DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H17-0582-26**	**Applicant:**	**Mr P Harper**
Proposal:	Change of use from agricultural land to commercial staff parking & BNG area including demolition of 2 no. lean-to buildings to the side & rear - Part Retrospective		
Location:	82 Seas End Road Surfleet Spalding		
Terminal Date:	4th September 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
29	The Historic Environment
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework August 2026

Section 4 - Achieving sustainable development
Section 14 - Achieving well-designed places
Section 15 - Promoting sustainable transport
Section 17 - Pollution, public protection and security
Section 18 - Managing flood risk and coastal change
Section 20 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1
HIGHWAYS & SUDS	0	0	0	1

SUPPORT				
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	3
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Description of Proposal

This application is for the change of use of approximately 0.045ha of agricultural land to an area of parking (approximately 250sqm) and a biodiversity area (approximately 200sqm). A rear lean-to brick extension and a tin lean-to side extension would be demolished. The application is part retrospective.

Site Description

The relevant area is outside of the settlement boundaries of Surfleet, as outlined within the South East Lincolnshire Local Plan, 2019, although the associated building is within the settlement limits. The building is a former garage, and former Wesleyan Methodist Chapel, which is listed within the historic environment record as a non-designated heritage asset (reference number MLI97740). To the rear is agricultural land, which is the site of the parking and BNG area.

Relevant History

H17-0980-24 - Full - Residential Development - Single Dwelling - including demolition of `Old Chapel` 0.039Ha and change of use of part Agricultural field to Site for Biodiversity Measures. 0.045Ha - Refused 05/03/25.

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Historic Environment Officer

The building is locally significant and considered a non-designated heritage asset (Building Record MLI97740). A previous application H17-0980-24, which included demolition of The Wesleyan Methodist Chapel was refused.
It is noted that the applicant has provided a partial assessment of the heritage potential of the site (Heritage Impact Assessment), as outlined in the NPPF (paragraph 207). However, this does not adequately record or explain the loss of the two lean-tos, including whether either formed part of the building shown on the historic mapping. No technical evidence of the stated poor condition of the rear lean-to or how it was affecting the main building has been provided.
The proposed development comprises 'Change of use from agricultural land to commercial staff parking & BNG area including demolition of 2 no. lean-to buildings to the side & rear - Part Retrospective.' The demolition may have resulted in the loss of surviving historic fabric. NPPF (paragraph 218).
Recommendation:
Should permission be granted, We recommend that a condition be attached requiring a

proportionate programme of building recording. This should comprise a phased programme of mitigation, including, as a minimum, Level 3 historic building recording of the building, in accordance with Historic England, Understanding Historic Buildings: A Guide to Good Recording Practice (2016).
This approach would ensure that the surviving building and the demolished elements are appropriately recorded and understood. This should be secured through South Holland District Council's standard condition AR04 and is consistent with paragraphs 207,208,216 and 218 of the NPPF and Policy 29 of the South East Lincolnshire Local Plan.
Finally, considering the building significance and potential impacts to the setting, the SHDC Conservation officer must be consulted before a decision is made.

Welland and Deeping Internal Drainage Board

Further to receipt of the above, I confirm that Welland & Deepings IDB have no comment to make.

Environment Agency

This proposal comes under cell E4 of the local flood risk standing advice and does not appear to fit any other criteria on our consultation checklist, 'When to consult the Environment Agency'. It was therefore not necessary to consult us; please consider the proposals against the guidance of the standing advice.

SELCP Ecologist

Initial Consultation Response, dated 30/07/26

Ecological Considerations:
- Has a Preliminary Ecological Appraisal (PEA), or other relevant ecological survey, been completed for this application? If so, this should be submitted to enable assessment of the potential impacts of the development on protected species.
-In the absence of any ecological survey information, the applicant should provide evidence demonstrating that the works undertaken to date were carried out lawfully and did not result in impacts to protected species.
BNG Comments and Notes to applicant
-Overall, the biodiversity assessment and metric calculations appear rigorous, and in this case the metric indicates that 10% mandatory net gain can be achieved on-site with a predicted overall gain of 110.99% in Habitat units.
Specific BNG condition request
-We request that a biodiversity gain plan be provided for this application.

Further Comments, dated 21/08/26

The ecology statement provided has stated that the appropriate ecology checks were completed on the sections of building that were demolished. Therefore, I have no further ecological issues to raise at this time and so have no objections to this application.

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, one letter of representation has been received.

This can be summarised as:
-Concerns regarding noise

Key Planning Considerations

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.

The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is 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, 2026 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Principle of Development

Policy Context - Spatial Strategy

Policy 1 of the SELLP sets out the settlement hierarchy in respect of delivering sustainable development, which 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 need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy 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 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.

As outlined previously, the building of 82 Seas End Road is within the defined settlement boundaries of Surfleet, which is classified as a minor service centre within Policy 1. Within this context, Policy 1 states:
"Within the settlement boundaries of the Minor Service Centres (as shown on the Inset Maps) 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. Development will normally be limited to Allocated and Committed sites and infill"

However, the proposed parking area and BNG, which forms the primary elements of this proposal, are outside of the settlement limits. The SELLP is explicit that all land outside of the defined settlement limits would be classified as Countryside. Appeal decision APP/A2525/W/25/3362446 confirms that the settlement limits are definite and that applications immediately adjacent to settlement boundaries are not subject to alternative assessments.

Policy 1 states: "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".

The description of development provided states "change of use from agricultural land to commercial staff parking & BNG area including demolition of 2 no. lean-to buildings to the side & rear". The demolition elements are therefore subordinate to the primary development which would be the change of use of the land to create staff parking and a BNG area. As this element would be outside of the defined settlement boundaries, this element must be assessed as development in the countryside, albeit with the necessary caveat that said development seeks to serve a plot within the settlement.

Policy Context - Achieving Sustainable Development

Section 4 of the NPPF aims to achieve sustainable development by locating proposals within the most appropriate locations. To this end, Policy S3(2) states:
"Where a development proposal falls partly within and partly outside a settlement, policies S4 and S5 should be applied to the relevant parts which are inside or outside of the settlement boundary (as appropriate), before coming to an overall view on the proposal".

As such, the demolition works would be assessed against Policy S4, as they are within the settlement, whilst the parking and BNG areas would be assessed against S5.

Policy S4 states:
"Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national

decision-making policies in this Framework"

Policy S5 states:
"Only certain forms of development should be approved outside settlements. These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework".

Policy S5(1) proceeds to outline circumstances where a proposal for development outside of a settlement would be permissible. This includes: "development for rural businesses and services, including tourism, where a location outside settlements is shown to be necessary" and "engineering operations and infrastructure".

Assessment - Within Settlement

The elements in the settlement boundaries are considered acceptable. The adverse impacts of development are minor, and are largely outweighed by the benefits of enabling the proper function of the unit. In any event, demolition can occur via the provisions of Part 11 of the General Permitted Development Order, 2015, and this offers a material fallback position.

Policy S4 has therefore been met.

Assessment - Outside Settlement

As previously outlined, both Policy S5 of the NPPF and Policy 1 of the SELLP would limit development which would be permissible within the countryside.

No definition is provided within the NPPF of a rural business. Broadly, conventional interpretation would be a business which necessitates a rural location, such as an agricultural contractors or similar land based enterprise. The proposal would therefore not wholly meet the requirements of Policy S5(1)(b), as the proposal would not relate to a typical rural business. That being said, the policy does clearly imply that necessary development which would support businesses would be permissible in countryside settings.

Likewise, no definition is given for engineering operations. The proposal could be considered as engineering operations, as it would involve small-scale localised infrastructure development to serve a specific need.

In any event, the NPPF would not render Policy 1 of the SELLP redundant in this regard. Policy 1 is explicit that development which is necessary to the location should be permitted. The Applicant has clearly outlined that the development would be reasonably necessary to support an existing and established business use. There is therefore a reasoned justification for the chosen location.

Principle - Summary

The proposal conforms to Policy S4 of the NPPF. Whilst there is surface level friction with Policy S5 of the NPPF, there is conformity with Policy 1 of the SELLP and a clear necessity for the development to be located in the chosen location.

Therefore, as per Policy S3(2) an overall judgement of the proposal should be made. On balance, the proposal is considered to conform to Section 4 of the NPPF and Policy 1 of the SELLP as a whole.

Layout, Design, Scale and Consideration of the Character of the Area and Heritage Considerations

Policy Context - Design and Character

Section 14 of the NPPF, "Achieving well-designed places", outlines that planning decisions and policies should "promote high quality, healthy, inclusive and sustainable places".

Paragraph 1 of DP3 outlines that "development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets".

In order to create well-designed places, Paragraph 2 outlines that proposals should reflect seven key principles, as appropriate to the nature of the development and its location. These are: liveability, climate, nature, movement, built form, public space, and identity.

Paragraph 3 of DP3 is explicit that proposals which conflict with paragraph 1, the relevant aspects of paragraph 2 of DP3, or relevant development plan policies and guidance, should be refused. Conversely, substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.

Likewise, Policy 2 of the SELLP outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 of the SELLP 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 NPPF 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.

Policy Context - Heritage Considerations

As outlined previously, the site is considered to be a non-designated heritage asset, listed under reference MLI97740 within the historic environment record. As a result, Policy HE7 of the NPPF is relevant. This outlines that applications which have a positive effect on a non-designated heritage asset should be approved, whilst a balanced judgement should be made where harm is caused.

Assessment

The demolition aspects of the proposal are minor. They have removed two later additions, which made no significant contribution to the appearance or importance of the building. These additions were in poor repair and therefore their removal has neatened the appearance of the building to a certain extent.

The BNG area would have limited impact upon the character or appearance of the area. Whilst it would be unusual to do so, much of the same planting could occur through agricultural practices. In any event, planting of this nature would be in keeping with the semi-rural area.

The additional parking area, as previously outlined, would be within the countryside, on a formerly agricultural piece of land. As a result, the works would, in effect, extend the urban form into the countryside, eroding the character of the area to a certain extent. However, this land is largely obscured from the public realm. Parking areas are inherently low lying, and are not necessarily constantly filled, reducing their impact further. The extent of the land to be occupied is small, further reducing the perception of sprawl. As a result, the actual tangible impacts of the development are negligible.

The effect upon the non-designated heritage asset made by the parking area is negligible also. The importance of the building comes from its cultural history (i.e., use as a church) and its built form. There is limited value gained from its relationship to the landscape and the importance of the building is not reliant on these exogenous factors. As a result, the loss of a small parcel of agricultural land would not negatively impact upon the significance of the asset.

On balance, it is considered that no harm would be caused to the heritage asset, as outlined in HE5 of the NPPF. Likewise, there would be no significant impact upon the character or appearance of the area.

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, 3 and 29 of the SELLP and Section 14 and 20 of the NPPF.

Impacts Upon Resident Amenity

DP3 of the NPPF outlines that development should create places that are safe, inclusive, and accessible and which promote health and well-being, with a focus on promoting liveability.

Likewise, Policy P3(1) outlines that development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site. This point is expanded upon in P3(2) which states all development proposals should "provide healthy living conditions for occupiers and users in terms of adequate access to light and avoiding exposure to levels of air, noise, artificial light or other sources of pollution which could have an unacceptable adverse effect on health and the quality of life ".

Policies 2 and 3 of SELLP sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

As previously outlined, this application has not proposed the change of use of the building. 82 Seas End Road is used for industrial/ commercial purposes currently. Whilst the current occupiers of the building appear to have taken control of the building relatively recently, the broad use class which this commercial use sits within appears to have been on the site for some time. As a result, a degree of disturbance is already expected from the existing use of the land, and any impacts of this development must be considered in light of the existing circumstances.

The proposed parking area would, as per the application form, accommodate approximately four vehicles. Therefore, the expected levels of movement would be low, thereby preventing an overly significant amenity impact. Said impact would be no greater than if these vehicles were parked on the roadside, potentially even being a lower impact as it would move the disturbances further away from residential dwellings.

By virtue of the nature of this application, no overlooking or overshadowing would occur. In addition, despite the concerns raised by the objector, there is no reason to consider that the use proposed would result in noise emissions that would discernibly impact upon the amenity of any neighbouring property to any greater degree than presently occurs.

As detailed above, the scale and design of the proposal is considered to have 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 Section 14 and 17 of the NPPF and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.

Highway Safety and Parking

Section 15 of the NPPF is titled 'Promoting sustainable transport'. Within this, Policy TR6(4) advises that "development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion."

Policy TR3 of the NPPF outlines that development should be located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure. The policy outlines a series of principles to achieve these aims, with the expectation that all proposals should, so far is relevant, conform to them. Policy TR3(2) is explicit that "The Connectivity Tool should be used alongside other relevant quantitative or qualitative evidence in assessing the connectivity of particular locations proposed for development."

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. Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the SELLP, in conjunction with Appendix 6, sets out minimum vehicle parking standards and requires at least one space per 65sqm of B2 floor space (which is the assumed use class of the building based on the historic uses on the site). Whilst the application form has indicated four spaces, there would be adequate space for more vehicles. As a result, parking standards have been met.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3, 33 and 36 of the SELLP, as well as Section 9 of the NPPF.

Flooding Considerations

Section 18 of the NPPF relates to "Managing flood risk and coastal change". It requires a sequential approach to flood risk, in accordance with the decision making policies contained within this section. Policy F7 is clear that "development proposals should not present a risk from flooding to potential occupiers, users, or visitors, and should not increase flood risk elsewhere."

Policy F5(1) outlines that:
"The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Where the test applies, development proposals should not be located in areas at risk of flooding where alternative sites, appropriate for the development, are reasonably available in areas with a lower risk of flooding. The area to which the test is applied should not be greater than the anticipated catchment of the development in terms of its likely occupiers or users."

Paragraph 3 expands on this, stating that :
"The strategic flood risk assessment covering the area of the proposed development and the Flood Map for Planning should provide the evidential basis for applying the sequential test."

The site lies within Flood Zone 3 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.

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 SELLP 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.

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 SFRA as a basis to apply the sequential test.

Within the SFRA the site is classed as danger for most, with a hazard depth of 0.25m.

As outlined previously, there is a reasoned justification as to why the proposal should be located in close proximity to the existing commercial business at 82 Seas End Road. Whilst the provisions of Policy F5(2) of the NPPF are noted, with regards to need to apply the sequential and exceptions tests, it is not considered that the proposal would strictly conform to any of the caveats applied, due to the use of hard surfacing.

Policy F6 of the NPPF states:
"In areas falling within flood zones 2, 3a, or 3b (as defined in Annex F, table 1):
a. Development proposals should be refused if the use is incompatible with the risk from river or sea flooding, as set out in Annex F, table 3; and
b. In certain other circumstances set out in Annex F, table 3, in addition to satisfying the sequential test in policy F5 where applicable, development will only be appropriate where an 'exception test' is satisfied"

Annex F, table 2 of the NPPF defines the proposed use as a car park as less vulnerable. As such, the proposal is not considered to be incompatible with the flood risk, as outlined in Annex F. Annex

F is therefore clear that the exceptions test is not required.

For the above reasons, the proposal is considered to be in accordance with Policy 4 of the SELLP and Section 18 of the NPPF.

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.

Proposed is a BNG planting area to the rear of the site. This demonstrates a 110% increase, should target conditions be met. The method of fain proposed is considered acceptable in principle.

Economic Sustainability

Policy E2(1) of the NPPF states: "To support business growth, substantial weight should be given to: a. The economic benefits of proposals for commercial development which allow businesses to invest, expand and/or adapt; especially where this would support the economic vision and strategy for the area".

The proposal would support the growth of an existing business, and would therefore be consistent with the aims of Policy E2. Therefore, substantial weight is given in favour of the proposal.

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 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 SELLP and the provisions of the NPPF when viewed as a whole. Weight would be given in favour of the proposal, due to its role in supporting local business.

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 these factors into consideration, the proposal is considered to comply with Policies 1, 2, 3, 4, 29, 33 and 36 of the SELLP, as well as Sections 4, 8, 14, 15, 17, 18, and 20 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.

Recommendation

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