DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H21-0051-22**	**Applicant:**	**Mr I Ashdown**
Proposal:	Proposed photovoltaic panels on southern elevation of garage		
Location:	Lords Barn Common Way Tydd St Mary		
Terminal Date:	17th 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
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Sections 12 and 16 of the National Planning Policy Framework (2021)

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This planning application is for the erection of photovoltaic panels on the southern elevation of the roof pitch of the garage at Lords Barn, Common Way, Tydd St Mary.

The proposal is for 16 individual panels arrayed in 2 rows on the Southern pitch of the extant garage structure. Each cell would be 1.755m (L) x 1.038m (W) and mounted 3.5cm above the roof surface.

Site Description

Lord's Barn is a building which would have originally been a part of the curtilage of the adjacent, Grade II listed Tysdale Manor. For this reason, this structure is considered to be curtilage listed. The building itself is a Late C18th - early C19th barn. It is quite significant in scale and is characterised by the prevalence of brick arches above window openings and also the extensive and visually obvious use of structural ties throughout its history . The site features very little rear space, with nothing more than a slim alley backing out onto the rear garden of Tysdale Manor.

The garage which is the subject of this application was constructed following the approval of H21-0794-10 on 19 January 2011, making it a modern addition. Whilst traditional materials have been used in its construction, due to the lack of weathering, in addition to the architectural details of the structure, it is visually obvious that it is not a historic feature.

The site sits within the Conservation Area for Tydd St Mary, and Tysdale Manor, to which it is situated behind is the area's most prominent historic building. The specific site, however, is screened from the road and is therefore barely visible from public realm views within the Conservation Area.

History

H21-0358-08

Change of use of agricultural building to use as either B1 business/light industrial or as holiday accommodation. Approved on 01-06-09

H21-0359-08

Change of use of agricultural building to use as either B1 business/light industrial or as holiday accommodation. Approved on 01-06-09

H21-0794-10

Change of use of barn to form 2 dwellings including single-storey extension, demolition of 2 outbuildings and erection of 2 garage blocks. Approved on 19-01-11

H21-0657-21

Proposed satellite dish to rear of property. Approved on 30-09-21

Consultation Responses

Tydd St Mary Parish Council

Supports provided works are acceptable under policy

Planning Considerations

Heritage Impact

The Local Planning Authority does not consider there to be any harm to be presented to the value and significance of the Heritage Asset in terms of either the nearby listed building or the Tydd St Mary Conservation Area.

Whilst PV cells are, of course, not a traditional material, nor common within the conservation area and Listed curtilage setting contexts, the proposal site itself cannot be viewed readily from the public realm, being set back significantly from the roadside and set behind and screened by Tysdale Manor. Additionally, the 3.5cm mounting height is considered to be slimline and near-flush fitting, this, along with the scale of the works suggest that the impact upon the wider setting will be minimal. Whilst the site is within a listed context, the structure itself is not a part of the listing, being particularly modern in construction. By the relative lack of impact presented by this proposal, this application is considered to help to conserve the historic environment in line with Section 16 of the National Planning Policy Framework. Additionally, this proposal is seen as a sensitive approach to

increasing the environmental qualities and credentials of this historic site in a manner which mitigates against harm to the actual listed and historic structure.

Parking Provision

Whilst this proposal is situated on the garage to Lords Barn, the works are limited to the roof, and will not in any way impact upon the current levels of parking provision at this residency.

Conclusion

For the reasons listed above, this application is considered to be in accordance with Policies 1, 2, 3, 29, 36 and Appendix 6 of the South East Lincolnshire Local Plan (2019) as well as Sections 12 and 16 of the National Planning Policy Framework (2021). Therefore, this application is recommended for Approval.

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.