DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H02-0536-24**	**Applicant:**	**Crowland Parish Council**
Proposal:	Replacement of existing club house		
Location:	Crowland Town Bowling Club Thorney Road Crowland		
Terminal Date:	2nd September 2024		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
04	Approach to Flood Risk
29	The Historic Environment
30	Pollution
36	Vehicle and Cycle Parking

National Guidance

National Planning Policy Framework 2023

Section 2 - Achieving sustainable development
Section 4 - Decision-Making
Section 12 - Achieving well-designed and beautiful places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 16 - Conserving and enhancing the historic environment

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

The proposal is for a replacement club house at the Bowling Ground premises on Thorney Road.

Site Description

The application site forms part of the existing Bowling Green, located adjacent to Snowden Field recreation ground and north of the existing health centre. To the west are tennis courts and dwelling are located to the north, with a sports pavilion also located to the south.

The application site is located within Crowland Conservation Area to its western boundary this is identified on the policies inset map for Crowland (inset map number 3). The EA maps for flooding show that the application site abuts flood zone 3 with a sliver of flood zone 3 along and into the western boundary of the application site. The South East Lincolnshire SFRA considers the area to be in a present day situation of 'low hazard', this remains the same in an event probability in 2115.

History

H02-0354-23 - Demolition of existing club house pedestals and verandah and erection of replacement club house and verandah. Approved 31-05-23

H02-1014-15- Full - Replace existing changing room - Approved - 07 December 2015

Consultation Responses

Crowland Parish Council
Support the application

North Level IDB
No Objections

Highways and SuDs Support
The proposal is for a replacement of existing club house. There are no changes proposed for the access or parking, the location of the replacement club house is the exact location of the existing building. There will be no intensification of use. Access and parking is via the Health Centre car park. A construction management plan should be conditioned. The proposal will not have an adverse impact on the public highway.

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.
In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms 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) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.
Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals. In this instance, no relevant neighbourhood plans have been adopted.
The Authority is able to demonstrate a supply of deliverable sites equivalent to in excess of 5 years through the latest Housing Land Supply Assessment.

Planning Considerations

The proposal is for the replacement of an existing building on site. Given there are no proposed changes to the operation of the site then it is considered that matters of principle do not need to be

discussed. The following issues are relevant for consideration:
- Heritage and design
- Amenity
- Highway Safety/parking
- Flood Risk
- BNG

Heritage and Design

The application site is located within Crowland Conservation Area. Policy 29 of the SELLP sets out the approach to considering schemes that affect the historic environment. It states that "Ã?¢?¦To respect the historical legacy, varied character and appearance of South East Lincolnshire's historic environment, development proposals will conserve and enhance the character and appearance of designated and non-designated heritage assets, such as important known archaeology or that found during development, 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"

Part B of the policy is concerned with specifically with conservation areas, it states that "Proposals within, affecting the setting of, or affecting views into or out of, a Conservation Area should preserve (and enhance or reinforce, as appropriate) features that contribute positively to the area's character, appearance and setting. Proposals should:

1. Retain buildings/groups of buildings, existing street patterns, historic building lines and ground surfaces;
2. Retain architectural details that contribute to the character and appearance of the area;
3. Where relevant and practical, remove features which are incompatible with the Conservation Area;
4. Retain and reinforce local distinctiveness with reference to height, massing, scale, form, materials and plot widths of the existing built environment;
5. Assess, and mitigate against, any negative impact the proposal might have on the townscape, roofscape, skyline and landscape;
6. Aim to protect trees, or where losses are proposed, demonstrate how such losses are appropriately mitigated against.

Section 16 of the NPPF which seeks to protect and enhance the historic environment is also relevant. Part 12 of the NPPF (Achieving well-designed places) states that good design is a key aspect of sustainable development and new development should be visually attractive as a result of good architecture and appropriate landscaping. It is important that new residential development should be of the highest quality to enhance and reinforce good urban design characteristics. It is generally accepted that good design plays a key role towards sustainable development. Regard must be had towards the impact that the proposed dwelling would have on local character, including topography, street patterns, building lines, boundary treatment and through scale and massing.

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. Policy 2 point 1 states that proposal should meet with sustainable development considerations specifically in relation to 'size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses'.

Policy 3 sets out the 'Design of new development' in part it 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"
The proposal site is largely screened by existing treatments, these are to remain unchanged. The proposed unit is utilitarian in appearance but would be largely screened from wider impacts due to is scale and massing. That said the existing proposed finished s not appropriate within a conservation area.

Informal discussions with the conservation officer are suggestive that this application can be approved subject to a condition which would control the external finish of the building. The LPA are likely to require some form of cladding to allow this unit to be appropriately finished and not introduce harm to the immediate historic environment.

Therefore, subject to a condition requiring the final external finish to be agreed in writing the proposal would meet with SELLP Policies 2, 3 and 29 as well as sections 12 and 16 of the National Planning Policy Framework.

Amenity

Policy 2 and of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.
Policy 30 is concerned with pollution and places impacts in relation to noise, disturbance and air quality as important consideration when considering proposals for planning.

The proposal is for a replacement building and would not involve impacts in relation to the intensification of the existing use. On this basis and considering the replacement building is physically smaller than the existing building the proposal is considered acceptable and would accord with SELLP Policies 2 and 30.

Highways Safety and Parking

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.

LCC Highways have been consulted and have stated that they have no objection subject to the condition that a Construction Management Plan and Method Statement that shall first be approved in writing by the Local Planning Authority.

However the existing building on site is a timber structure measuring circa 2.8m x 10m with additional canopy. It would appear 'unreasonable' to attach such a condition to remove a building of this size, made up of these materials and therefore the condition will not be attached, especially as the site is fenced off from the remaining recreation ground and health centre.
Furthermore, the use of the bowling facility is not to be intensified and the same parking arrangements exist for users of the facility (car park of the recreation ground), and the proposal is acceptable then on these terms.
On this basis it is considered that the proposal would accord with SELLP Policies 2 and 3.

Flood Risk
Policy 4 sets out South Hollands approach to Flood Risk. The application site is located within FZ 1 in accordance with EA Planning Maps. The South East Lincolnshire Strategic Flood Risk Assessment (March 2017) shows that the site falls within a "Low Hazard" area.

Section 14 of the National Planning Policy Framework also in part concerns itself with flood risk and is relevant.
The application site currently functions as a bowling facility with existing infrastructure in place and this proposal is a replacement pavilion building. Therefore, in flood risk terms the proposal is acceptable in principle terms.
On this basis the proposal is considered to align with SELLP Policy 4

BNG
The applicant has applied an exemption under BNG on *DI MINIMIS* grounds. Given that the existing building is site over a sealed surface (and its replacement on that surface) then the LPA are in agreeance that this scheme is exempt.

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 South East Lincolnshire Local Plan and the provisions of the National Planning policy Framework when viewed as a whole.

In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

Conclusion

Taking into consideration these factors, the proposal is considered to comply with Policies 1, 2, 3, 4, 29 and 36, along with Appendix 6, of the South East Lincolnshire Local Plan (SELLP), 2019; in addition to the identified sections contained within the National Planning Policy Framework (NPFF) (December 2023). Notwithstanding the aforementioned minor conflicts, there are no significant factors in this case that would outweigh the benefits of the proposal; therefore, in considering all the matters raised above the planning balance is in favour of the proposal and the policies referred to above.

Recommendation

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

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.