

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H17-1015-20 **Applicant:** Mr J Smith
Proposal: Additional hardstanding (retrospective)
Location: Spalding Farm Shop Scoldhall Lane Surfleet
Terminal Date: 8th January 2021

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
07	Improving South East Lincolnshire's Employment Land Portfolio
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 6 and 12 of the National Planning Policy Framework (2019)

6 - Building a strong, competitive economy
12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a retrospective application for additional hardstanding at Spalding Farm Shop, Scoldhall Lane, Surfleet. The proposal seeks to retain permeable bodpaving with a gravel finish to match that already on site. The track runs across a formally grassed area to the front of the site connecting to an existing access point.

SITE DESCRIPTION

The proposal site is located to the north of the A152 outside of defined settlement limits. The surrounding area is predominately rural and is characterised by dwellings of varying ages and designs. The site is in Environment Agency Flood Zone 3, and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

RELEVANT HISTORY

H17-1014-09

Full - Extension to farm shop - Approved - 15 February 2010.

H17-0357-10

Non-material amendment - Extension to farm shop - approved under H17-1014-09 - amendments to doors, windows and roof lights - Approved - 14 May 2010.

CONSULTATION RESPONSES

Surfleet Parish Council

Support.

Member of the public

Highway safety - Poor visibility from oblique angle at access.
Dangerous roof on farm shop store.
Burning of trade waste including plastic on adjacent ground.

PLANNING CONSIDERATIONS

Highway safety

The County Highways & SUDS Officer has not been consulted on this application as a new access has not been created. During the course of the officer site visit this access was used for egress. Whilst there are two new signs in place to inform of the new one-way system, and no-entry point, they are not considered to materially impair visibility as they are set back from the point of access where a vehicle would stop to ascertain when they can enter Scoldhall Lane and exit the farm store. Site visit photographs were taken that show the position of the new directional signage.

Dangerous roof on farm store

This is not a matter that can be assessed by the current application. If the objector has concerns, they can contact the SHDC Building Control section.

Burning of trade waste including plastic

This is not a matter that can be assessed by the current application. If the objector has concerns, they can contact the SHDC Environmental Health Technician.

Assessment against SELLP Policy 2 - Development Management

This proposal is assessed against SELLP Policy 2 titled - Development Management. This policy states:

"Proposals requiring planning permission for development will be permitted provided that

sustainable development considerations are met, specifically in relation to:

1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets;
9. impact on the potential loss of sand and gravel mineral resources."

When assessed against the above relevant criteria the following can be observed:

1. The size, scale, layout and density is considered to be appropriate for the site. There is not considered to be material impact on the amenity of customers or neighbours, nor a material impact on the character and appearance of the surrounding area.
3. The use of gravel is considered to be appropriate for the site as it allows any surface water to drain through the hardstanding provision.
4. Vehicular access is considered to be improved to the site as a result of the proposal. Previous parking provision was for 39 vehicles and that number will not be altered.
6. There is not considered to be an impact on neighbouring land uses from noise, odour, disturbance or visual intrusion.
7. The use of gravel is considered to be appropriate for the site as it allows any surface water to drain through the hardstanding provision. The site is in Environment Agency Flood Zone 3, and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

The proposal is considered to accord with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

This proposal is assessed against SELLP Policy 3 titled - Design of New Development. This policy states:

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. 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.

Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:

1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
2. distinguishing between private and public space;
3. the landscape character of the location;
4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;
5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;
8. crime prevention and community safety;
9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;
10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable

drainage systems (SuDS);

13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;

14. the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;

15. the appropriate use or reuse of historic buildings.

When assessed against the above relevant criteria the following can be observed:

2. The proposal distinguishes between private and public space.

3. The landscape character of the location is not materially impacted by the hardstanding.

4. The proposal is in the open countryside so can only be easily accessed by private transport.

5. The storage of recycling bins, storage, bicycle parking and car parking is not impacted by this proposal.

10. Additional advertisements have been placed on the frontage fence, however, these advertisements are within the forecourt area and are not of a size that requires advertisement consent.

11. The use of gravel is considered to be appropriate for the site as it allows any surface water to drain through the hardstanding provision. The site is in Environment Agency Flood Zone 3, and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

The proposal is considered to accord with SELLP Policy 3.

Assessment against SELLP Policy 7 - Improving South East Lincolnshire's Employment Land Portfolio

This proposal is assessed against SELLP Policy 7 - Improving South East Lincolnshire's Employment Land Portfolio. The relevant section for this application is "Other Employment Sites". This section states:

"New employment development/businesses or the extension of an existing business outside the above allocated employment sites will be supported provided that the proposal involves the re-use of previously-developed land or the conversion/re-use of redundant buildings. Where it can be demonstrated that no suitable building capable of conversion/re-use is available or the re-use of previously-developed land is not available or is unsuitable, proposals on non allocated sites may be acceptable provided:

- a. the development does not conflict with neighbouring land uses;
- b. there is no significant adverse impact upon the character and appearance of the area;
- c. the design is responsive to the local context;
- d. there will be no significant adverse impact on the local highway network;
- e. there will be no significant adverse impact upon the viability of delivering any allocated employment site;
- f. proposals maximising opportunities for modal shift away from the private car are demonstrated; and
- g. there is an identified need for the business location outside of identified employment areas on the Policies Map."

- a. The development does not conflict with neighbouring land uses.
- b. There is no significant adverse impact upon the character and appearance of the area.
- c. The design is responsive to the local context.
- d. There will be no significant adverse impact on the local highway network as the access location and number of parking spaces remain unaltered.
- e. There is no significant adverse impact upon the viability of delivering any allocated employment site.
- f. The site can only easily be accessed by private motor vehicle.
- g. The premises originally operated as a nursery and then developed into a farm shop. Therefore, it is considered that the business location is acceptable outside of the identified employment areas on the Policies Map.

The proposal is considered to accord with SELLP Policy 7.

PLANNING BALANCE

The proposal does not materially impact the character, amenity or highway safety of the surrounding area. The application accords with Policies 1, 2, 3, 4, 7, 30 and Appendix 6 of the South East Lincolnshire Local Plan, 2019 as well as Sections 6 and 12 of the National Planning Policy Framework, 2019.

CONCLUSION

This proposal is recommended for 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.