

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H13-0424-25 **Applicant:** R Murray & P Summerfield

Proposal: Residential Development - Erection of a single dwelling

Location: Adjacent To The Golden Lion Public House Seas End Road Moulton Seas End

Terminal Date: 3rd March 2026

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

10 Meeting Assessed Housing Requirements

11 Distribution of New Housing

30 Pollution

36 Vehicle and Cycle Parking

APPENDIX 6 Parking Standards

National Guidance

National Planning Policy Framework December 2024

Section 5 - Delivering a sufficient supply of homes
 Section 9 - Promoting sustainable transport
 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

SHDC INTERNAL	0	0	2	0
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application seeking permission for residential development of a single dwelling adjacent to The Golden Lion Public House, Seas End Road, Moulton Seas End.

The dwelling would be located in the car park of the existing public house adjacent to other existing residential dwellings. The proposed dwelling would comprise a height of 8000mm and 5200mm to the eaves, and has an internal floor space of around 55sqm for both the ground and first floor, with a total floor space of 110sqm.

The proposed materials are to be determined at a later date, should the application be approved .

Site Description

The site is located within the defined settlement boundary of Moulton Seas End as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP). The Golden Lion Public House is located to the south of the settlement in a predominantly built up residential area.

History

H13-0722-08 - Extension and alterations (re-submission after withdrawal of H13/0442/08) - Approved

H13-0600-21 - Change of use of part of public house into shop & post office - Approved

H13-0601-21 - Residential Development - Erection of Dwelling - Approved

Consultation Responses

South Holland Internal Drainage Board

Consent is not currently required under Byelaw 3 or Section 23 and is not applicable under Byelaw 10.

Lincolnshire County Council Highways Authority

Recommendation: No objection

This proposal is for a residential development of a single dwelling where the existing access arrangements remain unchanged and adequate parking provision has been made within the site. It should be noted that a previous application for the same development was made and granted permission under application H13-0601-21. Therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage on all Major Applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the drainage proposals for this planning application.

No Objections

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 or increase surface water flood risk and therefore does not wish to object to this planning application.

Lincolnshire County Council Historic Places

Thank you for consulting us on this.

Having reviewed the application documents and the updated available Historic Environment information for this application, the proposal is unlikely to have an impact on significant archaeological remains. Consequently, no further archaeological input is necessary for this application. It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

South Holland District Council Environmental Protection

No comments regarding land contamination.

Public Representation

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Key Planning Considerations

The main issues and considerations in this case are (but are not limited to):

- Principle of Development and Sustainability
- Layout, Design and Impact on the Character of the Area
- Impact on Neighbouring Residents/Land Users/Land Uses
- Highway Safety and Parking
- Flooding Risk Considerations and Drainage
- Biodiversity.

Evaluation

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above .

The policies and provisions set out in the National Planning Policy Framework (updated December 2024) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

The Authority is able to demonstrate a supply of deliverable sites equivalent to in excess of 5 years through the latest Housing Land Supply Assessment.

Planning Considerations

Principle of Development and Sustainability

The South East Lincolnshire Local Plan (2019) sets out the settlement hierarchy in respect of delivering sustainable development that meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to

satisfy local housing need, whilst making more sustainable use of land and to minimise the loss of high-quality agricultural land by developing in sustainable locations and at appropriate densities.

Policy 1 of the South East Lincolnshire Local Plan (2019) sets out a spatial strategy for delivering sustainable development across South East Lincolnshire to 2036. Policy 1 (Spatial Strategy) expresses this sustainable framework of settlements, ranking the settlements deemed to be most sustainable in descending order.

The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy in respect of sustainable development are areas of limited development opportunity including 'Minor Service Centres', with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

Policy 1 (Spatial Strategy) of the South East Lincolnshire Local Plan (2019) indicates that within 'Other Service Centres', development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities. This policy goes on to detail that development within 'Other Service Centres' will normally be limited to Committed sites and infill.

The National Planning Policy Framework, (NPPF) (December 2024) outlines, within Paragraph 61, that "To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay".

Para 73 of the National Planning Policy Framework (December 2024) also emphasises the importance that the contribution of small to medium sized sites can make in meeting the housing requirements. This states that "Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes, and are often built-out relatively quickly". This policy seeks to ensure that there is a sufficient supply of homes and advises that sites of all sizes make a contribution to the housing requirement of an area.

The application site in this instance is within Moulton Seas End, a settlement identified as an 'Other Service Centre', and lies within the defined settlement boundaries as detailed by Policy 1. In context of this, the principle of residential development within this location is considered to be appropriate, comprising an appropriate form of development for the location and would be in accordance with the overall principles of the spatial strategy.

Whilst it is noted that the site lies within the defined settlement boundaries, Policy 1 identifies that within Other Service Centres development would 'normally' be limited to infill development. Although this does not specifically identify that all development proposals within 'Other Service Centres' must be infill, committed or allocated sites, this is consideration of the policy. In this context, development that is not considered infill development or on committed/allocated site, should typically be limited to those that have a justifiable reason to be located in such sites.

The proposal in this instances comprises a land which in part, forms the wider land serving The Golden Lion Public House. Given its siting and surroundings, the proposal is considered to be in accordance with the requirements of Policy 1 of the South East Lincolnshire Local Plan (2019) when viewed in principle. This is subject to the assessment against site specific criteria; including (but are not limited to) the impact of the proposal on the character or appearance of the area, impact on the residential amenities of neighbouring occupiers, impact on highway safety and flood risk, which are discussed in turn as follows.

Layout, Design and Consideration of the Character and Appearance of the Area

Section 12 of the National Planning Policy Framework (December 2024) specifically relates to 'Achieving well-designed places' and details that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the National Planning Policy Framework (December 2024), states that new development should function well and add to the overall quality of the area (beyond the short term and over the lifetime of the development) and should be visually attractive as a result of good architecture, layout and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing.

Development proposals should also ensure that developments 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, among other considerations.

Likewise, Policy 2 of the South East Lincolnshire Local Plan (2019) outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework (December 2024), in that it requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the National Planning Policy Framework (December 2024) and require that 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.

Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

Firstly, it should be noted that there has been a previously approved scheme on site under H13-0601-21 showcasing practically the same scheme in terms of size, design and layout, as that currently proposed. This report outlined that the dwelling would be set back from the highway at a similar distance to 73a and that there is no strong character to the area, meaning the proposed dwelling would not be out of keeping within the street scene whilst the dwelling is also proportionate within the plot.

As the schemes are notably similar, the same principles and justification of the assessment can be made. The proposed dwelling fits well within the plot and does not appear cramped or overdeveloped within the area. As the materials are to be agreed at a later date these cannot be assessed under this application. The height of the dwelling is such that it would be in keeping with various other plots in the immediate area. Whilst there are multiple bungalows nearby, there are also plentiful examples of two storey dwellings meaning there is no one set design the proposal should meet.

The layout of the property includes a hallway leading into a lounge, WC and kitchen with an open plan dining area and utility connected. On the first floor there would be three bedrooms as well as an en-suite and shared bathroom. The layout flows well and ensures each room would have adequate natural light.

Taking account of the design, scale and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (December 2024).

Impact on Residential Amenity/ Land Users

Paragraph 135 of the National Planning Policy Framework (December 2024) 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.

Policies 2 and 3 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.

The closest neighbour who could be impacted through a potential loss of light would be No. 73a Seas End Road which is to the north. As the sun would rise in the east and set in the west, travelling south, the neighbouring plots to the east and across the road to the west should be mostly materially unaffected. Despite this, the residential site would be around 8.8m away due to the driveway and garage being set in between this. As a result, there should be no material overshadowing in this regard nor to any other residential site.

There are no windows on either side elevation, whilst this would not impact the land to the south as this is the existing pub, the neighbour to the north should be unaffected in relation to any material loss of privacy. Furthermore, the windows on the front elevation facing west would not result in any significant harm as for the most part they will be facing the public highway with some residential properties across the road. Finally, the windows on the rear elevation will face a row of four terraced plots with the closest being around 18m away. In between this there is a set of undeveloped land which acts as a clear divide between the new site and the existing residential dwellings.

Concerns were raised by the Planning Officer regarding the siting of vehicle parking spaces for The Golden Lion Public House directly to the south of the proposed dwelling in relation to the potential late comings and goings of customers and how this could impact the residents at the dwelling. A condition will be imposed to the decision notice should the application be approved to ensure that the fence along this boundary be acoustic fencing to help reduce the potential noise concerns in this regard. For the most part, the rear elevation would face undeveloped land with the an adequate distance towards its neighbours, there should therefore be no material overlooking impact.

As detailed above, the scale and design of the proposal is considered to be such that there would be no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the provisions of the Section 12 of the National Planning Policy Framework (December 2024), and Policies 2 and 3 of the South East Lincolnshire Local Plan (2019).

Flood Risk and Drainage

Section 14 of the National Planning Policy Framework (December 2024) explains that "Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere".

This goes on to state, within Paragraph 172, that all plans "should apply a sequential, risk-based approach to the location of development - taking into account all sources of flood risk and the current and future impacts of climate change - so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: a) applying the sequential test and then, if necessary, the exception test as set out below".

Paragraph 173 of the National Planning Policy Framework (December 2024) goes on to state that "A sequential risk-based approach should also be taken to individual applications in areas known to be at risk now or in future from any form of flooding", by following the steps set out within Section 14 of the National Planning Policy Framework (December 2024).

Paragraph 174 goes on to state that, "Within this context the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding", with the strategic flood risk assessment being the tool to demonstrate this.

Paragraph 175 details that "The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area

that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk)".

If, following the application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in Zones with a lower probability of flooding, the Exceptions Test can be applied if appropriate.

The site lies within Flood Zones 2 of the Environment Agency's Flood Maps. These 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.

It is worth noting that large parts of the district of South Holland lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the South East Lincolnshire Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test.

The South East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how flood risk has been considered in shaping the proposals of the Local Plan; including the spatial strategy and the assessment of housing and employment sites. Policy 4 of the South East Lincolnshire Local Plan (2019) is clear in 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" in instances where specific criteria is met.

The site in this instance is located within Flood Zone 2 of the Environment Agency's maps and a Danger for Some on the South Holland Strategic Flood Risk Assessment. The potential risks to the site include the probability of development flood from localised drainage systems being low although failure of Lords Sluice Outfall would lead to an increased risk. The probability of the site flooding from any EA system is less than 0.5% annually due to the existing flood defences with their being a gradual increase due to climate change. Finally, the proposed development increase the impermeable area and therefore has the potential to increase the rate of surface water run off from the site.

As outlined above, the NPPF requires the application a sequential test on site to ensure that new development is in areas with the lowest probability of flooding. Furthermore, in some cases the exception test should also be applied, as the site in this instance is in Flood Zone 2 and classed as 'More Vulnerable' within the flood risk classification the exception test is not required. in any case, the sequential test remains necessary and will be discussed in turn.

The flood risk assessment outlines that large parts of South Holland lie within Flood Zone 3 and therefore opportunities to undertake the development at an alternative site with a lower flood risk are limited. The refined flood risk information (hazard and depth maps) have also been applied in this instance to assess the further flood risk issues.

This information outlines that the site is not at risk during the present day 1% annual probability fluvial and 0.5% annual probability tidal event; however, the 2116 maps indicate that the site lies partially within a no hazard and partially within a 'Danger for Some' hazard area, with up to 0.25m peak flood depths.

Notwithstanding this, para 027 of the PPG outlines that "In applying paragraph 175 a proportionate approach should be taken", this goes on to detail, under para 027a, "For individual planning applications subject to the sequential test, the area to which the test needs to be applied will be governed by local circumstances relating to the catchment area for the type of development proposed and the needs it is proposing to address"; with it being advised that for "non-major housing development, it would not usually be appropriate for the area of search to extend beyond the specific area of a town or city in which the proposal is located, or beyond an individual village and its immediate neighbouring settlements".

As such, Moulton Seas End is predominately comprises a hazard area and peak depth that either equals, or exceeds that of this application site. As such, the site has a low probability of flooding and it is reasonable to consider that an alternative site within the settlement, may not be achievable at a lower risk of flooding and therefore, is considered to be pass the sequential test.

Moving on from this, due to the site having a low 'actual risk' of flooding it has been recommended that the floor level of the dwelling is 300mm above surrounding site levels with 300mm of flood resilient construction above the finished floor level.

Overall, when considering the development on balance, it is considered that given the mitigation measures detailed and recommended by condition, the proposal accords with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan (2019) and the intentions of the National Planning Policy Framework (December 2024) in this regard.

Highway Safety and Parking

Section 9 of the National Planning Policy Framework (December 2024) specifically relates to 'Promoting sustainable transport'. Paragraph 116 of the National Planning Policy Framework (December 2024) 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, following mitigation, would be severe, taking into account all reasonable future scenarios".

In respect of highway matters, Policy 2 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.

Further, Policy 36, to be read in conjunction with Appendix 6, of the South East Lincolnshire Local Plan (2019), sets out minimum vehicle parking standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

Three bedrooms have been included within the proposed dwelling and therefore at least two vehicle parking spaces are required to ensure the proposal meets the requirements of Appendix 6. The site plan indicates room for two off street vehicle parking spaces, meaning the scheme provides adequate and suitable parking. Lincolnshire County Council Highways have also raised no objections during the consultation period for this application.

Despite the dwelling being located within the car park of the existing Golden Lion Public House, the pub itself would not lose any parking spaces as five new spaces would be introduced to the south of the proposal site.

The access to the site is considered to be adequate and no objection has been raised in this regard and highway safety, by the Local Highway Authority.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3 and 36 the South East Lincolnshire Local Plan (2019), and Section 9 of the National Planning Policy Framework (December 2024).

Biodiversity Net Gain

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) requires developers to deliver a minimum of 10% Biodiversity Net Gain using standardized biodiversity units measured by statutory biodiversity metrics. This is often referred to as the mandatory requirements for Biodiversity Net Gain.

"Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits".

The biodiversity gain condition is a pre-commencement condition. This relates to a condition that seeks, once planning permission has been granted, a Biodiversity Gain Plan that must be submitted and approved by the planning authority before commencement of the development, alongside the need to submit a Habitat Management and Monitoring Plan.

The effect of Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition". The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan, or
- (c) the development is exempt from the biodiversity gain condition.

For applications that are submitted prior to the introduction of this requirement, the development would exempt from the mandatory 10% requirement and as such, the Biodiversity Gain Condition would not apply. However, this application was submitted following the introduction of this legislation. As such, unless comprising development that is exempt from this mandatory Biodiversity Net Gain (10%), a condition would be required, as mandatorily set.

When taking the above into account, the development in this instance is exempt from the statutory 10% Biodiversity Net Gain requirements due to consisting of no more than 9 dwellings, is on a site that is less than 0.5 hectares and is considered to be a self-build and custom housebuilding.

Section 1 (A1) of the Self-build and Custom Housebuilding Act 2015 defines self-build and custom housebuilding as the building or completion by - individuals, associations of individuals or persons working with or for individuals or associations of individuals. It does not include the building of a house on a plot acquired from a person who builds the house wholly or mainly to plans or specifications decided or offered by that person.

Should the application be approved, the Applicant must sign a Unilateral Undertaking to ensure the property remains as a self-build/custom housebuilding.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposal represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking, whilst conforming with the South East Lincolnshire Local Plan (2019) and the provisions of the National Planning Policy Framework (December 2024) when viewed as a whole.

In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

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.

Conclusion

Taking the above considerations into account, the proposal is considered to be in accordance with Policies 1, 2, 3, 4, 28 and 36 (including Appendix 6) of the South East Lincolnshire Local Plan (2019), along with the identified sections contained within the National Planning Policy Framework (NPPF) (December 2024). There are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.