

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	H17-0083-23	Applicant:	Surfleet Play & Rec. Charity
Proposal:	Erection of timber storage building for use by the Forest School - retrospective		
Location:	Glen Park Station Road Surfleet		
Terminal Date:	28th March 2023		

Planning Policies**South East Lincolnshire Local Plan - Adopted: March 2019**

02	Development Management
03	Design of New Development
28	The Natural Environment

National Guidance**National Planning Policy Framework 2021**

Section 12- Achieving well-designed places

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
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application, seeking retrospective planning permission for a timber storage building for use by the Forest School at Glen Park, Station Road, Surfleet.

Site Description

The woodland section is situated to the edge of Glen Park in the north east section of the park. The park is accessible from Station Road, and by the pedestrian footpath from the Surfleet Village Hall.

History

No relevant planning history.

Consultation Responses

SHDC Environmental Protection Officer

No objections.

Highway and Lead Local Flood Authority

No objection.

This small storage shed, within the existing Forest School site, does not have any material impact upon the operation of the local highway network and therefore, the highway authority does not wish to object to the grant of Consent for this Application.

Planning Considerations

Design, Size and Scale

Paragraph 130 of the National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting; and 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 SELLP states 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.

The stand alone timber built store situated in the woodland of Glen Park, Surfleet for the use of the established Forest School. The timber building measures 5.84m by 2.43m and an overall height of 2.69m. The timber building is used to store non mechanical equipment for the use of the Forest School, and also provides occasional shelter during extreme weather. The store is set back from the existing footpath through the 11 acre woodland site.

Overall the materials and the positioning of the timber shed is considered to be acceptable, as it provides a means of storage for the already established Forest School, which is clearly serving the community well.

Taking the above into account, the timber storage building is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of layout, design, size and scale.

Amenity

Paragraph 130 of National Planning Policy Framework (2021) amongst other matters seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of South East Lincolnshire Local Plan (2019) set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

The timber storage building is set back from the pedestrian footpath through the woodland site and

is not visible from the main road or any nearby dwellings, with the closest dwelling being approx. 78m away.

It is therefore, not considered that the timber storage building would have any detrimental impact upon overshadowing, overlooking or overbearing upon the surrounding woodland area. It would appear that the building is positively serving the community and the established Forest School.

Taking the above into account, the timber storage building is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of residential amenity.

Planning Balance

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

The timber storage building will not materially harm the character or appearance of the locality or amenity of nearby residents. It is therefore considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

Conclusion

Based on the reasons outlined above, the recommendation is therefore for a delegated 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.