DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H19-0156-25**	**Applicant:**	**CS Gent & Sons Ltd**
Proposal:	Erection of a self-build agricultural workers dwelling and garage to replace existing agricultural workers caravan - Approved under H19-0736-24. Modification to Condition 2 to allow amendments to previously approved plans & modification to Condition 5 to allow amendment to wording		
Location:	Acre Farm 40 Guanockgate Road Sutton St Edmund		
Terminal Date:	16th April 2025		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
28	The Natural Environment
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	1
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
HISTORIC ENVIRONMENT OFFICER	0	0	0	1
NORTH LEVEL	0	0	0	1

INTERNAL DRAINAGE BOARD				
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	0	2

CASE OFFICER ASSESSMENT

Proposal

This is an application made under section 73 of the Town & Country Planning Act 1990 (as amended). This application seeks the variation of conditions 2 and conditions 5 attached to planning permission H19-0736-24.

Condition 2

The garage has been relocated and rotated 90° to face West. This will give added security and surveillance up the drive.

Changes to some exterior windows and doors.

Condition 5

The condition reads *Prior to the first occupation the caravan shown on drawing IP/JG/02A shall be removed from site.* The application would like to inset the drawing number (ref: 113 PL01) submitted as part of this application.

Site Description

The application site is located to the South East of the settlement of Sutton St Edmund and within the open countryside. It relates to an existing agricultural unit at 40 Acre Farm.

The proposal is located within flood zone 3 in accordance with Environment Agency Flood Maps and in a low hazard area (present day) within the SFRA.

The site is access from Guanockgate Road and is located to its east. Planning permission has been achieved for two storey three-bedroom farmers dwelling with detached garage.

History

H19-0736-24 - Erection of a self-build agricultural workers dwelling and garage to replace existing agricultural workers caravan. Approved 23-10-24.

H19-0703-18 - Siting of agricultural workers mobile home in connection with poultry farm (retrospective) - previously approved under H19-0386-14. Approved 19th November 2018

H19-0386-14 - Siting of an agricultural workers mobile home in connection with an existing free range egg unit. Approved 18-08-14

H19-0431-13 - Erection of agricultural building for free range egg production. Approved 30-07-13

Consultation Responses

IDB

Please note that North Level District Internal Drainage Board have no comments to make regarding the above planning application.

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 Support

No objection - The proposal is for minor amendments to Erection of a self-build agricultural workers dwelling and garage to replace existing agricultural workers caravan - Approved under H19-0736-24. Modification to Condition 2 to allow amendments to previously approved plans & modification to Condition 5 to allow amendment to wording. The minor amendments proposed will not have an adverse impact upon the public highway or surface water flood risk.

National Gas Transmission

National Gas Transmission does not object to the proposed works.

Environmental Protection

No comments received

Parish

The Parish Council would like consideration in addition to the conservation hedge to supplement with some positive tree planting to offset carbon footprint and enhance environment for residents of dwelling.

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

This is a section 73 application that seeks to make changes to the location of the garage and to the appearance of the dwelling. It is considered that there is no requirement to revisit matters of planning principle.

The following topics are therefore relevant to this assessment.

-Character & Design
- Amenity
-Highway Safety
- Reattachment of conditions
-Planning Balance

Character and Design

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".

The proposal remains for a detached two storey dwelling, there are no changes to the materials. The dwellings in 'turned' 90- degrees to face toward the access, this is considered acceptable.

Whilst the scale and massing is commensurate with what is already approved, the elevations are updated. The new plans represent a betterment in that a greater amount of symmetry and detailing is provided. The palate of materials are described on the plans and these are considered appropriate.

On this basis the proposal is in accordance with SELLP Policies 2 & 3.

Amenity

NPPF Paragraph 135 of the National Planning Policy Framework (December, 2023) 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.

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

SELLP 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 dwelling is sited away from all other neighbouring properties and it is likely that it will have a very limited impact outside of the site due to the separation distances. In terms of amenity for future residents the dwelling would present a high level of amenity.

On this basis the proposal is in accordance with SELLP Policies 2 & 30 as well as the aforementioned content of the NPPF.

Highway Safety

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.

The dwelling would utilise the existing access from Guanockgate Road, the only change in highway terms is that the garage is relocated and attached to the southern elevation of the dwelling (which is also turned 90 degrees). This represents betterment in adding greater natural surveillance.

Highways have been consulted and have stated that the proposal is for minor alterations and have no objections.
The proposal then is considered acceptable in highways terms and would accord with SELLP Policies 2 & 3.

Reattachment of Conditions

Conditions relating to the agricultural workers dwelling will be reattached will the removal of permitted development rights. A slight tweak to condition 5 to refer these plans is necessary and the external materials will now form a compliance condition.

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.

The proposal represents appropriate development within the countryside. This proposal is for minor alteration above what has already been approved and these are considered acceptable.

In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

Conclusion

Taking the above considerations into account, the proposal is considered to be in accordance with policies 1, 2, 3, 4, 28 and 36 (including Appendix 6) of the South East Lincolnshire Local Plan (SELLP) (2019), along with the identified sections contained within the National Planning Policy Framework (NPFF) (December 2023). The are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

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.