DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H20-0745-20**	**Applicant:**	**Mr D Price**
Proposal:	Replacement barn to form annexe - approved under H20-0913-16. Modification of Condition 2 to allow amendments to previously approved plans.		
Location:	Charlton House Goochgate Sutton St James		
Terminal Date:	3rd November 2020		

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

National Guidance

National Planning Policy Framework 2019

Section 12 of the National Planning Policy Framework (2019)

12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
ENVIRONMENT AGENCY	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY				

BODIES	0	0	1	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a Section 73 application for a replacement barn to form annexe - approved under H20-0913-16. Modification of Condition 2 to allow amendments to previously approved plans. This proposal differs from that of the previously approved plans in that a door serving the lounge will be sited on the north elevation of the annexe, roof materials will be Cedral Rivendale Slate rather than reclaimed tiles, and windows and doors will be cream coloured VEKA wood effect UPVC rather than timber.

SITE DESCRIPTION

The proposal site is outside of defined settlement limits and the surrounding area is predominately rural, characterised by non-nucleated linear development of varying ages and design. The site is in Environment Agency Flood Zone 3 and not subject to increased flood hazard or depth on the 2115 South Holland Strategic Flood Risk Mapping.

HISTORY

Full - Replacement barn to form annexe - Approved - 04 November 2016. This development has commenced but is not yet complete.

CONSULTATION RESPONSES

LCC - County Highways & SUDS Officer

Does not wish to restrict the grant of permission.

SHDC - Environmental Protection Officer

No comment.

Environment Agency

No comment.

North Level Internal Drainage Board

No comment.

PLANNING CONSIDERATIONS

Principle of development

This proposal is assessed against SELLP Policy 2 titled - Development Management. This policy states:

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:
1. 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;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;

5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets;
9. impact on the potential loss of sand and gravel mineral resources."

When assessed against the above criteria the following can be observed:

1.The size, scale and density of the annexe has not been altered from that which was previously approved. The layout is only amended by the addition of a door on the northern elevation which does not materially alter the character of the dwelling. Trees and amenity are not impacted by this proposal.

2. The window locations have not been altered but the use of timber effect cream UPVC, whilst not what would usually be recommended, does not materially alter or harm the character of the proposed annexe.

3. The proposal utilises reclaimed brick from the dilapidated barn previously located on the same footprint and did seek to re-use the tiles but not enough were salvageable so Cedral Rivendale slate is to be used instead to help maintain agricultural character to the build.

4. Access and vehicle generation levels will not be impacted by this proposal.

5. The capacity of existing community services and infrastructure will not be noticeably impacted by this proposal.

6. There is not considered to be a noise, odour, disturbance or visual intrusion impact from the proposal which is 120 metres from Holly Manor, the nearest neighbouring dwelling to Charlton House.

7. The proposal is in Environment Agency Flood Zone 3 but not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. Drainage and flood risk will not be impacted by this proposal.

8. Natural habitats and heritage assets will not be impacted by this proposal. Whilst the previous barn on site was historic is was not subject to any listing or Article 4 direction and was assessed to be beyond structural repair.

9. There is no impact on sand or gravel mineral resources from the proposal.

The proposed annexe is considered to accord with Policy 2 of the South East Lincolnshire Local Plan, 2019.

Impact on character and amenity from the proposed amendments

There is not considered to be a material impact on the character or amenity of the annexe, Charlton House or the surrounding area.

The proposed additional door will aide accessibility of the annexe from the main dwelling and does not impact the overall design. Whilst the Council would prefer that the applicant sourced reclaimed tiles, the proposed Cedral Rivendale slate should ensure the longevity of the structure. Again, whilst the Council would prefer that the applicant utilised timber frames, the proposed wood effect UPVC frames retain a traditional design and require less maintenance than timber frames. Recent developments in UPVC have generated wood effect frames with a grain and visual presence more similar to timber than any previously developed. Therefore, the cream coloured VEKA wood effect UPVC frames are considered to be appropriate for the annexe.

CONCLUSION

The proposed amendments are considered to be acceptable for the site and do not materially impact the character or amenity of the surrounding area. Condition 2 for the approved plans of H20-0913-16 can now be modified.

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.