DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H19-0625-19**	**Applicant:**	**A D Faulkner**
Proposal:	Conversion of existing barn into holiday cottages		
Location:	Fir Tree Farm Guanock Gate Sutton St Edmund		
Terminal Date:	16th October 2019		

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
09	Promoting a Stronger Visitor Economy
23	The Reuse of Buildings in the Countryside for Residential Use
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 2019

Sections 2, 3, 4, 5, 6, 8, 12, 14 and 16

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
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1

NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	1	0
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for a conversion of an existing barn into holiday cottages.

Site Description

The building is part of a former farmyard located on the western side of Guanock Gate, Sutton St Edmund, in open countryside. The property is served by two accesses. A row of trees is located along the northern boundary.

An associated dwelling (Fir Tree Farmhouse) is located to the south. A row of residential properties (nos. 86 - 96) are located to the north east on the opposite side of Guanock Gate.

Representations

Sutton St Edmund Parish Council - No response.

LCC Highways/SUDs - Does not wish to restrict the grant of permission.

North Level IDB - No comments.

SHDC Environmental Protection - Request contaminated land condition.

LCC Archaeology - No impact.

Public - Resident objection received (summarised):
Cause traffic issues. This is mainly an agricultural area and added traffic with people not knowing the area could increase danger.

Information from Applicant - We are looking to make our property into a sustainable business and to promote the area for tourism.

Also, after speaking to a charity called "Horseback UK", in around 2 years, once we have the accommodation built, we are looking into working with Horseback UK to promote the health and well being of ex Special Forces service men and women suffering from PTSD and life changing injuries. We would use the farm, ponies and other outdoor activities to promote this. On the tourist side there is a vast amount of areas of natural beauty, fishing, golfing, lakes, historical areas to visit and use. There is not a lot of accommodation in our area for people to visit.

We would like to be able to offer accommodation and investment in our area. According to the tourist board (see letter), hotel accommodation is very limited and with development programmes planned for our area, would mean a high number of workmen and service providers looking for

accommodation. If there is not enough they would have to travel further afield and our area would lose out.

Planning Considerations

The main issues in this case are:
· Policy/sustainability;
· The likely impact upon the amenity of nearby residents;
· Highway safety;
· Other material considerations such as flood risk and drainage.

Policy/Sustainability

As indicated in paragraph 47 of the National Planning Policy Framework, 2019, planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The proposed development is outside a defined settlement limit within the South East Lincolnshire Local Plan, 2019. It is therefore within an area regarded as countryside. Policy 1 of the South East Lincolnshire Local Plan is therefore applicable. It states that development will be permitted in the countryside 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 benefits.

SELLP Policy 9 specifically relates to the visitor economy. It indicates that outside a defined settlement limit, small-scale development to support the visitor economy, including farm diversification and equine development, will be supported provided that proposals do not conflict with neighbouring land uses; are in keeping with the character of the locality; and demonstrate a functional link with an existing rural attraction or farm enterprise.

Moreover, the National Planning Policy Framework, 2019 supports sustainable growth and stresses that significant weight should be placed on the need to support economic growth and the provision of local services to reflect the community's needs. Paragraphs 17 and 28 encourage the expansion of all types of business and enterprise in rural areas, both through the conversion of existing buildings and well designed new buildings. The latter also stresses that planning policies should support rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors and which respect the character of the countryside.

Addressing the above, the site is not within a defined settlement boundary. However, the proposal is small scale and would be a facility that would serve the local area and provide additional tourist/leisure facilities within the district. Further, the proposal is a form of rural diversification and would be linked to an existing equine facility.

It is debateable whether the proposal is a "conversion", as opposed to a re-build, because the building is in a poor structural state. Nevertheless, the Framework encourages the expansion of all types of business and enterprise in rural areas, both through the conversion of existing buildings and well designed new buildings. The building is of rural appearance, similar in form and appearance to a typical traditional agricultural barn. It would constitute an enhancement and would not significantly harm the existing character or appearance of the countryside. It is considered, on balance, that the proposal is in general accordance with the overall aims and objectives of Policy 9 and advice with the Framework.

Amenity

The nearest residential properties are located to the north east on the opposite side of Guanock Gate. The proposal is small-scale. It is considered that associated activity would not materially harm the amenity of nearby residents in terms of overlooking, lack of privacy, noise and disturbance, etc.

Highway Safety and Parking

An existing access would be utilised and parking facilities would be provided. Concern has been raised on grounds that the proposal would generate additional traffic. However, LCC Highways has raised no objections on highway safety grounds.

Appendix 6 of the Local Plan sets out parking standards for new developments. It does not contain parking standards for this particular type of development but does set out standards for hotels, which is a similar use. 1 space per hotel bedroom is required. On this basis, the provision of 2 parking spaces for the two units (both 1 bedroom) is acceptable.

Flooding/Drainage

The site is within Flood Zone 3 on the Environment Agency Flood Maps. However, it is within an area of no hazard within the South East Lincolnshire Strategic Flood Risk Assessment (March 2017). The proposal therefore satisfies the sequential test.

Foul drainage would be disposed of via a package treatment plant and surface water via soakaways.

Conclusion

The proposal is in general accordance with the overall aims and objectives of Policy 9 of the South East Lincolnshire Local Plan, 2019 and advice with the National Planning Policy Framework, 2019. The proposal would not materially harm the amenity of neighbouring residents and is acceptable on highway safety and flood risk grounds.

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.