

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H21-0657-21 **Applicant:** Mrs E Seale
Proposal: Proposed satellite dish to rear of property
Location: Lords Barn Common Way Tydd St Mary
Terminal Date: 13th August 2021

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

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 Listed Building Consent is for the placing of a satellite dish on the rear of Lords Barn, Common Way, Tydd St Mary.

It is proposed that the dish will be placed at a 1st floor height at the Southern end of the rear elevation.

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.

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

Consultation Responses

Tydd St Mary Parish Council

Supports the application

Planning Considerations

Heritage Impact

The Local Planning Authority does not consider there to be any risk presented to the value or significance of any heritage asset by this proposal. The proposed installation of a satellite dish will involve only extremely minor works to the building that are very unlikely to affect its value or character, both due to the minor nature of the works, and also because the proposed location is screened from any public view.

Furthermore, it is the case that works such as that which is proposed in this application are generally considered to be fully reversible.

For the above reasons, this proposal is deemed to have a neutral impact upon the heritage asset. By virtue of this neutral impact, it is suggested that this application will help to conserve the historic environment in accordance with Section 16 of the National Planning Policy Framework (2021)

Conclusion

For the reasons listed above, this proposal is deemed to be in accordance with Policies 1, 2, 3 and 29 of the South East Lincolnshire Local Plan (2019) as well as Sections 12 and 16 of the National Planning Policy Framework (2019). 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.