out residential amenity and the relationship to existing development and land uses as main considerations when making planning

decisions. They are consistent with advice within the National Planning Policy Framework (2021). Paragraph 130, amongst other matters, seeks places with a high standard of amenity for existing and future users.

Given the remote location of the site and minor nature of the works no unacceptable impact would result in neighbouring amenity.

As such the proposal would accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Planning Balance

The proposal will not materially harm the character or appearance of the locality or the amenity of nearby residents. The planning balance is therefore considered to be in favour of the proposal.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 1, 2, 3 and 29 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2021).

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.

RECOMMENDATION

The application can be approved under delegated powers.