

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H23-0837-20 **Applicant:** Mrs C Bettinson
Proposal: Barn Conversion
Location: Highfield Farm Cranesgate North Whaplode St Catherine
Terminal Date: 7th December 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
11	Distribution of New Housing
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, 4, 5, 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

SHDC INTERNAL	0	0	0	2
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for a barn conversion, including alterations.

Site Description

The building is located within an existing farmyard on the western side of Cranesgate North. Principal elements are late 19th/early 20th century, but it has been periodically altered over the years and has a number of utilitarian agricultural buildings wrapped around it.

The nearest residential property is an associated farmhouse to the north. Rows of semi-detached houses are situated some 100 metres to the north-east and south-east on the opposite side of Cranesgate North.

Relevant History

None

Consultation Responses

Whaplode Parish Council - No response

LCC Highways - No objections subject to informatives.

Environmental Protection - Request unexpected contamination condition/note.

LCC Archaeology - No archaeological input required.

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, drainage and ecology.

Policy/Sustainability

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The site is located outside of a settlement limit as defined in the South East Lincolnshire Local Plan (SELLP), 2019. Policy 23 of the SELLP indicates that proposals for the conversion of existing buildings which are located outside defined settlement boundaries to residential use will be permitted provided that:

1. the building is structurally sound and capable of conversion without the need for significant extension, alteration or rebuilding;
2. the building is of architectural or historic merit or makes a positive contribution to the character of

- the landscape, to justify conversion to ensure retention;
3. the proposal is in keeping with its surroundings;
 4. the design is sympathetic to the character and appearance of the building in terms of architectural detailing and materials of construction; and
 5. development leads to an enhancement of the immediate setting of the building.

Where permission is granted, permitted development rights may be removed in order to control future alterations or extensions that may impact on the appearance and character of the surrounding area.

Addressing the above, principal elements of the building are late 19th/early 20th century and mainly of brick construction. Whilst it has been periodically modified/alterd over the years it is nevertheless of historic merit. The proposed conversion is considered sympathetic and in character and would enhance the building's present appearance and setting. Existing modern utilitarian buildings presently wrapped around it would be removed or separated from the barn itself. The proposal would therefore be consistent with Policy 23 of the SELLP.

The proposal is considered to be consistent with advice within the National Planning Policy Framework, 2019. Paragraph 79 indicates that planning decisions should avoid new isolated homes in the countryside, unless there are exceptional circumstances. They include the re-use of redundant or dis-used buildings where the development would enhance the immediate setting.

Amenity

There are no dwellings adjoining the site other than the associated dwelling to the north. It is considered that the amenity of nearby residents would not be materially harmed in terms of such matters as overlooking, lack of privacy, noise and disturbance, etc.

The proposal therefore accords with Policies 2 and 3 in this respect.

Highway issues

The scheme includes on-site parking facilities. LCC Highways has raised no objections to the scheme on highway safety grounds. The proposal satisfactorily complies with Policies 2, 3 and 36 in this respect.

Flood Risk

In terms of flood risk, the site is within Flood Zone 1 of the Environment Agency's Flood Maps and within an area of no hazard within the South Holland Strategic Flood Risk Assessment (2017). Consequently, the proposal is satisfactory on flood risk grounds and is in accordance with Policy 4 of the South East Lincolnshire Local Plan, 2019.

Drainage

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

Ecology

Whilst there appeared to be no evidence of occupation by owls it is nevertheless considered that any permission should include mitigation measures.

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.

Planning Balance

The proposal is sustainable and generally accords with Policies 1, 2, 3, 4 and 23 of the South East Lincolnshire Local Plan, 2019 and advice within the National Planning Policy Framework, 2019. There are no material considerations that outweigh factors in favour of the proposal.

Conclusion

The planning balance is in favour of the proposal. It is therefore recommended that the application be approved under delegated powers.