DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H02-0490-23**	**Applicant:**	**Crowland Parish Council**
Proposal:	Siting of portable building for use as youth/community building (retrospective) approved under H02-0453-18. Modification of Condition 1 to allow building to remain for a further 5 years.		
Location:	Pavilion Snowden Field Thorney Road		
Terminal Date:	27th July 2023		

Planning Policies

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

National Guidance

National Planning Policy Framework 2021

8 - Promoting healthy and safe communities
12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
MATTHEW ADAMS - HISTORIC ENVIRONMENT OFFICER	0	0	0	1
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a Section 73a Continuation application at Pavilion, Snowden Field, Crowland for the siting of a portable building for use as youth/community building (retrospective) approved under H02-0453-18. Modification of Condition 1 to allow building to remain for a further 5 years. The building is 8.85 metres in width, 9.4 metres in depth and 3 metres in height. The building is constructed from 3 prefinished actaccom sections mounted on a steel skid chassis. The external walls are cream coloured 9mm external grade ply. The roof is grey Hypalon high performance roof covering. Windows and doors are of UPVC construction.

SITE DESCRIPTION

The building is located off Thorney Road, Crowland and is within the defined settlement limit for Crowland as set out in the South Holland Local Plan (2006). It is sited to the rear of Crowland Medical Centre and is also adjacent the bowls club and Snowdon Pavilion. The siting is considered to be visually discrete.

RELEVANT HISTORY

H02-0086-12

Full - Use of land for siting of portable building for use as youth/community centre - Approved for 5 year period - 17 April 2012.

H02-0453-18

Full - Siting of portable building for use as youth/community building (retrospective). Previously approved under H02-0086-12 - Approved for 5 year period - 26 June 2018

CONSULTATION RESPONSES

Lincolnshire County Council - Historic Environment Officer

"No archaeological input required."

South Holland District Council - Conservation Officer

"This site is in a highly prominent and important portion of the Crowland Conservation Area (CCA) and has a substantial impact upon appreciable views when entering the village via Thorney Road. The extant building is not appropriate to this CCA setting either in terms of design or materials and as such conflicts with Policy 29 of the SELLP. It is, however, appreciated that there is a community value to allowing the extant building to remain, temporarily. Therefore, because this application seeks only to retain the structure for 5 additional years, I do not wish to raise an objection at this time. However, the applicant should be reminded that they should seek to implement a permanent and sympathetic alternative within the timeframe this consent application would establish if approved, as this structure would not be considered appropriate for permanent siting in this location."

South Holland District Council - Environmental Protection

No comments.

North Level Internal Drainage Board

No observations.

Crowland Parish Council

Support.

MATERIAL CONSIDERATIONS

Flood Risk / Site Levels

Policy 4 of the SELLP and Section 14 of the NPPF involve mitigating and adapting to flood risk as well as drainage issues.

The site is in Environment Agency Flood Zone 1, and in a Low Hazard area, with a maximum predicted flood depth of 0 to 0.25 metres on the 2115 South Holland Strategic Flood Risk Mapping.

This building is not considered to be materially impacted by flood risk.

Character / Appearance

Paragraph 130 of the National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area. That they are visually attractive, as a result of good architecture, and are sympathetic to local character. Likewise, Policy 2 of the SELLP, states 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.

A temporary 5 year permission was granted in April 2012 to enable the Parish Council to plan for a permanent building in the future and for the LPA to be able to assess the physical character/appearance of the building after 5 years if an extension to the permission was sought. The building is now looking worn and dated, however, still structurally sound and capable of continuing it's current use for a further temporary five year period.

There is not considered to material impact on character and appearance from this proposal which accords with the relevant criteria of Policies 2 and 3 of the SELLP.

Amenity

Paragraph 130 of the NPPF amongst other matters, seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of the SELLP set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

The building provides a very important community facility and relates well to adjacent buildings/uses. In addition, there is a reasonable distance to nearby dwellings and so there should not be any material impact on residential amenity.

There is not considered to material impact on amenity from this proposal which accords with the relevant criteria of Policies 2 and 3 of the SELLP.

Parking provision

There is a large parking area to the front of the site to accommodate visitors and it is not far from the centre of Crowland which should encourage the use of more sustainable modes of transport.

Conservation and Heritage Impact

Policy 29 of the SELLP and Section 16 of the NPPF concern the conservation of heritage assets. Since the proposal is immediately the Crowland Conservation Area, they are relevant to the proposal. Both ensure that any proposal conserves or enhances the character of the area.

Whilst the siting and design of the building has not been altered since the previous proposal, although the building remains structurally sound it is showing largely superficial signs of age.

The Conservation Officer has raised no objections to the proposal, however, they do not wish to see the building become a permanent addition to the site. They recommend a further five year permission. The proposal adequately conforms to Policy 29 of the SELLP and Section 16 of the NPPF and is therefore acceptable.

PLANNING BALANCE

The building has a very important community function. Whilst the Local Planning Authority would not wish to remove the use, the building is showing signs of age and a more permanent building should be sought. A further five year temporary permission is considered appropriate, however, Crowland Parish Council are urged to find a permanent building to secure future use.

CONCLUSION

This application is considered to accord with Policies 1, 2, 3, 4 and 32 of the South East Lincolnshire Local Plan, 2019, as well as Sections 8 and 12 of the National Planning Policy Framework, 2021.

RECOMMENDATION

This application is recommended for a further five year temporary 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.