

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Development Manager

To: Planning Committee - 07 June 2023

(Author: Maxine Simmons - Planning Officer)

Purpose: To consider Planning Application H07-0192-22

Application Number: H07-0192-22

Date Received: 17 February 2022

Application Type: FULL

Description: Proposed Use of Land for the Stationing of Accommodation for Armed Forces Veterans to Create a Reintegration Facility

Location: TEREMOK STATION ROAD GEDNEY HILL

Applicant: Mr J Murray

Agent: Robert Doughty Consultancy Ltd

Ward: The Saints

Ward Councillors: Cllr L J Eldridge

You can view this application on the Council's web site at

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H07-0192-22>

1.0 REASON FOR COMMITTEE CONSIDERATION

- 1.1 A unique development proposal that merits Committee consideration and due to the proposal being contrary to policy.

2.0 PROPOSAL

- 2.1 Full planning permission is sought for the change of use of land for residential accommodation for 6 armed forces veterans and managers' residential accommodation to create a reintegration facility at Teremok, Station Road, Gedney Hill.
- 2.2 The proposal is for a temporary period of 5 years and aims to reintegrate armed forces veterans into society by providing training, employment and accommodation, with the use of on site management residential accommodation. The proposal is part retrospective in that the applicants (who would manage the use) currently reside on site.
- 2.3 The managers' accommodation measured externally is 13.4m x 5.1m (approximately 68 square metres) and is a two bedroom single storey flat roofed temporary structure. The smallest bedroom is 3.1m x 2.74m.
- 2.4 The veterans' accommodation building is also 13.4m x 5.1m which has barracks style sleeping accommodation with space for 6 single beds. The latter is 26 square metres in area (measured internally).
- 2.5 Proposed parking is for 5 cars.

- 2.6 This proposal has previously been presented to Planning Committee on 22nd June 2022 (see report at Appendix B) and was deferred for further information. The submitted information was not considered specific enough in terms of the actual day to day operation of the facility as shown on the plans as opposed to the Project Dignity Document. Issues such as charities involved, funding, health care provision, particularly mental health services, who provides them, what happens in the event of a crisis (say, in the middle of the night) and whether the managers on site are capable of dealing with such an event, and the longevity of the project were requested to be clarified. A revised Policies and Procedures document was submitted for consideration.

3.0 SITE DESCRIPTION

- 3.1 The site approximately 0.34 hectares and is located on the west side of Station Road, Gedney Hill outside of the nearest settlement boundary. The site is currently made up of temporary storage buildings, agricultural paraphernalia, and paddock land. The site is screened from Station Road by a row of dense mature trees. The site is within the countryside.

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

South East Lincolnshire Local Plan, March 2019

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Policy 1 - Spatial Strategy
Policy 2 - Development Management
Policy 3 - Design of New Development
Policy 4 - Approach to Flood Risk
Policy 28 - The Natural Environment
Policy 30 - Pollution
Policy 31 - Climate Change and Renewable and Low Carbon Energy
Policy 36 - Vehicle and Cycle Parking
Appendix 6 - Parking Standards

National Guidance

National Planning Policy Framework (NPPF), 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 9 - Promoting sustainable transport
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 (PPG)

5.0 RELEVANT PLANNING HISTORY

5.1 Site: Teremok, Station Road, Gedney Hill.

ENF-4-18-E07 - Unauthorised use of land - Enforcement Notice issued 14 October 2020. (The notice has not been complied with in full as residential occupation continues).

H07-0072-19 - Proposed agricultural storage building - Approved 22nd February 2019.

H07-0273-18 - Use of existing mobile home as temporary accommodation and use of business in connection with horses, bees, koi carp, goats, chickens, orchard and vegetable garden

including growing crocus (retrospective) - Application Withdrawn 21st January 2019.

H07-0261-15 - Siting of mobile building as temporary dwelling, erection of 2 mobile stable blocks and feed room and 2 mobile field shelters (part retrospective) - Refused 7th September 2015. Appealed and dismissed 18 March 2016.

H07-0260-15 - Proposed agricultural storage building - Approved 8th April 2015.

H07-0567-06 - Use of land as agricultural and erection of mobile home, polytunnels and container (part retrospective) - Not Determined.

5.2 Neighbouring Site South: Lions Green, Station Road, Gedney Hill.

H07-1243-21 - Change of use of land for container storage and hard standing area - retrospective - Pending Consideration.

H07-0106-09 - Use of 2 mobile homes as temporary dwelling, office and wc, construction of 4 stables, tack room and wash room (retrospective) - Refused 16th April 2009. Allowance on appeal ((APP/A2525/A/09/2104928/NWF) - October 2009.

H07-1412-07 - Proposed 2 mobile homes for use as dwelling, construct 6 stables, office wash room and WC (part retrospective) - Refused 18th January 2008.

5.3 Neighbouring Site North: The Chase, Station Road, Gedney Hill.

H07-0029-13 - Proposed stables for domestic use - Approved 6th March 2013.

6.0 REPRESENTATIONS

6.1 Gedney Hill Parish Council

-Site is agricultural land, outside the settlement boundary. Agricultural land is valuable and should be retained wherever possible. They support a condition reverting to agricultural use after a maximum of 5 years.

-Local Plan policies state "development where community benefits accrue may be considered outside the settlement boundary", however, they are concerned that very rural location of the site could make achieving work placements for the veterans challenging.

-Occupancy of the site should be carefully managed by the site manager to permit access only to those directly involved with the project.

6.2 Lincolnshire County Council Highway and SuDS

No objection.

6.3 The proposed development would be accessed by means of an existing vehicular access that has more than adequate visibility in both directions for drivers entering the public highway. Whilst the access itself is not hard surfaced, it is not considered essential that the access is made-up to the current LCC vehicle access crossing standard in order to serve the proposed use. The proposed use is not expected to be a high generator of vehicle movements.

6.4 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 capacity of the local highway network or increase surface water flood risk. The Authority does not therefore wish to object to this planning application

6.5 Lincolnshire Police

No objection.

6.6 Environment Agency

Whilst they have no objections, advises that the applicant should sign up for flood warnings and strongly recommend the use of flood resistance and resilience measures.

6.7 South Holland Internal Drainage Board

Have raised concerns over the viability of disposing surface water via infiltration.

6.8 South Holland District Council Environmental Protection

No objection.

6.9 Public

7 responses objecting to the proposal were received which raise some or all of the following summarised points:

- Contrary to Local Plan outside village boundary in countryside surrounded by agricultural/equestrian land. Gedney Hill not best place for individuals with drug and alcohol problems as no mental health facilities here.
- Loss of agricultural land. Agricultural land should remain to avoid setting precedent.
- This is the third time application made to convert this land for residential. H07-0261-15 in 2015 was refused, appealed and dismissed at appeal. H07-0273-18 was withdrawn. This is a ploy to allow him to reside and build on the field for residential.
- Remote location from any additional appropriate support, no provision on site medically, mental health or security wise.
- What if they are not monitored and drop out and can self-harm or become a threat to others?
- Cannot see living in a converted lorry will meet needs of ex-servicemen with PTSD, physical trauma, substance dependence and problems of settling back into civilian society.
- Security concerns with possibly unstable ex military personnel to nearby communities.
- Management concerns
- Should the proposal collapse, then the change of use to residential will occur which would not have been permitted without it.
- Adverse impact on wildlife, removal of habitat.
- Level of traffic will significantly exceed that of a normal domestic dwelling, affecting highway safety on 60mph road. Alternative site access suggested.
- Potential for community harmony disrupted in the village.
- Vegetable garden is not a viable income stream, questions viability and funding in the long term.
- A portacabin has been transported to the site without permission. Enforcement notice issued previously.
- Concerns about foul drainage.
- Concerns about lack of fencing
- Is a car body shop appropriate?
- How can the project be temporary? If the proposed project is standing 7 years from now how will the Council enforce that or will it be granted an extension? After initial temporary period, it will contain a treatment plant, drains, hard standing rendering reinstatement impossible.
- Noise, disturbance from shouting, foul language, anti-social and threatening behaviour.
- Safeguarding/security concerns.
- Whilst for temporary use, temporary accommodation will still have an impact on the land and wildlife in the area.
- Impact on local economy. One of the integration methods is to send residents into village to undertake gardening/landscaping/fencing work. There are already companies doing this as paid activity.
- There is no agricultural business on site to justify temporary residential buildings.
- Residents may be employed in agriculture, but other options for employment not related to agriculture are suggested, suggesting that alternative sites closer to these opportunities would be equally or more appropriate.
- Will set a precedent and sends out the message that all you have to do is live in the area, purchase plot of land for agriculture and SHDC will allow change of use to residential.
- Applicant does not have forces experience.
- Planning was successful for a barn to be built. The Project Dignity pamphlet provides supporting information says it will include race car building, spraying and welding, garage with ramp, pit and spray booth, indoor schooling yard with stables - but not shown on the plans.
- No building is available for counselling, no disabled facilities, also in project costings is

gym/recreation room and a meeting room. These are not shown on the submitted plans. Significant discrepancy between planning application and Project Dignity requirements which should be resolved.

-Re: security - solid wood fencing and security cameras would be used as well as sign in-sign out procedure to establish whereabouts of residents at all times.

-PTSD specialist is in Ely, so not best site.

-Qualifications listed of Manager not consistent with requirements to deal with 6 ex servicemen all with various stages of mental illness, possibly with drug and alcohol dependencies.

-Project has multiple inconsistencies between submitted plans and stated aims of Project Dignity which brings into question the actual intent behind the submission.

6.10 Letters of Support

Councillor Paul Redgate

In support of the application:

-Applicants have gathered and provided food and equipment to members of the village who have been struggling, including unemployed, vulnerable and needy. They would give out fruit, vegetables, bread, pasta and tinned beans. Many would suffer without their help. Support for applicants.

6.11 5 other Letters of support raised some or all of the following points.

-Overall benefit to the village. Applicants have been providing excess food from Lidl to distribute around the village for some time. Without this many families would have struggled.

-Commendable community work already undertaken.

-Vital support for Armed Forces personnel.

-Support for armed forces personnel facing crisis adjustment to civilian life.

-Support - excellent example of Christianity in action. Many armed forces personnel leave the Army unprepared for civilian life and fall through social services system.

-Veg garden, greenhouse, polytunnels supported.

7.0 CONSIDERATIONS

7.1 Planning Considerations

7.2 Principle

7.3 The site is an agricultural parcel of land situated along the west side of Station Road with an extant planning permission for the erection of an agricultural building toward the eastern side of the site. This is shown on the proposed site plan. On 14th October 2020, an enforcement notice was served on the site by South Holland District Council for the unauthorised change of use of land to include residential use and non-agricultural enterprises. The residential use continues in breach of the enforcement notice pending the outcome of this planning application.

7.4 The site is located outside the defined settlement boundaries and is therefore designated as countryside, as defined by the adopted South East Lincolnshire Local Plan, 2019 (SELLP). The proposal is situated within an unsustainable location in the countryside as a result. It is not adjacent to a settlement boundary and would be car dependent because public transport services in the vicinity would be limited.

7.5 Policy 1 of the adopted SELLP states that "in the countryside, development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits." A countryside location is at the bottom of the settlement hierarchy in terms of directing development to the most sustainable locations. The proposal can therefore be considered contrary to Policy 1 of the SELLP.

7.6 An examination of the proposal in terms of Policy 1 requires the economic, social and environmental factors to be considered. In economic terms the use may support the local economy by training veterans to undertake transient employment opportunities, although some

objectors have stated that this would take away employment from existing people who carry out that work. Given that part of the programmes would help reintegrate veterans into society, the scheme has economic benefits.

- 7.7 In social terms, the reintegration of veterans who may have been homeless would have social benefits, as long as the use operates within the policies and procedures set out in the supporting information so that no significant noise or disturbance occurs to the locality. As the enterprise is to be run along charitable lines and involves partner organisations to assist veterans this also is also beneficial in social terms.
- 7.8 In environmental terms, the proposal is situated in a countryside location, outside the settlement boundary which weighs against the proposal, the veterans and managers having a greater reliance on the use of motor vehicles to access services, facilities, employment. This aspect is harmful in its environmental role. Objections to the proposal raise these points in addition.
- 7.9 The economic and social benefits of the proposal conform with Paragraph 85 of the NPPF which states that sites to meet local businesses and community needs in rural areas may have to be found beyond existing settlements, as long as such developments are sensitive to its surroundings. Letters of support were also received which are in favour of this enterprise and the support for veterans in this regard. Balanced against this is Paragraph 174(b) of the NPPF recognises the intrinsic character and beauty of the countryside, including the benefits of the best and most versatile agricultural land. The site is on Grade 2 Agricultural Land.
- 7.10 The proposal seeks to provide temporary residential accommodation for Armed Forces Veterans. The aim of the project is to provide temporary accommodation for up to 6 homeless veterans (up to 12 months for each individual veteran) where they can receive psychological, physical and emotional support as well as aiding them in finding employment. The proposal includes a managers' residential accommodation building on site to ensure on-hand assistance 24-7. The supporting Design and Access Statement states "A countryside location is essential to the success of the project and simply could not be achieved by accommodation even in a village as there would not be the essential combination of space, peace and quiet and the quality of the environment offered at the application site."
- 7.11 The proposal is unsustainable development and considered contrary to policy in principle. However, the applicants wish to seek an exception to Policy 1 to allow development in the countryside to provide temporary, assisted accommodation in a quiet and safe environment with the aim of reintegrating homeless veterans into society with employment, which, they argue, justifies a countryside location in this instance. A key issue in this case is whether or not Committee accept that the proposed use is acceptable in the countryside as an exception to adopted policy.
- 7.12 Additional Information Provided by Applicants
- 7.13 The agent has submitted further information in relation to this planning application at the request of Committee.
- 7.14 Objections have been received which relate to whether or not the support given to veterans will be adequate, and there are concerns that the location means if a crisis were to occur, additional support services are not nearby. The additional submitted information makes it clear that the facility is not and never will be a mental health facility and would not deal with severe mental health issues at the clinical level because the applicants are not medically trained. Support is for veterans needing assistance adapting to civilian life, identified by specialist partners including Tonic Health, WillowTree and the NHS, and will only take in veterans that want to have training in skills associated with civilian life. The applicants are partners with Celtrain and Curo-Lincs to provide a training and support facility in basic horticulture, including a full and productive vegetable garden and animal care, with training provided by Lincolnshire Outdoor training trust to supply training and help in horticulture.
- 7.15 In time the agent states they want to provide training in Car body work, catering (incorporating a cafe), although these elements are not currently part of the proposal. Planning permission would be required should the applicants wish to introduce these uses on site subsequently. It is understood at present local school groups visit the site to take part in outdoor activities and

interaction with rescued horses and goats on site, but the frequency is unknown.

- 7.16 The crops grown on site will be produced for sale at farmers markets. The training will also involve retail production, sales, costings, budget management, and food hygiene.
- 7.17 Training in animal care and land management is proposed to be run on site. This provides skills and builds confidence for veterans to move forward and gain permanent employment and be able to run a home. The applicant has a qualification in Pet Store Management and experience of training staff in animal care and horticulture from working in a London Garden Centre. Local Police officers will visit regularly to talk to veterans. Working with other groups, building networks and relationships with charities is considered paramount.
- 7.18 The rest of the document lists the experience and qualifications of the directors and other individuals working in partnership with the applicants, together with additional information on grants that have been applied for and awarded, such as funding for a portacabin to provide toilets and a warm dry space for meetings, training and lunches.
- 7.19 It details that once veterans are pointed out to the applicants by partners, they will have an initial assessment, taking in day visitors initially, but once running it is expected that they will apply for funding for the veterans accommodation (which is part of the current proposal). The site will be funded in the long term by several funding streams such as Farmers Markets, a cafe, a shop, grants and working with other associations to provide training and therapy.
- 7.20 Once the veterans earn a wage, they will then pay their board and lodging, facilitating a move to their own property.
- 7.21 The applicants want to install solar panels, rain water harvesting for plant watering and reusing and recycling where ever possible. These aspects are not part of the current proposal.
- 7.22 The information lists the various grants applied for, and support letters.
- 7.23 Emergency Procedures
- 7.24 The submitted information also lists details about emergency procedures to operate at the site. This information addresses some of the concerns expressed by the objectors.
- 7.25 If there is a physical or mental health situation that the site cannot deal with, in the first instance, 999 will be called. The aim is not to have anyone on site that may pose such a risk. The management team, who will have basic first aid training, and a safeguarding certificate will be registered with the local mental health team who will live on site. Local Police Officers will be familiar with the site and veterans to avoid an escalation of the situation.
- 7.26 The veterans taking part will only work at the site after an initial assessment and take part in the reintegration programme, recommended by other registered charities. The additional information submitted includes a Drug and Alcohol Policy, Violence in the Workplace Policy, Weapons Policy, Inspections and Reporting Violence Policy, Violence Prevention Team Information, an Incident Management system, and a General Safety Policy. The document also includes schedules associated with a 6 month activities plan and a weekly activity plan.
- 7.27 The submitted information is intended to provide Committee with the further information requested to justify a deviation from normal policy of locating the use within the countryside.
- 7.28 Scale and Design
- 7.29 The proposal includes the erection of a managers' accommodation building, erection of an accommodation building, provision of off-street car parking spaces and landscaping works including a pond, and a vegetable garden.

- 7.30 The proposed buildings would be single storey in height, be of a flat-roof design and measure 13.4m by 5.1m with a height of 3m. This gives an internal floor space of 60 square metres in area for each building. The sleeping area for the veterans measures 26 square metres for 6 people. There is no equivalent standard contained within the National Minimum Space standards for this type of accommodation, but for 6 people it has to be recognised that the sleeping areas are small, resembling barracks. The Manager's accommodation does conform with the National Minimum Space Standards for a single storey two bed property.
- 7.31 The proposed buildings are not of an exceptional design quality due to their temporary nature. However, the scale in themselves would not be excessive compared to the dimensions of the overall site and would benefit from screening from the public highway of Station Road afforded by mature, dense tree planting along the eastern boundary. Whilst the proposed development would be visible from the rear of the site, along West Drove South, and via glimpses through gaps in boundary landscaping from adjoining plots, given the proposal would replace existing poor quality buildings on site and would be approximately 350m from the highway of West Drove South, the proposal would not result in significantly detrimental visual impacts when considering views into the site.
- 7.32 Details of the proposed finishing materials, landscaping scheme and hard surfacing for the parking/yard area have not been provided as part of the application. A condition could be imposed on any planning permission granted to secure these materials prior to works commencing, should Committee consider the proposals otherwise acceptable.
- 7.33 The scale and design of the proposed development is considered to not sufficiently harm the rural character of the area to a level that would justify refusal. As such, the proposal is considered to accord with Policies 2 and 3 of the adopted South East Lincolnshire Local Plan, and the guidance within the NPPF.
- 7.34 Impact on Neighbouring Amenity
- 7.35 Numerous objections have been received which focus on the use of the facility and the impact upon neighbours and the village of Gedney Hill. Concerns also relate to anti-social behaviour. The closest neighbouring residential properties that are likely to be impacted upon as a result of this proposal are The Chase and Hillside, 41, Station Road, Gedney Hill.
- 7.36 Given the single storey nature of the proposed buildings to be constructed, their location within the plot, the proposal is not considered to result in any detrimental overbearing, overshadowing or overlooking impacts on either neighbouring property.
- 7.37 Noise and increased comings and goings is material and with 8 people living on site with various visits from partner organisations means there is potential for the use to generate increased activity in comparison with the agricultural lawful use of the site. It is therefore suggested that visitors to the premises associated with the care and well being of residents be limited to social hours unless in an emergency. A condition is suggested in this regard. Lighting is also suggested to be restricted by condition so that it does not resemble a conventional residential property. The uses that can operate on site also should be controlled so that, for example, the use does not expand to attract members of the public if a cafe were to operate on site, or if car repairs took place in this location. These uses would not be considered acceptable due to the remote nature of the site, the number of visitors that would be attracted and the fact that this is deviating further from the agricultural nature of the land. A condition is suggested therefore limiting the use and floorspace.
- 7.38 In 2019, permission was granted for the erection of an agricultural building necessary for the storage of animal feed, farm machinery and bee keeping equipment. The remainder of the site (outside of the red line of the application) to the west is shown to be used as an existing paddock and apple orchard, although there was no evidence of an extensive apple orchard at the time of the site visit. Whilst the proposed accommodation would be in close proximity to the agricultural building, the amenity of the occupants are not considered to be at risk as the arrangement would not be dissimilar to a residential property on a working farm. Furthermore, the proposed accommodation for Armed Force veterans would be on a temporary basis only which will allow the Local Planning Authority to monitor complaints should they affect surrounding amenity.

- 7.39 Subject to the proposed conditions, given the scale and nature of the proposal, the development on balance is not considered to result in such significant number of comings and goings, noise and disturbance impacts to justify refusal on the neighbouring properties and as such is not considered contrary to Policies 2, 3 and 30 of the SELLP.
- 7.40 Highway Safety
- 7.41 The site is accessed via an existing access off Station Road, which is a classified B road. The proposal would utilize the existing access which is considered to be of an acceptable width with sufficient visibility splays in both directions.
- 7.42 Whilst the access itself is not hard surfaced, it is not considered essential that the access is made-up to the current Lincolnshire County Council vehicle access crossing standard in order to serve the proposed use. One local resident commented that access would be better off West Drove, however, the application's red line boundary does not extend to this road, and installing an access off this Road would be detrimental to the character of the area.
- 7.43 Some concerns cited traffic impacts, however, it is not expected to be a high generator of vehicle movements and the proposal is considered to include adequate off-street car parking provision. The fact that it is not hard surfaced is considered an advantage should the site be required to be returned to agricultural use after the period of 5 years. Some residents have objected on the basis of increased noise and disturbance. A condition limiting visitors is suggested to minimise the disruption associated with this during unsocial hours.
- 7.44 As such, the proposal is considered to be acceptable in terms of highway safety and does not conflict with Policy 36 or Appendix 6 of the SELLP.
- 7.45 Flood Risk and Drainage
- 7.46 The site is located within Flood Zone 3 of the Environment Agency's Flood Maps. The Environment Agency's Flood Maps have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences. Also, large parts of the South Holland District lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth Maps) within the South Holland Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test.
- 7.47 The South Holland SFRA indicates that the site is located within an area identified as "No Hazard". The proposal therefore can be considered to satisfy the sequential test.
- 7.48 The application details that surface water is proposed to be disposed via infiltration and foul water would be disposed via package treatment plan. Whilst South Holland Drainage Board have raised concerns with these methods, this issue can be secured via a suitably worded planning condition.
- 7.49 Planning Balance
- 7.50 If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 7.51 Given that this is a finely balanced case it is necessary to carry out a balancing exercise as to the pros and cons of the proposal.
- 7.52 In principle, the development can be considered contrary to Policy 1 of the SELLP because the use is within a countryside location, outside of settlement boundaries, and is therefore unsustainable and would be car dependent. The countryside is the bottom of the settlement and therefore sustainability hierarchy with policies directing development to the most sustainable locations. Many objectors cite the remote and rural nature of the proposed use

being unsuitable together with the lack of appropriate support available in the vicinity should the veterans need additional support that the managers cannot provide. The use would also result in the loss of agricultural land, and establish, albeit temporarily, residential usage on the site. Paragraph 174 (b) of the NPPF recognises the countryside has intrinsic value; planning decisions should contribute to and enhance the natural and local environment. It is difficult to justify that the proposal enhances the natural and local environment given that the proposal leads to both the loss of agricultural land in a countryside location, therefore the proposal fails to conform with Paragraph 174 (b) as a result. These factors weigh against the proposal.

7.53 Letters of support for the charitable enterprise have been received. The additional information supplied by the applicant at the request of Committee makes it clear that they are not a mental health facility and the managers are not medically trained. The participants would need to be motivated to improve their circumstances and if a mental health crisis developed the police would be called. The applicants have also developed various policies to assist in mitigating any potential mental health crises that could occur. The proposal fills a gap for veterans that have fallen through the existing support systems and the programmes aim to reintegrate them back into society. These aspects weigh in favour of the proposal.

7.54 The proposed accommodation would not visually harm the character and appearance of the streetscene, neighbours or surrounding area. The proposal would not result in detrimental flooding impacts or have a detrimental impact on highway safety. Conditions are suggested to ensure the use is adequately controlled and does not result in noise or light pollution. The proposal is considered to comply with Policies 2, 3, 4, 30 and 36 and Appendix 6 of the SELLP and Paragraph 85 of the NPPF.

7.55 Taking the above into account, whilst it is acknowledged that the proposal is considered to conflict with Policy 1 of the SELLP and Paragraph 174(b) of the NPPF, on balance, the proposal is recommended for approval.

7.56 **Conclusion**

7.57 This is a finely balanced case with factors weighing against and for the proposal. On balance, it is recommended for approval subject to conditions.

7.58 **Additional Considerations**

7.59 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.

7.60 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.

8.0 RECOMMENDATIONS

8.1 Grant Permission subject to those conditions listed at Section 9.0 of this report.

9.0 CONDITIONS

1. The use of the land for the purposes of providing residential accommodation for veterans and managers' shall be for a limited period of five years from the date of this decision. The use shall cease at the end of that period, by which time all materials and equipment, including the managers' and veterans' accommodation buildings, all structures or paraphernalia in connection with the use as shown on plan 1448-1_PL_SP02 Rev A shall be removed from the site and the land shall be reinstated to agricultural use.

Reason: Permission has been granted on grounds of providing temporary accommodation only. Also, as the accommodation buildings are of a temporary nature and by reason of their materials may become dilapidated and cause injury to the amenities of the locality. A temporary permission enables the Local Planning Authority to review the situation with regard to these issues.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Application form,
Site Location Plan, drawing number 1448-1-PL-LP01
Design and Access statement 1448 1 PS/FRA LMS
Proposed Site Plan, drawing number 1448-1-PL-SP02 Rev A,
Accommodation Building, drawing number 1448-1-PL-GA01 Rev A
Manager Accommodation, drawing number 1448-1-PL-GA02 Rev A, received by the Local Planning Authority on 25th April 2022.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The development shall consist of no more than 68 square metres of floorspace for the Managers' accommodation and 68 square metres of floorspace for the Veterans' accommodation (measured externally). Buildings on site shall not be used for any uses other than those specified within the terms of the application (the stationing of accommodation for up to six veterans and Manager's Accommodation) and for no other uses within the Town and Country Planning (Use Classes) Order 1987 (as amended) or including the use of a cafe or car repairs (as specified within Classes E, B2 or B8 of the Town and Country Planning (Use Classes) (Amendment)(England) Regulations 2020), or any Order subsequently revoking or re-enacting those Orders.

Reason: To ensure that the Local Planning Authority retains control over the future use of the site in the interests of protecting the countryside.

This Condition is imposed in accordance with Policy 1 of the South East Lincolnshire Local Plan, 2019.

4. The temporary accommodation (Managers' Accommodation and Accommodation Building) hereby approved shall only be occupied by individuals directly involved with the operation of the approved use within the control of the applicant.

The applicant shall maintain occupancy records of the accommodation buildings, which shall be made available for inspection by the Local Planning Authority at any time.

Reason: To prevent the temporary accommodation buildings being used as permanent, unrestricted residential accommodation.

This condition is imposed in accordance with Policy 1 of the South East Lincolnshire Local Plan, 2019.

5. Unless in connection with a mental health emergency, visitors to the site to provide care, undertake health or other assessments for the resident veterans shall only take place during the hours of 9am and 5pm Monday to Friday and at no other time including weekends or bank holidays. The site shall not be open to members of the public.

Reason: In order to minimise noise, disturbance and decrease comings and goings during unsocial hours associated with the use in the interests of amenity to nearby residential properties. This condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

6. Notwithstanding internal lighting of the Managers' and Veterans' accommodation and shown on plan 1_PL_SP02 Rev A, no other lighting, including lighting fixed to the external elements of the buildings (either temporary or permanent) shall be erected or utilised on site.

Reason: in the interests of amenity and to ensure that the character of the agricultural land is maintained.

This condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

7. Before the commencement of the development hereby permitted beyond oversight a schedule of external materials of construction of buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the materials so approved.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development in the interests of the character and appearance of the development and the visual amenity of the area in which it is set.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

8. Before the commencement of the development hereby granted beyond oversight, full details of the means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.

Reason: To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2021.

9. Before the commencement of the development hereby granted, details of the means of foul water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.

Reason: To ensure that the site is adequately drained and to avoid pollution.

This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

10. The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at <http://planning.sholland.gov.uk/OcellaWeb/planningSearch>

11. We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage. To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the flood risk and coastal change pages of the planning practice guidance. The following documents may also be useful:

Government guidance on flood resilient construction

<https://www.gov.uk/government/publications/flood-resilient-construction-of-newbuildings>

CIRIA Code of Practice for property flood resilience

https://www.ciria.org/Research/Projects_underway2/Code_of_Practice_and_guidance_for_property_flood_resilience.aspx

British Standard 85500 - Flood resistant and resilient construction

<https://shop.bsigroup.com/ProductDetail/?pid=000000000030299686>

12. The additional information supplied entitled 'Policies and Procedures Document Amendment 1' contains information about the potential future development of the facility, including the use as a cafe, shop and car repair business. It is noted that these do not form part of the current application. Such uses would require planning permission but are unlikely to be acceptable due to the unsustainable location of this site, and to ensure that the agricultural character of the area is maintained.

13. The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding - time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>.

To get help during a flood, visit <https://www.gov.uk/help-during-flood>.

For advice on what to do after a flood, visit <https://www.gov.uk/after-flood>.

Background papers:- Planning Application Working File

Lead Contact Officer

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Email: mark.simmonds@sholland.gov.uk

Appendices attached to this report:

Appendix A Plan A

Appendix B Committee Report - 22 June 2022

MapThat Scale Print Title

