DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H02-0865-17**	**Applicant:**	**Mr A Hussain**
Proposal:	Part change of use of land to hand car wash, new access and retention of static caravan as site office (retrospective)		
Location:	Carrington Drove East Crowland Peterborough		
Terminal Date:	8th November 2017		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
30	Pollution

National Guidance

National Planning Policy Framework 2019

Sections 6 and 12 of the National Planning Policy Framework (2019)

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is an application for a renewal of planning permission H02-0370-11 seeking part change of use of land to a hand car wash, a new access and permanent retention of a static caravan as a site office. The proposal seeks to retain an existing static caravan permanently on site. The Local Planning Authority would not be supportive of a permanent siting on the site and would seek a further 5 year renewal.

Site Description

The proposal is outside of the defined settlement limits of Crowland, to the east of James Road, with agricultural land to the north, east and south.

History

H02-1000-93

Use for manufacture of concrete products, storage and sales. New workshop and offices. - Application Withdrawn - 22 August 1994.

H02-1073-93

Use for manufacture of concrete products, storage and sales. New workshop. - Approved 10 May 1995.

H02-0988-10

Rebuild fire damaged workshop including use for vehicle sales and repairs. - Approved - 26 January 2011.

H02-0370-11

Part change of use to hand car wash, new access and retention of static caravan for use as site office (retrospective) - Approved (5 year permission) - Approved 21 July 2011.

Consultation Responses

North Level Internal Drainage Board

No objection

Councillor Alcock

Concern about increase in activity.

Crowland Parish Council

Use of neighbouring land for parking cars, storage of waste, use of caravan for overnight sleeping.

County Highways & SUDS Officer

No objections

Planning Considerations

Design and impact on surrounding area

The proposal is seeking a renewal of an existing permission, not seeking an increase in existing activity or alteration / extension of existing structures. The proposal is considered to be in accordance with policy 30 of the South East Lincolnshire Local Plan concerning pollution. The proposal is sited away from other buildings so there is negligible impact on the health and safety of the public as well as the amenities of the surrounding area.

As there has not been a material impact on the surrounding area from the existing use, with no approaches to the Planning Compliance Team, it is considered appropriate to extend the

permission for a further five years in line with local and national policy.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019, as well as Sections 6 and 12 of the National Planning Policy Framework, 2019.

A delegated approval is considered to be appropriate.

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.