DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H05-0758-23**	**Applicant:**	**Anglia Motel**
Proposal:	Demolition of existing single-storey cabins and erection of new two-storey motel accommodation		
Location:	Anglia Motel Washway Road Fleet		
Terminal Date:	17th October 2023		

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
09	Promoting a Stronger Visitor Economy
28	The Natural Environment
30	Pollution
33	Delivering a More Sustainable Transport Network

National Guidance

National Planning Policy Framework 2023

National Planning Policy Framework 2021
Section 2 - Achieving sustainable development.
Section 4 - Decision-Making
Section 12 - Achieving well-designed places.
Section 14 - Meeting the challenge of climate change, flooding and coastal change.
Section 15 - Conserving and enhancing the natural environment.

Planning Practice Guidance

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1

HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	1	2

CASE OFFICER ASSESSMENT

Proposal
This application is for outline planning permission with means of access to be considered (all other matters are reserved for subsequent consideration) for the replacement of an existing motel with a two-storey motel.

Site Description
The existing motel is located to the south of the A17 and northwest of the settlement of Fleet Hargate and in the open countryside as identified by the proposal maps (SELLP 2019). The application site is located within flood zone 3 in accordance with Environment Agency Mapping systems.

The site consists of a single storey hotel and the surrounding land that includes car parking for those staying at the hotel. The site is part of Anglia Motel that includes a cafÃ????©, LGV overnight parking, fishing lake and holiday chalets.

History
H05-0164-17 - Re-siting of existing static caravans and provision of 6 additional static caravans associated with existing fishing lake. Approved 10-04-17

H05-0836-14 - Re-siting of 6 static caravans from rear of garden centre to fishing lake. Approved 01-12-14

Consultation Responses
Environment Agency - The agency confirm that consultation was not necessary and standing advice should be applied.

Anglian Water - Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval. Surface Water Disposal (Section 4) .No development shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the strategy.

IDB - Byelaw 3 (Surface Water) I cannot see that the applicant has identified a drainage strategy for the site within their application. We recommend a drainage strategy is provided for the site. If the applicant proposes to discharge surface water to a watercourse, consent would be required under Byelaw 3. Please note that we recommend that any discharge is in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS) , therefore the Board is unlikely to grant consent for discharges in excess of greenfield rate.

Section 23, Land Drainage Act 1991 I note the presence of a Board Maintained watercourse (K23 Washway Road- DRN201G2302) adjacent to the northern site boundary. Whilst not currently

proposed, should the applicant's proposals change to include works to alter the watercourse, or if works are proposed to alter the watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4)

Byelaw 10 It is unclear from the plans whether the applicant intends to construct the new motel within 9 metres of the aforementioned Board Maintained watercourse. I recommend that the applicant confirms the distance of the new motel from the Board's watercourse. Please note that if the new motel is proposed to be constructed within 9 metres, this proposal is not likely to be acceptable under the Board's Planning and Byelaw Strategy as it is a permanent structure.

Lincolnshire Fire & Rescue - No objections to standing advice.

SHDC Environmental Protection - No objections

Lincolnshire County Council - No Objections

The proposal is to replace the existing single storey cabins within the long-established Anglia Motel complex on the side of the A17 with new two-storey motel accommodation. The use type is not to be changed but the number of rooms is to be increased. The complex provides other facilities, principally for those travelling along the A17, and has good quality accesses onto that road for safe and suitable access to and egress from the site. More than adequate parking is already provided on the site for private cars, commercial vehicles and HGVs. In consideration of the above and having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network and therefore does not wish to object to this planning application.

Historic Places Team - No archaeological input required.

Planning Considerations

The application site relates to an existing motel, that is part of a wider complex located to the south of the Anglia Motel Complex. At present the site is occupied by single storey chalet properties with access gained from the A17. There are holiday units directly to the south of the application site.

Given that a sue is already establish as a motel on site and this represents an upgrade in existing facilities it is considered that matters of principle do not need to be discussed. The following issues are relevant to this consideration:

-Visitor Economy
-Flood Risk & Drainage
-Amenity and Environmental Issues
-Highway Safety and Parking Provision
-Ecology
-Matters reserved for subsequent consideration

Promoting a stronger visitor economy

Policy 9 of the SELLP is concerned with promoting a stronger visitor economy. It states that "Proposals for tourism and visitor development which utilize and enrich the natural and built environment and existing attractions of South East Lincolnshire to the benefit of the local economy, visitors and local communities will be supported within the boundaries of settlements identified in Policy 1.

Outside these settlements, small-scale development to support the visitor economy, including farm diversification, equine development and fishing lakes, will be supported provided that proposals:

1. do not conflict with neighbouring land uses;
2. are in keeping with the character of the locality; and
3. demonstrate a functional link with an existing rural attraction or farm enterprise."

This part of the site already provides a motel provision and therefore the use is established. This would not result in conflict with existing neighbouring land uses given the current scenario. The

proposal is for a two-storey building, at present the facilities are single storey, however this application is for outline with means of access to be considered only; matters that effect the design such as scale, appearance and layout are yet to be considered. Lastly given the existing motel use on this part of the site the functional link with existing rural attractions is already established. The application would complement uses across the wider site which comprises of a cafe, LGV overnight parking, fishing lake and holiday chalets

It is therefore considered that at this stage (and subject to acceptable design at the reserved matters state) that this proposal would accord with the requirements of policy 9 of the SELLP.

Flood Risk and Drainage

Policy 4 of the SELLP sets out South Hollands approach to flood risk. It states (in part) that "Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted, where:

It can be demonstrated that there are no other sites available at a lower risk of flooding (i.e. that the sequential test is passed). The sequential test will be based on a Borough or District wide search area of alternative sites within the defined settlement boundaries, unless local circumstances relating to the catchment area for the development justify a reduced search area, i.e. there is a specific need for the development in that location. The sequential test is not required for sites allocated in the Local Plan, minor development1 or change of use (except for a change of use to a caravan, camping or chalet site, or to a mobile home or park home site). AND

The application is supported with a site-specific flood risk assessment, covering risk from all sources of flooding including the impacts of climate change and which: a. demonstrate that the vulnerability of the proposed use is compatible with the flood zone

The application site is located within flood zone 3 in accordance with Environment Agency Mapping systems. The applicant has provided an FRA which includes both sequential and exceptions tests. It also contains site specific flood risk.

The commentary within teh FRA regarding the sequential test states"...The proposed development is a replacement hotel and therefore it is not necessary to apply the Sequential Test to the development." Given that there is an existing motel on site (and so an establish connection between the visitor economy and rural tourism) it is considered that this approach is acceptable. The proposal is for a 'redevelopment of an existing use' rather than a new building/use and in sustainability terms the approach then makes sense. It is considered that in this instance there are material considerations (existing uses) exist that mean a sequential test is not required.

The Exception Test requires consideration of the wider sustainability benefits of a development and that the development would be safe and residual risks managed. This proposal has already been assessed against policy 9 which established that there is no conflict with existing land uses (the motel forms part of a wider enterprise in this area, control over character impacts are retained through the requirement of further reserved matters and the functional link with an existing rural attractions is already well-established therefore wider sustainable development objectives of the plan are met; thus the test is considered to be past.

In terms of site specific flood risk the FRA acknowledges that the application site is located within flood zone 3 (EA Mapping). The FRA states that "The South Holland IDB district is protected by the Wash tidal defences along the Holbeach Marsh frontage with embankment levels at a minimum of +7.0m OD. The Wash tidal defences are 9.0km from the site. The River Nene tidal defences are 10.0km to the east of the site. The River Welland tidal defences are 9.6km to the north west of the site. All three defences are the responsibility of the Environment Agency." ALSO

"There is an extensive local drainage network managed by South Holland IDB. There is an IDB High Priority Watercourse on the southern side of Washway Road which is within a pipeline along the northern boundary of the site. The site and the surrounding land are within the Lutton Leam catchment which discharges to the tidal River Nene at Lutton Leam Tidal Sluice".

The section concluded that the probability of this development flooding from localised drainage systems is low, the probability of site flooding from EA systems is less than 1% annual probability, though slight increases will occur due to climate change. The SFRA which considers the residual

risk in relation to overtopping and breach in defences suggest a 0.5% in annual probability.

The Environment Agency have been consulted and have stated that standing advice should be followed. The IDB have made comments, one of which states "We recommend a drainage strategy is provided for the site. If the applicant proposes to discharge surface water to a watercourse, consent would be required under Byelaw 3. Please note that we recommend that any discharge is in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS) , therefore the Board is unlikely to grant consent for discharges in excess of greenfield rate". At this stage a drainage strategy has not been submitted, but given the site specific information contained within the FRA one is likely to be achievable, therefore conditionality (in the form of surface water drainage strategy to be agreed) is sufficient, this approach is also recommended by Anglian Water.

Also a condition will be attached to ensure that (notwithstanding the indicative plans) that a 9m buffer is retained between the new structure(s) and the watercourse; this acknowledges IDB byelaw 10.

Therefore subject to conditions requiring a surface water drainage strategy to be submitted to and agreed in writing with the LPA and a condition reinforcing that the proposed building cannot be located within 9m of the watercourse the proposal is considered to align with policy 4 of the SELLP.

Amenity and Environmental Issues

Paragraph 130 of the National Planning Policy Framework (2021) states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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.

An existing use as a motel is already in place across the site. Whilst this proposal may result in an intensification of the motel use the nearest sensitive receptors are located at a sufficient distance away from the site for the increase in activity not to cause unacceptable impacts through noise and disturbance. In terms of the impacts from the physical structure this is an assessment applied against the remaining reserved matters.

In relation to air quality a condition requiring that electrical vehicle charging points are provided on site will be attached. These details would need to be submit to and agreed in writing with the LPA prior to any occupation of the new motel building.

The proposal then is considered to align with policies 2 & 30 of the SELLP as well as paragraph 130 of the NPPF.

Highway Safety and Parking Provision

Policy 2 of the SELLP 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.

Section 9 of the National Planning Policy Framework (2021) specifically relates to 'Promoting sustainable transport'. Paragraph 111 of the National Planning Policy Framework (2021) advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

The proposal seeks to have the means of access considered, this would be the utilisation of existing access points (serving the wider operation) from Washway Road (A17). Car parking is projected to the west (though this is controlled by the requirement to submit layout as a reserved matter.

LCC Highways have been consulted and have no objection to the access or parking (due to the increase in motel rooms provided by this proposal). The authority consider that the existing site has an sufficient capacity to absorb this development and express no objections in relation to the use of existing access points to serve the development which are located along the A17.

It is therefore considered that the proposal would accord with policies 2 and 3 of the SELLP as well as section 9 of the NPPF.

Ecology

Policy 28 is concerned with the natural Environment and more specifically addressing gaps in the ecological network Point 3 is relevant to this assessment, it states;

"By ensuring that all development proposals shall provide an overall net gain in biodiversity, by:

i. protecting the biodiversity value of land, buildings and trees (including veteran trees) minimising the fragmentation of habitats;
ii. maximising the opportunities for restoration, enhancement and connection of natural habitats and species of principal importance;
iii. incorporating beneficial biodiversity conservation features on buildings, where appropriate; and maximising opportunities to enhance green infrastructure and ecological corridors, including water space; and
iv. conserving or enhancing biodiversity or geodiversity conservation features that will provide new habitat and help wildlife to adapt to climate change, and if the development is within a Nature Improvement Area (NIA), contributing to the aims and objectives of the NIA."

The application which seeks to increase the use of motel rooms on site is located in the open countryside. It is anticipated that there would be required (in line with policy 28) an overall net gain in biodiversity following the development. It is considered that given the site is already built out that this requirement could be fairly met with a bio-diversity management plan. Therefore a condition will be attached requiring that a bio-diversity management scheme showing how a net gain will be achieved prior to the occupation of this building will be submitted to and agreed in writing with the LPA.

It is considered that this mitigation would result in the proposal being in accordance with policy 28 of the SELLP.

Conclusion

The proposal would result in the intensification of the motel use on site. A functional link between the on site accommodation and rural tourism is well established. The externalities regarding principle; flood risk, ecology, pollution area all fairly mitigated through conditionality. The access is also considered acceptable.

This application does not consider the impacts that would arise from the appearance, layout, scale or landscaping of the site.

Additional Considerations

A condition relating to unforeseen contamination will also be applied. Should any contaminated land be found during construction the developer would cease works and report to the LPA, providing remedial measures followed by a verification report.

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.