

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H22-0599-24 **Applicant:** Mr G Bowater

Proposal: Erection of outbuilding comprising of a gym, home office & associated facilities

Location: Broadgate Barns 694 Broadgate Weston

Terminal Date: 9th September 2024

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
28	The Natural Environment
29	The Historic Environment
31	Climate Change and Renewable and Low Carbon Energy
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2023

Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed and beautiful places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment
Section 16 - Conserving and enhancing the historic environment

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
HISTORIC ENVIRONMENT OFFICER	0	0	0	1

SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	1

CASE OFFICER ASSESSMENT

Description of Proposal

The proposal seeks full planning permission for the erection of an outbuilding and several alterations to the grounds of Broadgate Barns, Weston. The outbuilding would be located towards the south of the site, in a currently vacant area between two groups of trees. The bulk of the building would be a fairly typical, two-storey gable ended structure, with a small flat roof block abutting to one corner. This would produce an irregular Z shape.

The building would have a maximum width of 9169mm (split into 6965mm for the main building and 2200/4450mm for the single storey component) and a maximum depth of 15697mm (split into 12365mm for the main structure and 3400/5500mm for the abutment). The main structure would have an eaves height of 4070mm, rising to 7100mm at the ridge. The flat roof component would have a height of 3000mm. It is proposed that the building will be clad in timber. The roof of the main building would be grey metal, while the single storey component would feature a green (i.e., vegetated) roof.

In addition to the aforementioned building, several alterations are proposed to the curtilage of the building. Most notably, would be the reinstatement of the southern access point of the site and the introduction of a gate. This access point had been approved as part of previous permissions on the site. The access is currently gravelled, although access is blocked by temporary perimeter fencing.

It is proposed that a pond will be excavated to the west of the building, on the edge of the main tree line. Biodiversity measures such as hedgehog huts, bee hotels and owl boxes are proposed throughout the site. Hedging will be planted between the proposed building and the roadside. It is also proposed that a small wind turbine will be installed to the west of the site, towards the fields. This would be a vertical turbine, with a height of 1180mm, and a width of no greater than 460mm. It is important to stress that this is a microgenerator, and extremely minor in scale compared to a traditional turbine.

Site Description

The site is outside of the settlement boundaries outlined within the South East Lincolnshire Local Plan, 2019. It is one of a small pocket of dwellings along Broadgate. Despite this limited number of dwellings, the wider area is still clearly characterised by agriculture. The host dwelling is a considerably sized barn conversion, with two existing outbuildings present (a garage and a dishevelled ruin of a barn). The plot shape is highly unusual, being a horseshoe shape which wraps around a separate dwelling (692 Broadgate).

694 Broadgate, and its associated outbuildings (excluding the modern structures) are curtilage listed to the adjacent Broadgate House Farmhouse. The listed building is described by Historic England like so:

"Farmhouse. Early C18, refronted c.1800, mid C19. Red brick, some colourwashed render. Slate roof with stone coped gables and 2 gable stacks, that to the left projecting and with flat band. Z storeys with attic, 3 bay front with chamfered plinth. Central doorway with open porch with semicircular hood supported on slender columns; moulded doorcase with pilastered doorcase, imposts, traceried fanlight and panelled reveal and door. Doorway flanked by small canted bay windows with tripartite plain sashes and moulded entablatures. Above doorway is a semi-circular headed plain sash flanked by single tripartite plain sashes with flush wedge lintels and painted

ashlar keystones. 2 segmental headed dormers with plain sashes. Long low early C18 range, single storey with attic, to rear."

Broadgate Barns itself is a former barn associated to the listed building, which in recent history was separated from the curtilage for the purposes of conversion to a separate domestic dwelling. Whilst this building and all of its associated historic outbuildings are still considered to be technically listed due to their historic association with the listed asset, it has been extensively modernised and, especially from rear elevation, has a heavily hybridised look contrasting between the new and old, with large panels of glazing and a modern utility extension.

Relevant History

H22-0515-24 - Full. Proposed two storey side extension. Ongoing.

H22-0384-24 - LB. Removal of existing barn and erection of new barn including extension to create additional detached living accommodation associated with main dwelling. Ongoing.

H22-0382-24 - Full. Removal of existing barn and erection of new barn including extension to create additional detached living accommodation associated with main dwelling. Ongoing.

H22-0132-24 - LB. Restoration and extension of barn to form additional detached living accommodation associated with the main dwelling. Approved 31/01/24.

H22-1031-23 - Full. Restoration and extension of barn to form additional detached living accommodation associated with the main dwelling. Approved 31/01/24.

H22-0148-19 - S73A. Proposed barn conversion - approved under H22-0180-18 - Modification of Condition 2 to allow amendments to previously approved plans. Approved 04/04/19.

H22-0180-18 - S73. Proposed barn conversion - approved under H22-0219-17 - Modification of Condition 2 to allow amendments to previously approved plans. Approved 17/04/18.

H22-0220-17 - LB. Proposed barn conversion. Approved 08/05/17.

H22-0219-17 - Full. Proposed barn conversion. Approved 08/05/17.

H22-0218-17 - LB. Proposed small barn extension and alterations to existing house. Approved 08/05/17.

H22-0217-17 - Full. Proposed small barn extension and alterations to existing house.. Approved 08/05/17.

H16-0327-16 - LB. Change of use and alterations to 2 agricultural buildings into 2 dwellings and extension to existing cottage. Approved 13/06/16.

H16-0326-16 - Full. Change of use and alterations to 2 agricultural buildings into 2 dwellings and extension to existing cottage. Approved 13/06/16.

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

LCC Historic Places Team

The proposed development will comprise Erection of outbuilding comprising of a gym, home office & associated facilities, including a pond. Having reviewed the application documents and the updated available Historic Environment information for this application, the proposal is unlikely to have an impact on any archaeological remains. Consequently, no further archaeological input is necessary for this application. The application cover letter reference AJO//A1704 states: "We have included a Heritage Impact Assessment because the barns on this same plot are curtilage listed and the new proposal sits within the setting of these buildings. That said, the locating of the proposed building has been arrived at by consciously trying to minimize impact on those other structures." Regarding any potential indirect impacts (setting) to the standing listed building/curtilage mentioned above, I

defer comments to the SHDC Conservation Officer"

Highway and Lead Local Flood Authority

"No objection This proposal is for Erection of outbuilding comprising of a gym, home office & associated facilities and the access and parking arrangements remain unchanged; therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety."

South Holland Internal Drainage Board

"The Board's Officers have reviewed the documents submitted in support of the above planning application. Officers have noted works which may require Land Drainage Consent from the Board as outlined in the table below and detailed overleaf. Please be aware of the potential for conflict between the planning process and the Board's regulatory regime."

Environmental Protection

No comments

Conservation Officer

"I wish to raise no objections to this scheme. The proposal is on the curtilage of a listed building, however, the design and the positioning of the proposal are such that I do not consider there to be any risk presented to the appreciable setting of the historic environment. This is because of the obscure shape of the curtilage plot meaning that the proposal site is obscured from direct visual association with the range of listed buildings by Ivy Cottage which partially bisects the site between the proposal and the host dwelling. I would, however, suggest that any approval be accompanied by conditions that require the details of the external materials, windows, doors and roof lights to be agreed by the LPA before commencement beyond oversight - this is in recognition of the fact that the site still is within the historic environment, and as such, final details of the materials should be commensurate, and as yet, it appears only vague details of the materials have been provided at this stage."

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Key Planning Considerations

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.

The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is 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 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Principle of Development

Policy 1 of the SELLP sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

The site is outside of any of the defined settlement boundaries outlined within the SELLP. As such, it is considered to be within the countryside from a planning perspective.

In any event, the proposal solely relates to the extension of an existing and established residential dwelling and therefore, the principle of such development is considered to be appropriate, comprising an appropriate form of development for the location.

As such, the proposal is considered to be in accordance with the requirements of the SELLP when viewed in principle. This is subject to the assessment against site specific criteria; including (but not limited to) the impact of the proposal on the character or appearance of the area, impact on the residential amenities of neighbouring occupiers, and impact on highway safety, which are discussed in turn in the following sections.

Layout, Design, Scale and Consideration of the Character of the Area

Section 12 of the NPPF, "Achieving well-designed and beautiful places", states that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the NPPF, states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality, to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing. Developments 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, among other considerations.

Likewise, Policy 2 of the SELLP outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 of the SELLP requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the NPPF and require 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. Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design, and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

The proposed position of the outbuilding would result in significant visual separation from the host dwelling, particularly given the positioning of 692. That being said, this positioning is considered to be the optimal location for this construction on the site. Alternative positioning, closer to Broadgate Barns, would result in greater impact upon the historical assets, which in turn would result in an unacceptable character impact. Likewise, positioning further east or west would result in harm to the established trees on the site, which must be avoided due to the TPOs present. This patch of land is currently vacant and disused, representing a visual anomaly on the site. In developing it, the works would likely lead to an initial improvement to the site.

The proposed site is well screened from the road via an existing row of protected trees. It is

proposed that this screening would be increased by the planting of a native hedgerow. The proposed building would be visible solely from the host property, 692 Broadgate and the proposed gate at the southern access. As such, the site would be largely obscured from the public realm; and therefore, the relative impact upon the character of the area would be low.

The proposed arrangement of the building is fairly typical, bar the flat roof component. This traditional form will help to integrate the building with its host, ensuring visual continuity on the site. The use of a single storey protrusion adds character to the building, preventing it from appearing overly monotonous.

That being said, the use of rustic materials as an homage to the previous use of the site as agricultural buildings is considered to largely be in keeping with the rural character of the area. Timber is present in small parts throughout the site, naturalising its use here. The sedum roof provides a point of visual interest to the building, enhancing the overall design.

The proposed pond will enhance the immediate setting, creating a more idyllic setting. No details have been provided for the proposed gate at this time.

Taking account of the design, scale, and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with Policies 2 and 3 of the SELLP and Section 12 of the NPPF.

Impacts Upon Resident Amenity

Paragraph 135 of the NPPF 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.

Policies 2 and 3 of SELLP sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

Adequate distance has been maintained to the adjacent boundary as to prevent any overshadowing occurring. Any loss of light would be solely within the host plot.

The proposed windows on the side elevations are angled away from neighbouring dwellings, prevent overlooking. In any event, adequate boundary treatments are present as to prevent significant intrusion.

As detailed above, the scale and design of the proposal is considered to have no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the Section 12 of the NPPF and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.

Highway Safety and Parking

Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this, Paragraph 115 advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

In respect of highway matters, 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. 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. Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the SELLP, in conjunction with Appendix 6, sets out minimum vehicle parking standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

The proposal would not increase the need for on site parking.

The proposal includes the gating of an existing disused access. This is likely an indication that the access will be brought into full use moving forward. That being said, this access arrangement was approved within previous approvals on site and would not significantly harm highway safety. The submitted visibility splays show that users can safely enter or exit the site.

The relevant consultee from the Highway Authority has raised no objections to the proposal, stating that the works would not have an unacceptable impact upon highway safety.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3, 33 and 36 of the SELLP, as well as Section 9 of the NPPF.

Environmental Sustainability

In respect of the climate emergency, Section 14 of the NPPF states that new development should be planned for in ways that: 'avoid increased vulnerability to the range of impacts arising from climate change' with care taken to manage and adapt where development is brought forward in areas which are vulnerable; and that 'can help to reduce greenhouse gas emissions, such as through its location, orientation and design'.

Section 15 of the NPPF promotes the conservation and enhancement of the natural environment. Paragraphs 180 and 185 ensure sites of biodiversity value are protected through the planning system; while Paragraph 186 states that "if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused".

In line with both aforementioned sections of the NPPF, Policies 28 and 31 of the SELLP ensure the preservation and enhancement of the natural environment and that suitable mitigation and adaptation to the climate crisis is in place.

The proposed measures would represent a significant on-site biodiversity gain. The planting and habitat created should encourage an increase in wildlife on the site, and the extent of these measures ensure these would be realised gains.

Policy 31 of the SELLP encourages the uptake of renewable energy, in turn giving some weight in favour of the proposed installation of a wind turbine. While Policy 31B does limit the installation of wind turbines, the turbines referred to in this policy are traditional large-scale turbines rather than micro-generation units such as this. There would be no significant harm to the landscape due to the minor scale of the proposal, and as such, it is considered an appropriate and commendable provision of renewable energy. Resisting the proposal on the basis of the wording of Section 14 and 15 of the NPPF or Section 31 of the SELLP, which clearly relate to traditional wind turbines rather than these small scale units, would be an over zealous implementation of policy, out of keeping with the intention behind said policies.

Taking the above into account it is considered that given the details submitted, and those required by suitably worded condition, the proposal is acceptable with regards to environmental sustainability. The proposal would therefore be in accordance with Policies 28 and 31 of the SELLP and Sections 14 and 15 of the NPPF.

Heritage and Conservation

Policy 29 of the SELLP, alongside Section 16 of the NPPF, relates to the preservation of the historic environment. Both outline that all applications within the Conservation Area should preserve or enhance the setting locale.

In this regard, in respect of any buildings or other land in a conservation area, special attention must be paid to the desirability of preserving or enhancing the character or appearance of that area, through Section 72 the Planning (Listed Buildings and Conservation Areas) Act 1990.

The NPPF expresses the importance of considering the impact of development on the significance

of designated heritage assets; advising that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.

Paragraph 205 of the NPPF states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

Policy 29 (The Historic Environment) states amongst other matters that the distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced, in keeping with the policies in the NPPF. Development proposals will be expected to conserve and enhance the character and appearance of designated and non-designated heritage assets, including archaeology, historic buildings, conservation areas, scheduled monuments, street patterns, streetscapes, landscapes, parks (including Registered Parks and Gardens), river frontages, structures and their settings through high-quality sensitive design.

In line with this, Policy 29A states that "Proposals that affect the setting of a Listed Building will be supported where they preserve or better reveal the significance of the Listed Building."

It is important to note that, as discussed above, the host building itself is curtilage listed, rather than listed in its own right. The listed property is 696 Broadgate, which is visually and functionally distinct from the proposed site. There are no clear lines of site between the proposed building and the listed building, with the existing outbuildings, dwellings and boundary treatments creating a clear visual distinction.

As discussed above, the proposed building is modern in its design philosophy, although homage is paid to traditional styles and materials. This homage, without becoming a pastiche, pays respect to the traditional character of the site without seeking to replicate it. This is considered an appropriate approach, which would be more beneficial in creating a clearly defined sense of place than a poor-quality imitation.

Turning to the requirements of Policy 29A of the SELLP, it cannot be said that the proposal would enhance the setting of the listed building. That being said, it is equally true that the building works would not substantially or significantly harm the setting of the listed building. Any potential harm or impacts to the primary listed building would be negligible, and as such would not be sufficient as to represent a divergence from policy. As such, the proposal is considered to preserve the historic setting.

The Conservation Officer has raised no objection to the proposal, stating that they do not consider there to be any risk presented to the appreciable setting of the historic environment. The Officer has requested that a condition be imposed requiring details of materials to be submitted prior to the commencement of development.

Therefore, the proposal is considered to be in accordance with Policy 29 of the SELLP and Section 16 of the NPPF.

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 defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking, whilst conforming with the SELLP and the provisions of the NPPF when viewed as a whole.

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.

Conclusion

Taking these factors into consideration, the proposal is considered to comply with Policies 1, 2, 3, 28, 29, 31, 33, and 36 of the SELLP, as well as Sections 9, 12, 14, 15 and 16 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.