DECISION DELEGATED TO DEVELOPMENT MANAGER

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Application No:	**H12-0664-19**	**Applicant:**	**Mr David Owen**
Proposal:	To request that a temporary planning consent H12-0255-14 (now expired) be upgraded to a full, permanent planning consent for the siting of two "display" static caravans be located on the site (location details shown on accompanying plan). The site is adjacent to the entrance to Silverhill Caravan Park, and provides the on-site sales team with 2 x "display" units, for prospective customers to inspect and experience. The 2 x static caravans would not be permanently occupied.		
Location:	Silverhill Caravan Park Roman Road Lutton Gowts		
Terminal Date:	11th September 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
09	Promoting a Stronger Visitor Economy

National Guidance

National Planning Policy Framework 2019

National Planning Policy Framework (Feb. 2019):

Section 6 - Supporting a prosperous rural economy
83. Planning policies and decisions should enable:
a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
b) the development and diversification of agricultural and other land-based rural businesses;
c) sustainable rural tourism and leisure developments which respect the character of the countryside /~/.

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

CASE OFFICER ASSESSMENT

Proposal

The application proposals are precisely detailed as:

"To request that a temporary planning consent H12-0255-14 (now expired) be upgraded to a full, permanent planning consent for the siting of two "display" static caravans be located on the site (location details shown on accompanying plan). The site is adjacent to the entrance to Silverhill Caravan Park, and provides the on-site sales team with 2 x "display" units, for prospective customers to inspect and experience. The 2 x static caravans would not be permanently occupied."

Site Description

The site is the frontage of the Silverhill Caravan Park, Roman Road, Lutton.

The development comprises two static caravans that are used for display purposes, one side on to the main road and one perpendicular, as set out on the submitted block plan.

The caravans sit on a gravel/hardstanding area and this is set behind a picket fence, there is vegetation on the site which softens and filters the views and the visual impact.

History

H12-0255-14

Consultation Responses

Lutton Parish Council

Comments
The Council would like to comment in relation to the caravans being "not permanently occupied" - The Council does not think they should be occupied at any time, as they are for display in relation to sales.

Lincolnshire County Council SUDs (Highways)

Do not wish to restrict the grant of planning permission.

Planning Considerations

The applications seeks a permanent permission for the siting of two caravans for promotional purposes at the front of the Silverhill Caravan Park, Roman Road, Lutton, this is considered a reasonable activity to promote a rural business which will generate local employment and economic benefits.

The site is significantly softened by vegetation which was subject of a planting scheme previously, it would be reasonable to impose a condition to require a scheme to ensure the landscaping is maintained and/or supplemented to keep the screening in place.

Therefore, although the site is clearly within an area which is rural in nature, there is no unacceptable visual impact upon the countryside.

A condition to prevent the occupation of the caravans would limit their use to promotion of the site.

Conclusion

There are no objections to the application, the visual impacts are softened by vegetation on the site,

and the proposals are considered to be acceptable.

Recommendation: 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.