DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H02-0268-21**	**Applicant:**	**Woodgate Developments Ltd.**
Proposal:	Proposed Pump Station Enclosure & Access (retrospective)		
Location:	Former South View Primary School Albion Street Crowland		
Terminal Date:	11th May 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019	
02	Development Management
03	Design of New Development
32	Community, Health and Well-being

National Guidance

National Planning Policy Framework 2019

Section 12 - Achieving well-designed places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for a Proposed Pump Station Enclosure & Access (retrospective) on a development at the Former South View Primary School, Albion Street, Crowland.

The pumping station has been located on part of the open space in the south-western corner of the site. The enclosure is of brick construction to match the dwellings. In terms of size, the enclosure is approx. 10 x 10m and approx. 1.8m high.

Site Description

The site in question sits almost on the corner of Albion Street and Broadway, and in the south-western part of a new build scheme. The surrounding area is predominantly residential. Upon conducting the site visit, the enclosure had already been constructed.

History

H02-0408-21 - Modification of 106 Agreement to amend clauses 1.1 & 1.2 of Schedule 3 to allow up to 80% of the market dwellings to be occupied prior to trigger point (undecided)

H02-0075-19 - S73 - Residential development - erection of up to 22 dwellings - approved under H02-0405-17. Removal of Condition 4 relating to affordable housing (approved July 2020)

H02-1020-19 - Reserved Matters - Erection of 3 dwellings and associated works (Plots 8, 9 and 10) Outline approval H02-0405-17 (approved December 2019)

H02-0448-18 - Reserved Matters - Erection of 22 dwellings (approved 22nd August 2018).

H02-1182-18 - Details of surface water drainage scheme and scheme to deal with contamination (Conditions 8 and 9 of H02-0405-17) (approved July 2019).

H02-0405-17 - Outline - Erection of up to 22 dwellings (approved 16th August 2017)

Consultation Responses

Crowland Parish Council - The Parish Council has no objections to this application.

LCC Highways/SUDS - Does not wish to restrict the grant of permission. The proposal is for a proposed pump station enclosure and access and it does not have an impact on the Public Highway or Surface Water Flood Risk.

SHDC Environmental Protection (contaminated land) - No comments or objections.

North Level IDB - I am yet to see any evidence as to where this surface water is ultimately discharging to, so the provision of a pump with no discharge route is a strange one. I must object on the grounds that concerns raised originally have not been answered. Where does the Anglian Water sewer that is proposed to be utilised connect to the Crowland surface water sewer system? Should the surface water ultimately discharge to my Board drainage network, then a development levy will be required for dealing with this increase in run-off.

Anglian Water - No comments provided.

Public (1 objection received, summarised) -
- No objection to initial plans as area had been designated as a green area
- Query why pumping station was not insisted on at the drainage planning stage
- Impact on outlook
- Impact on future house valuation

Planning Considerations

Given the nature of the proposal, the material planning considerations in this case are:
- Surface water drainage
- Impact on character
- Residential amenity
- Loss of approved open space

Surface water drainage

It has been advised that the need for a pumping station, and thus the enclosure and access, has arisen due to the level of the outfall for the surface water, which was not known until later in the process.

The North Level IDB have objected on the basis that it is unknown where surface water ultimately discharges to. However, the application is solely for the enclosure and access for the pumping station, therefore surface water drainage proposals cannot be considered as part of this application. Nonetheless, the Lead Local Flood Authority were previously content for details relating to drainage to be discharged on the basis that the discharge rate would be low, and lower than the previous use.

Impact on character

The pumping station has been located on part of the approved open space in the south-western corner of the site. The enclosure is of brick construction to match the dwellings. In terms of size, the enclosure is approx. 10 x 10m and approx. 1.8m high. This is around half a metre above the existing wall adjacent the footway on Albion Street which is to be retained as part of the overall scheme, and is the typical height for boundary walling. Views of the pumping station from an easterly direction are largely obscured by the existing building to the south-east. On that basis it is not considered that the enclosure has a material adverse visual impact when viewed from Albion Street or Broadway.

The enclosure is set back from the estate road in the development and is therefore less prominent than it otherwise could have been were it set further forward.

Overall, it is considered that the development is acceptable in character terms and satisfactorily accords with Policies 2 and 3 of the Local Plan. Policy 2 of the Local Plan requires development proposals to take into account sustainable development considerations such as: quality of design; and size, scale, layout, density, impact on character and appearance of the area and the relationship to existing development. Policy 3 requires development proposals to respect the density, scale and massing of neighbouring buildings and the landscape character of the location.

Residential amenity

Concern has been raised by a resident in relation to impact on the outlook from their property. As previously mentioned, the enclosure is only around half a metre above the existing wall adjacent the footway on Albion Street which is to be retained as part of the overall scheme. When viewed from the opposite side of Albion Street, the enclosure is noticeable but not to an extent where it could be said that visual amenity would be materially impacted. The same applies to views from the opposite side of Broadway.

On that basis, there are not considered to be any significant or demonstrable adverse impacts relating to residential amenity that would warrant refusal of this proposal. The proposal is considered to accord with Policies 2 and 3 of the Local Plan in respect of their provisions on residential amenity.

Loss of approved open space

The enclosure and pump station has been sited on an area which forms part of the approved open space for the wider residential scheme. Based on the current adopted Local Plan, 0.04ha of open space would be required for a scheme of 22 dwellings. Realistically, the area of remaining open space that sits to the east of the enclosure is most likely to be the area used (due to its shape and functionality), which totals approx. 0.76ha. It is therefore considered that the overall scheme still

satisfactorily accords with Policy 32 of the Local Plan.

Other considerations

Impact on property values is a consideration, but one which only carries very limited weight in the overall planning balance.

Planning Balance

This application is solely for an enclosure and access for a pumping station on a new residential development, therefore surface water drainage proposals cannot be considered as part of this application. It is not considered that it has a material adverse impact on the character and appearance of the area or that there is a material impact on residential amenity. A satisfactory area of open space remains.

The planning balance is therefore in favour of the application.

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 the above into account, the proposal is considered to be in accordance with Policies 2, 3, and 32 of the South East Lincolnshire Local Plan, as well as Section 12 of the National Planning Policy Framework (2019).

The recommendation is therefore for a delegated approval.