

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	H05-0963-22	Applicant:	Mr & Mrs S Lee
Proposal:	Extension to existing services building to allow for an on site shop		
Location:	Delph Bank Touring Park Old Main Road Fleet Hargate		
Terminal Date:	28th November 2022		

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

National Guidance**National Planning Policy Framework 2021**

Section 2. Achieving sustainable development.
Section 4. Decision making.
Section 6. Building a strong competitive economy.
Section 8. Promoting healthy and safe communities.
Section 12. Achieving well-designed places.
Section 14. Meeting the challenge of climate change, flooding and coastal change.

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

The application seeks full planning permission for a single storey extension to existing services/reception building to allow for an on-site shop.

The extension would measure 3.6 metres (width) x 4.2 metres (depth) and stand at 4 metres in height (2.4 metres to the eaves). The external materials would match the existing building.

Site Description

The application site is located off Old Main Road in Fleet Hargate. It is part of Delph Bank Touring Park. The site is located outside any defined settlement boundary and within the open countryside. The area of land is currently laid to lawn and is adjacent to the existing reception building. Access to the site is via a private drive off Old Man Road.

Planning History

No relevant planning history.

Consultation Responses

LCC Highways/SUDS

Does not wish to restrict the grant of permission.

South Holland Internal Drainage Board

No objections subject to compliance with the boards byelaws.

Planning Considerations

Principle of development

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The proposed development is outside a defined settlement limit within the South East Lincolnshire Local Plan (SELLP), 2019. It is therefore within an area regarded as countryside.

Policy 1 of the South East Lincolnshire Local Plan, 2019 indicates that in the countryside development will be permitted that is necessary to such a location and/or it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits. Paragraph 3.2.15 indicates that recreation and tourism can meet the broad sustainable objectives of the Local Plan.

Policy 9 of the SELLP indicates that outside settlement boundaries, small-scale development to support the visitor economy, including caravan sites and fishing lakes, will be supported provided that proposals do not conflict with neighbouring land uses, are in keeping with the character of the locality and demonstrate a functional link with an existing rural attraction or farm enterprise.

The above policy is in accordance with advice within the National Planning Policy Framework (NPPF), 2021. Paragraph 84 stresses that planning policies and decisions should support the sustainable growth and expansion of all types of business in rural areas and support sustainable rural tourism and leisure developments which respect the character of the countryside. Paragraph 11 of the NPPF goes on to stress that there should be a presumption in favour of sustainable development unless any adverse impacts would significantly and demonstrably outweigh the benefits.

Addressing the above, The Delph Bank Touring Park has been established for a number of years

and has become a popular tourist accommodation site in Fleet Hargate, bringing in visitors from across the country. The proposal would provide an additional facility within the well established touring park site. As such the proposal would meet rural tourism and economic objectives within the Local Plan and Framework and has positive impact on the economy of the local area.

Character/appearance

Policies 2 and 3 of the SELLP 2019 amongst other matters seek to ensure that development respects the character and appearance of the area and the relationship to existing development and land uses. They are consistent with advice within the NPPF, 2021. Paragraph 130 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting.

The proposed extension would be sited well within the site therefore there would not be any views from the public realm. The extension would have a modest footprint and its design is considered sympathetic to the existing building. Furthermore the use of matching external materials would ensure the extension is in keeping with the existing building.

The proposal is therefore in accordance with Policies 2, 3 and 9 of the South East Lincolnshire Local Plan, 2021 and advice within the NPPF in this respect.

Amenity

Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) set out residential amenity and the relationship to existing development and land uses as main considerations when making planning decisions. They are consistent with advice within the NPPF. Paragraph 130, amongst other matters, seeks places with a high standard of amenity for existing and future users.

Given the relatively remote location of the site and the fact the proposed extension would be sited well within the site no unacceptable impact would result on residential amenity. The closest neighbour is located at least 60 metres from the proposed extension. Given the modest size of the extension it is not considered that any overbearing impact or unacceptable overshadowing would result. No new noise is considered to result from the proposed development as the shop would be associated with the existing use of the site and the only people using it would be the touring park customers.

As such the proposal satisfactorily complies with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 in terms of amenity.

Highways

Policies 2 and 3 of the SELLP indicate that sustainable development considerations should be met in terms of access and vehicle generation levels and layout of car parking. Policy 36 and Appendix 6 set out the minimum standards for parking provision based upon the use class.

Access to the site would be via the existing caravan park and the proposed scheme is not considered to generate any additional traffic as it would be associated with the existing use of the site and the shop would be used by the touring park customers.

The Local Highway Authority has not raised any objections to the proposed scheme and considers the introduction of a shop within this Touring Caravan Park may reduce the need for visitors to have to journey away from the site to buy provisions. The site does, in any event, have a good quality access onto Old Main Road.

As such no unacceptable impact would result upon highway safety therefore the proposal satisfactorily complies with Policies 2, 3 and of the South East Lincolnshire Local Plan, 2019 in terms of highway safety and parking requirements.

Drainage

Policy 4 of the SELLP relates to flood risk management and states that new development will be permitted if appropriate flood resistance and resilience measures are proposed (criterion c); it incorporates the use of Sustainable Drainage Systems (SuDS) (criterion e); and demonstrates that

adequate foul water treatment and disposal already exists or can be provided in time to serve the development (criterion g).

South Holland Internal Drainage Board has advised that whilst the site falls below the threshold for commenting, the applicant should be aware of the riparian watercourse adjacent to the east of the site and the associated riparian responsibilities. In addition, there is a Board Maintained (K04 Devils Hill, Drain ID: DRN201G0403) watercourse to the west of the site. Whilst not currently proposed, should the proposal change to include works within 9 metres of the aforementioned Board Maintained watercourse, or if works within 9 metres of the watercourse are proposed at any time in the future, consent would be required under Byelaw 10. An informative has been appended to this effect advising the applicant of the drainage boards bylaws.

Subject to the above the proposal is considered to be in accordance with Policies 2, 3 and 4 of the SELLP and Section 14 of the National Planning Policy Framework (2021) with regard to their provisions on drainage.

Planning Balance

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The proposal would support an existing use therefore there are no objections in principle. It is considered that the development would not materially harm the character or appearance of the countryside, impact neighbouring amenity or result in highway issues.

On balance, no adverse impact of granting permission would significantly and demonstrably outweigh the benefits of doing so, when assessed against the planning policies taken as a whole.

Conclusion

The proposal is in accordance with Policies 1, 2, 3, 4 and 9 of the South East Lincolnshire Local Plan, 2019 and Sections 2, 4, 6, 8, 12 and 14 of the National Planning Policy Framework (2021). There are no adverse matters in this case which outweigh factors in favour of the proposal.

For the reasons outlined above, the planning balance lies in favour of the proposal.

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.

Recommendation

The application be approved under delegated powers.