

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H18-0953-25 **Applicant:** S E King Building Contractors Ltd

Proposal: Demolition of Existing Barn & Erection of 1 Dwelling

Location: Maze Farm Hospital Drove Long Sutton

Terminal Date: 30th January 2026

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

28 The Natural Environment

29 The Historic Environment

30 Pollution

36 Vehicle and Cycle Parking

APPENDIX 6 Parking Standards

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development

Section 4 - Decision-Making

Section 5 - Delivering a sufficient supply of homes

Section 9 - Promoting sustainable transport

Section 12 - Achieving well-designed places

Section 14 - Meeting the challenge of climate change, flooding and coastal change

Section 15 - Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND	0	0	0	1

INTERNAL DRAINAGE BOARD				
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	3
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application that relates to the demolition of an existing barn and the erection of one dwelling.

The proposal is for a single dwelling located to the north east of the application site. The property is a 4-bedroom property with lounge, study, kitchen and utility at ground. Gallery windows straddle both floors on the western elevation, these are accessed by steps leading up to double doors that access the main hallway. The utility and plant are located under a single storey lean to and both sides of the property are gabled.

A schedule of materials is annotated on the proposed plans and these are described as, walls 'York, handmade Multi'. Roof 'Natural Slate', Doors and Windows 'Aluminium Flush casement (black), gutters and down pipes aluminium.

Access to the site is taken from Hospital Drove and car parking is located to the west of the proposed dwelling. Landscaping is shown on plan, and this includes trees to the south and west of the site and hedging to the north.

The proposal is for a self-build dwelling.

Site Description

The application site is a barn located to the east of a small cluster of residential dwellings and agricultural related buildings. It is accessed from Hospital Drove and located away from Long Sutton, to the North East. The application site is located within the open countryside and outside of any defined settlement boundary. The site is located within Flood Zone 3 of the Environment Agency's Flood Maps and the South East Lincolnshire SFRA indicates that the site is within an area designated as danger for all.

The application site is accessed from the end of Hospital Drove and is surrounded by farmland. The existing barn is made up of sectional concrete boards at ground, to half way up and a corrugated sheeting on the upper half of the elevations and roof. A timber framed door allows for access on the north elevation. On site visit the building had ivy growing, heavily at certain points on the building. To the West of the site is a small farm with a liner development of dwellings.

The barn benefits from prior approval to be converted into a dwelling, approved under H18-1072-23.

History

- H18-1072-23 - Proposed change of use of agricultural building to dwelling (previously refused under H18-0896-23). Approved 11th January 2024

- H18-0896-23 - Change of use of agricultural building to dwelling. Refused 27-11-23
- H18-1076-24 - Demolition of existing barn & erection of one dwelling. Refused 13-06-25

Consultation Responses

IDB

The applicant has indicated that they intend to dispose of surface water via infiltration, however I cannot see that the viability of this proposal has been evidenced. We recommend that ground investigation is carried out to determine infiltration potential, followed by testing in line with BRE Digest 365 if onsite material is considered favourable for infiltration.

I note that the applicant intends to treat foul waste using a package treatment plant, however I cannot see that the applicant has indicated how they intend to dispose of treated foul water from this development. If the applicant proposes to discharge treated foul water to a watercourse, consent would be required under Byelaw 3. Please note that any consent granted for the discharge of treated foul water is likely to be subject to a Treated Foul Water Development Contribution fee (TFWDC) as outlined within our Development Control Charges and Fees.

Historic Environment Officer

Having reviewed the application documents and the updated available Historic Environment information for this application, the proposal is unlikely to have an impact on significant archaeological remains. Consequently, no further archaeological input is necessary for this application. It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

Highways & SuDs

No objection - The proposal is for Demolition of existing barn & erection of 1 dwelling, and it does not have an impact on the Public Highway or Surface Water Flood Risk. The parking demonstrated is acceptable for the size of dwelling proposed which will be accessed from the end of the public highway. The Highways and Lead Local Flood Authority response is in relation to the impact the proposed development would be expected to have on the operation of the Public Highway. The end of Hospital Drove where the proposed development will be is a private road, and the highway authority has no jurisdiction over the use of this road. Regarding this application, we have considered the safety and impact of these proposals on Adopted Road Hospital Drove and its junction with Wood Lane/Ave Farm Road. It is for the Local Planning Authority to determine whether the access provided by the private road is safe and suitable for all users. As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response regarding drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application, and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application

National Gas transmission

National Gas Transmission operates a high-pressure gas pipeline - FEEDER 7 - HOLBEACH BANK TO SUTTON BRIDGE in the vicinity of the proposed development. The pipeline has an easement in operation. No development, construction or landscaping is permitted within the easement without formal written approval from National Gas Transmission. The pipeline has a 81m 'Building Proximity Distance' (BPD), which restricts development within this distance. Further guidance for consultation zones around a Major Hazard Pipeline can be found at:

<https://www.hse.gov.uk/landuseplanning> It is the Local Authority & Developer's responsibility to ensure that the requirements of LUP are adhered to. The proposed development appears to fall outside the easement and BPD but within 4X BPD corridor. Industry and Company standards place a limit on the number of dwellings within the 4 x BPD corridor, which may require risk assessment

before planning permission is granted. This is to ensure the risk to population is within NGT's risk criterion envelope as described in these standards.

The HSE are a statutory consultee and must be approached for comment when assessing any planning application and the formation of a population cluster and/or increased population density near the pipeline as a result of the development in the vicinity of a high pressure gas pipeline. Please ask the developer to submit the response from the HSE. The holding objection will remain in place until the HSE response has been received.

Officer comments

Prior approval was granted for the conversion of a barn located within the same proximity of this proposal (ref: H18-1072-23). Under this application National Gas Transmission were consulted and the response was **No objection**.

Under a refused planning application where the foot print of the proposal was in a similar location. Under this application NGT state "Referencing the location plan provided by the applicant, the proposed development appears to fall outside the easement and BPD. The applicant will need to provide NGT the method of demolition so that the impact to pipeline integrity can be assessed. Should the scope of work change please stop works and contact Asset Protection for further guidance before proceeding. All works must be carried out in accordance with National Gas Transmissions Third party guidance documentation (T/SP/SSW/22.). Please find no objection letter attached"

Therefore, the principle of a dwelling has already been allowed (and confirmed as acceptable) and this was based upon National Gas Transmissions responses. Given that the proposal is located outside of the BPD easement and whilst it is recommended that the HSE carry out a risk assessment based upon the site being within the BPD 'corridor' to ensure 'the risk to population is within NGT's risk criterion envelope' this exercise would be academic given a NGT have supported a dwelling already in this location.

It is therefore sufficient to relay the information to the developer as the works will be subject to external mitigation. Given the gravity of the issue, conditions relating to demolition and foundation works will be attached. To prevent a dwelling on these terms, is likely beyond planning control at this stage and therefore the approach must relate to mitigation.

Parish

The Parish Council resolved to make a comment that all advice received from National Gas regarding the high-risk zone from transmission apparatus should be taken into consideration for this application

Representations

The application has been advertised in accordance with the DMPO 2015 (as amended). It has been subject to letters of support.

Planning Considerations

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 (updated December

2024) 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.

The following issues are relevant to this assessment:

- Principle of Development
- Character & Landscape
- Flood Risk and Drainage
- Amenity
- Highways Safety
- BNG/Ecology
- Planning Balance

Principle of Development

The South East Lincolnshire Local Plan sets out the settlement hierarchy in respect of delivering sustainable development that 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 housing need, whilst making more sustainable use of land and to minimise the loss of high quality agricultural land by developing in sustainable locations and at appropriate densities.

Policy 1 of the South East Lincolnshire Local Plan sets out a spatial strategy for delivering sustainable development across South East Lincolnshire until 2036. Policy 1 (Spatial Strategy) expresses the sustainable framework 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 in respect of sustainable development 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 application site is located within the open countryside in accordance with Proposal Maps contained within the South East Lincolnshire Local Plan 2011 - 20236. Policy 1 'D' (Spatial Strategy) of the Southeast Lincolnshire Local Plan is concerned with development within the open countryside, it states:

The rest of the Local Plan area outside the defined settlement boundaries of the Sub-Regional Centres, Main Service Centres, Minor Service Centre and Other Service Centres and Settlements is designated as Countryside. In the Countryside development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefit.

The application site is located within the open countryside and as confirmed there are sufficient deliverable housing sites in South Holland District, beyond the 5 year requirement.

The proposal therefore, which is for the erection of a single dwelling, is considered unacceptable in principle being contrary to policy 1 of the South East Lincolnshire Local Plan.

Betterment & weight attributed to fall back

Further to the above assessment of the principle of development, a significant consideration for this proposal relates to the 'Class Q fallback'.

Specifically relating to 'Class Q development and its subsequent fallback', the Court of Appeal case,

'Mansell vs Tonbridge and Malling Borough Council (2017)' provides a significant benchmark and consideration.

Mansell vs Tonbridge and Malling Borough Council (2017) established that where there is demonstrably a realistic prospect of a permitted development scheme being implemented, and where an alternative proposal would normally conflict with the development plan, insofar as it being an unsuitable location for housing, the potential for the fallback position to outweigh that conflict must be considered by the Local Authority. Where the alternative new-build proposal offers either an enhancement to the setting or a reduction in density when compared to the fallback, the development could (and perhaps should) be allowed to proceed. In this case, the existing building on the site has a Class Q consent for change of use to form a dwelling. It is considered that the granting of the Class Q demonstrates the applicant has a "real prospect" and clear desire to develop and maximise the value of the site.

It is therefore considered that the general principle of residential development is already established across much of the site, having granted prior approval under H18-1072-23 to convert the barn into a dwelling. The extension to the red line boundary that was previously allowed is shown to be taken up by amenity space and landscaping, an assessment upon whether this proposal would offer an enhancement to the setting will be made. However, in principle terms the fall back is sufficiently material to warrant a departure from SELLP Policy 1. The case for betterment is discussed within the remainder of this report.

Character & Landscape

Section 12 of the National Planning Policy Framework (December 2024) specifically relates to 'Achieving well-designed places' and details that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Policy 2 of the SELLP states that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable. Policy 2 point 1 states that proposal should meet with sustainable development considerations specifically in relation to 'size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses'.

Policy 3 sets out the 'Design of new development' in part it states that "Design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable"

NPPF Paragraph 187b is relevant, it states that *Planning policies and decisions should contribute to and enhance the natural and local environment by...recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.*

One of the considerations for betterment is that the new proposal would enhance the setting of the area. The application site which is located at the end of Hospital Drove, is detached from the ribbon of residential form nearby. It is read in the context of a countryside setting, and against the agricultural back drop of the wider farmed area and agricultural buildings, that have historically be located in this area.

The scale of the development is a 4 bedroom 2 storey dwelling which sits close to the original footprint of the existing barn to be replaced. The ground floor area of the barn is stated to be 121m² and the ground floor area of the dwelling is 152m². This increment is not unreasonable. Moreover, the proposal takes on, loosely the form of the existing barn (and subsequent approval) in displaying a twin gable ended structure with dual pitched roof. It is sited slightly east of the existing barn, just outside of its footprint.

The broader site would be subject to some planting as well as the retention of existing trees and new hedging to the north, some removed trees are replaced. This approach would soften the impact of the dwelling within its surroundings, making it appropriate to its countryside location. The proposed materials are considered to represent an acceptable palette for this location, they are

made up of walls 'York Handmade Multi Roof' roof 'Chatsworth Blue-Grey Natural Slate', windows & doors 'Aluminium flush casement' and Rainwater Goods (Black).

The proposal is therefore considered to represent an enhancement to the area, over what is already allowed on site. In these terms then the proposal would represent betterment.

On this basis then the proposal is considered to represent betterment, over what has already been approved on this site, which was a more sympathetic and appropriate design for the dwelling in this rural and open countryside location and setting. As such, the proposal is considered to be in accordance with the aims of SELLP Policies 2 and 3 as well as NPPF Paragraph 187b.

Flood Risk & Drainage

Policy 4 sets out South Hollands approach to Flood Risk. The application site is located within flood zone 3 in accordance with the Environment Agency Mapping systems. A review of the hazard mapping and depth mapping that are derived from the SFRA show that the application site is located within an area that has a mix of 'Danger for most' & 'Danger for all' (with depth between 1.25 and 2.0).

In such locations SELLP Policy 4 states that development will be permitted subject, where:

It can be demonstrated that there are no other sites available at a lower risk of flooding (i.e. that the sequential test is passed). The sequential test will be based on a Borough or District wide search area of alternative sites within the defined settlement boundaries, unless local circumstances relating to the catchment area for the development justify a reduced search area, i.e. there is a specific need for the development in that location. The sequential test is not required for sites allocated in the Local Plan, minor development or change of use (except for a change of use to a caravan, camping or chalet site, or to a mobile home or park home site)

Planning Practice Guidance (Paragraph 27) on Flood Risk and Coastal Change state that "The sequential test should be applied to 'Major' and 'Non-major' development proposed in areas at risk of flooding, as set out in paragraphs 173 to 174 of the National Planning Policy Framework. Paragraphs 175, 176 and 180 set out exemptions from the sequential test.

In applying paragraph 175 a proportionate approach should be taken. Where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied".

In this instance given that the site has already been assessed against its flood related merits, and considered acceptable there is no reason to request such a test is carried out (this is likely to be considered disproportionate).

In terms of being safe for its lifetime the applicant proposes that the finished floor level is set at 11.0m Site Datum, 0.96m above the lowest surrounding ground level, and there is 0.3m of flood resilient construction above finished floor level. The EA have no objections and this scenario was previously approved on the barn conversion.

Therefore in flood risk terms the proposal is considered acceptable.

Drainage

Whilst the surface water drainage is not clear at this stage (due to the lack of information on ground conditions) this was conditioned as part of the prior approval and so could be again as part of this permission. In terms of foul treatment, the applicant proposes a package treatment plant, however again further information in relation to where this drain is required. Therefore, both elements of the drainage would need to be condition.

On this basis it is considered that the wider substantiality benefits to the community brought about by the proposal would not outweigh the risk from flooding. The proposal is therefore in accordance

to the aims of SELLP Policy 4 as well as NPPF Paragraph 178a.

Amenity

Paragraph 135 of the National Planning Policy Framework (December 2024) 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policy 2 and of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

Policy 30 is concerned with pollution and places impacts in relation to noise, disturbance and air quality as important consideration when considering proposals for planning.

The proposal would retain a sufficient separation distance not to give rise to unacceptable issues in relation to residential amenity impact such as overbearing and overshadowing. Furthermore all openings are located within appropriate positions and would not give rise to unacceptable impacts in relation to overlooking. This matter weighs neutrally in the planning balance as the lack of harm being caused to neighbouring amenity is a prerequisite of all development proposals, and should not be afforded weight as a benefit of the scheme in the planning balance.

Also given that the proposal is located just outside of the footprint of the existing barn, a condition will be attached to ensure that the barn is demolished and removed from site prior to the first occupation of the dwelling. This is to prevent the potential for two dwellings being located within this site, that would give rise to amenity impacts (as well as planning principle considerations).

On this basis it is considered that the proposal would meet with SELLP Policies 2 and 30.

Highway Safety

Section 9 of the National Planning Policy Framework (December 2024) specifically relates to 'Promoting sustainable transport'. Paragraph 116 of the National Planning Policy Framework (December 2024) 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, following mitigation, would be severe, taking into account all reasonable future scenarios".

SELLP 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.

SELLP 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.

SELLP Policy 36 is concerned with Vehicle and Cycle Parking it states that "All new development, including change of use, should provide vehicle and cycle parking, in accordance with the minimum Parking Standards adopted by the Local Planning Authorities (in Appendix 6).

The applicant shows an access/egress to the west of the application site, this was previously approved by under the class Q application. Furthermore, sufficient parking and turning are shown within the site, vehicles can enter and leave in a forward gear. Highways have confirmed they have no objections.

On this basis then the proposal would accord with SELLP Policies 2, 3 & 36.

BNG & Ecology

SELLP Policy 28 is concerned with the Natural Environment points 2 and 3 are relevant to this assessment, point 2 is concerned with Nationally or locally designated sites and protected or priority habitats and species and point 3 with addressing gaps in the ecological network.

The applicant has provided a preliminary ecological appraisal and bat survey relating to the removal of an Ash. These survey are considered acceptable and will be conditioned as part of any permission.

In terms of BNG the applicant states that the site is exempt through the self build/custom build exemption. The LPA are in agreement with this position. This would be secured through unilateral undertaking.

On this basis the proposal would accord with SELLP Policy 28.

Land Contamination

SELLP Policy 30, it states *Development proposals will not be permitted where, taking account of any proposed mitigation measures, they would lead to unacceptable adverse impacts upon land quality and condition.*

Environmental Protection have been consulted and have not responded. It is considered that an informative requiring works to cease should unforeseen contamination be found, would be appropriate mitigation given the location of this proposal and the scale of the development.

Given the mitigation the proposal is considered to accord with SELLP Policy 30 as regards land contamination.

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.

In this instance, the proposal for a new dwelling represents a departure from the spatial strategy set out in Policy 1 of the South East Lincolnshire Local Plan (SELLP), insofar as the site is located within the open countryside where new residential development is generally resisted. The Council is also able to demonstrate a deliverable housing supply in excess of five years, and therefore the presumption in favour of sustainable development under paragraph 11(d) of the National Planning Policy Framework (NPPF) is not engaged.

However, a key material consideration in this case is the established fallback position provided by the extant Class Q prior approval (ref: H18-1072-23) for the conversion of the existing barn to a dwelling. The existence of that approval confirms that the principle of residential development in this location has already been accepted. In line with the findings of *Mansell v Tonbridge and Malling BC* (2017), the fallback carries substantial weight where there is a realistic prospect of its implementation - which in this case is clear given the applicant's pursuit of a self-build dwelling and the ongoing viability of the prior approval scheme.

In assessing whether the current proposal represents a betterment over that fallback, it is acknowledged that the dwelling proposed would be of a similar footprint, height and massing to the approved conversion, but with improved architectural composition and a more coherent relationship to its rural setting. The use of high-quality natural materials, along with the introduction of landscaping and boundary planting, would ensure that the dwelling sits comfortably within its surroundings and would enhance the visual quality of the site compared with the utilitarian appearance of the existing agricultural building.

The proposal therefore results in a clear visual and design enhancement relative to the approved fallback scheme, representing a positive contribution to the character and appearance of the area. On this basis, the development is considered to deliver environmental betterment sufficient to outweigh the in-principle policy conflict with SELLP Policy 1.

In respect of other considerations, the site has previously been deemed acceptable in flood risk

terms and no objections have been raised by the Environment Agency. Subject to conditions relating to floor levels and resilient construction, the proposal accords with SELLP Policy 4 and paragraph 178(a) of the NPPF. Matters of residential amenity, highway safety, ecology, and land contamination have all been found acceptable or can be satisfactorily addressed by condition, weighing neutrally in the overall balance.

The proposal would deliver a self-build dwelling, contributing to the district's self and custom-build housing supply, in accordance with the aims of national guidance to diversify housing delivery and support individual homebuilding opportunities. This carries modest positive weight in the overall balance.

When considered as a whole, the benefits of the proposal, notably the material fallback, visual and design betterment, and contribution to self-build housing, are considered to outweigh the identified policy conflict with SELLP Policy 1.

Accordingly, it is concluded that the proposal represents a sustainable form of development when assessed against the policies of the Development Plan and the National Planning Policy Framework, taken as a whole.

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.

Conclusion

Taking the above into account, it is considered that the proposal represents a high-quality, self-build dwelling which delivers betterment over the existing Class Q fallback. The scheme accords with the relevant aims of Policies 2, 3, 4, 28, 30, and 36 of the South East Lincolnshire Local Plan (2019) and with the guidance set out in the National Planning Policy Framework.