DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H06-0902-22**	**Applicant:**	**Mrs B Snowden**
Proposal:	Proposed Tuition Centre		
Location:	Plumtree House Harford Gate Gedney		
Terminal Date:	17th November 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019	
01	Spatial Strategy
02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2021

12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN - HISTORIC ENVIRONMENT OFFICER	0	0	1	0
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full application for a proposed tuition centre at Plumtree House, Harford Gate, Gedney. The proposal seeks to provide a building sited 1 metre to the south of the existing residential garage, on an area of land that will contain 10 parking places and a turning circle. This site will be accessed via a private drive off a new access onto Harford Gate. The building will contain a waiting room, disabled wc and a classroom.

The tuition centre will be 10.54 metres in length, 4.8 metres in depth and 2.8 metres in height. The building will be constructed from black fibre cement feather edge effect cladding board with a 1.6mm rubber membrane roof. Windows and doors are to be white UPVC, with foul drainage to be connected to the existing septic tank, and surface water directed to onsite soakaways. The private drive and parking area will be off washed gravel on top of 150mm compacted hardcore.

The submitted Supporting Statement states: *"Lines Tuition is a private tuition centre offering one to one and small group tuition for both primary and secondary school children. Our main subjects for tuition are Maths and English and entrance exams such as the 11 +."*

"We provide a friendly, fun and relaxing environment for children to learn and build confidence with academic studies."

"Our opening hours are primarily 4:30-6:00pm Monday to Friday and 9:30am-1 :00pm on Saturdays. We may have lessons earlier than 4:30pm for home schooled children or during school holidays."

"There would be a maximum of ten children in a lesson and there are two members of staff. The proposed plans allow for a classroom and a separate room for any parents who choose to stay for the duration of lessons. We will be providing ten car parking spaces in the event the maximum number of children attend at any one time. (Staff do not require parking spaces as they live on site)."

SITE DESCRIPTION

The site is outside of defined settlement limits and the surrounding is predominately rural, characterised by non-nucleated linear development of varying ages and designs. The building will be sited on an area of land in Environment Agency Flood Zone 3, and in a "Danger for Some" hazard area, with a maximum predicted flood depth of 0.5 metres on the South Holland 2115 Strategic Flood Risk Mapping.

RELEVANT HISTORY

None.

CONSULTATION RESPONSES

Lincolnshire County Council - Highways & SUDS Officer

Requests an access informative.

"The Application Site is some distance outside of any defined settlement boundary and the proposed use would therefore be likely to be practicably accessible only by motor vehicle. However, presumably the site has been chosen because it is a part of the Applicant's own home and this would mean no travelling would be necessary for staff. This Application is for a very specific, not to say niche, use and it is therefore quite probable that visitors would have to travel by car to visit such a facility in any event.

The proposed development would require the formation of a new vehicular access but Harford Gate here is straight and adequate visibility would be achievable for safe egress. The proposal includes visitor parking within the site and the wider plot is large enough to provide additional car parking should it be necessary to do so.

The proposed hours of operation would not indicate a great generator of vehicle movements. Therefore, 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 and does not wish to object to this planning application."

Lincolnshire County Council - Historic Environment Officer

No comments.

South Holland District Council - Environmental Protection

No objections.

South Holland Internal Drainage Board

Consent from the Board may be required with regard to foul / surface water discharge to a watercourse. An infiltration will be required for the proposed soakaways. It is considered that this matter can be addressed via condition.

Gedney Parish Council

No objections.

PLANNING CONSIDERATIONS

Principle of development

The proposed seeks the change of use of a small area of paddock land to provide a tuition centre and parking area. Given that the scale of the development is small and is located close to the existing residential buildings there is not considered that the principle of development in this location is acceptable.

Assessment against SELLP Policy 2 - Development Management

When assessed against the relevant criteria the following can be observed:

1. The size, scale and layout of the building and car park is considered to be appropriate for the site. One small fruit tree and an area of hedging to facilitate the access will be lost. This is considered to be an acceptable level of loss. There is not considered to be a material impact on the character and appearance of the area.

2. The design and orientation is considered to be appropriate for the proposed use.

3.The building will be constructed from black fibre cement feather edge effect cladding board with a 1.6mm rubber membrane roof. Windows and doors are to be white UPVC, with foul drainage to be connected to the existing septic tank, and surface water directed to onsite soakaways. The private drive and parking are will be off washed gravel on top of 150mm compacted hardcore. The proposed materials of construction are considered to be appropriate for the site.

4. The new access has clear visibility in both directions and the number of parking spaces at 10 corresponds with the maximum number of pupils on site at any time.

5. The proposal is not considered to impact the capacity of existing community services and infrastructure.

6. The proposed building is approximately 65 metres from the neighbouring property to the south. Given that the operation times are during normal daytime hours, there is not considered to be a noise, odour or disturbance impact from the proposal. The building is 2.8 metres high and due to the proposed black fibre cladding exterior is not considered to have a material visual intrusion impact.

7. The building will be sited on an area of land in Environment Agency Flood Zone 3, and in a "Danger for Some" hazard area, with a maximum predicted flood depth of 0.5 metres on the South

Holland 2115 Strategic Flood Risk Mapping. Surface water will be addressed via soakaway. Infiltration rates have been requested by the South Holland Internal Drainage Board. This matter can be addressed via condition.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

This proposal is assessed against SELLP Policy 3 titled - Design of New Development. This policy states:

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. 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.
Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:
1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
2. distinguishing between private and public space;
3. the landscape character of the location;
4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;
5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;
8. crime prevention and community safety;
9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;
10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);
13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;
14. the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;
15. the appropriate use or reuse of historic buildings.

When assessed against the relevant criteria the following can be observed:

1. A sense of place is not considered to be impacted by the proposal. The size, scale and layout of the building and car park is considered to be appropriate for the site. One small fruit tree and an area of hedging to facilitate the access will be lost. This is considered to be an acceptable level of loss. There is not considered to be a material impact on the character and appearance of the area.

5. Ample space remains on site for cycle and bin storage. The new access has clear visibility in both directions and the number of parking spaces at 10 corresponds with the maximum number of pupils on site at any time.

11. The proposed building is approximately 65 metres from the neighbouring property to the south. Given that the operation times are during normal daytime hours, there is not considered to be a noise, odour or disturbance impact from the proposal. The building is 2.8 metres high and due to the proposed black fibre cladding exterior is not considered to have a material visual intrusion impact.

12. The building will be sited on an area of land in Environment Agency Flood Zone 3, and in a "Danger for Some" hazard area, with a maximum predicted flood depth of 0.5 metres on the South Holland 2115 Strategic Flood Risk Mapping. Surface water will be addressed via soakaway. Infiltration rates have been requested by the South Holland Internal Drainage Board. This matter can be addressed via condition.

This application accords with SELLP Policy 3.

PLANNING BALANCE

It is considered that the proposed operational hours are not to an extent that would materially impact the amenity of the surrounding area. The proposed building design is not sited or at such a height that would impact the character or amenity of the surrounding area. This application accords with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2021.

CONCLUSION

This application is recommended for 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.