

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H22-0697-20 **Applicant:** Honeypot Day Nursery
Proposal: Proposed modular building to provide additional required day care accommodation
Location: 230 Broadgate Weston Hills Spalding
Terminal Date: 21st October 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
32	Community, Health and Well-being
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Section 8 - Promoting healthy and safe communities
 Section 9 - Promoting sustainable transport
 Section 12 - Achieving well designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	1	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	1	0
OTHER STATUTORY BODIES	0	0	1	0

RESIDENTS	2	8	0	1
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CASE OFFICER ASSESSMENT

Proposal

This is a full application to seek permission for a proposed modular building to provide additional required day care accommodation at Honeyptot Day Nursery, 230 Broadgate, Weston Hills.

The proposed modular building will be situated at the north east of the site. The applicant has advised that they are not intending to increase the number of children attending the nursery and that the purpose of the new building is to provide additional indoor space for a number of reasons:

- To assist in maintaining social distancing in the Covid climate
- To allow for children with additional needs to have separate space when required
- The nursery offers wrap around care for 3 local primary schools which involves providing breakfast for children, taking to school, collection from school, activities after school and dinner. Full holiday care is also provided during school holidays. The modular building would enable this to be kept separate from the main nursery setting.

Site Description

The existing nursery is set back from Broadgate on the western side. It is bordered by residential dwellings to the north and south. There is a playing field to the west and to the opposite side of Broadgate is open fields.

History

None relevant.

Consultation Responses

Weston Parish Council- Objection- Safety concerns over extra vehicles parking on the road.

Internal Drainage Board- No objections.

SHDC Environmental Protection Officer- No Objections.

Local Highways- Does not wish to restrict the grant of permission.

2 representations have been received in objection to the proposal (summarised) -

- Increase in vehicles parking along Broadgate, as well as safety issues
- Increase of traffic due to more children at the nursery

9 representations have been received in support of the proposal (summarised) -

- Building will be of great benefit to the nursery
- Good for separation of different age groups
- Nursery provides essential childcare support for key workers
- Good for Covid restrictions and social bubbles
- No impact on parking and feels it will benefit all attending children
- Allows a better setting for the older children

Planning Considerations

Principle

The site is located within the settlement boundary for Weston Hills, as set out in the South East

Lincolnshire Local Plan (2019) (SELLP). Policy 1 of the SELLP identifies Weston Hills as an Other Service Centre and Settlement and states that "Within the settlement boundaries of the Other Service Centres and Settlements (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 Committed sites and infill". It is clear that the proposed use of the building would support the functioning of the nursery and thereby assist in meeting the needs of the community of Weston Hills, as well as those of other villages. It is therefore acceptable in locational terms.

Policy 32 (Community, Health and Well-being) is also relevant to the proposal, and sets out that: The development of new community facilities will be supported, provided that they are located so as to be:

1. as close as possible to the community they will serve;
2. readily accessible by public transport, on foot, and by bicycle;
3. compatible with nearby uses and the character and appearance of the neighbourhood; and
4. located and designed to enable (where possible) shared use with other services/facilities.

Addressing the above:

1. The building would be within the built-up area of Weston Hills and sit within the grounds of the existing nursery
2. As above. The applicant has advised that they are not intending to increase the number of children attending the nursery and that the purpose of the building is for additional indoor space to support their current offering. It is not a new facility per se and so this criterion is not considered particularly relevant to the proposal.
3. It is considered that the proposed use is compatible with nearby uses and the character and appearance of the neighbourhood - discussed further below.
4. As point 2.

Nine representations have also been received in support of the proposal.

Taking the above into account, the proposal is considered to comply with Policies 1 and 32 of the Local Plan and is acceptable in principle.

Layout, Design, Size and Scale

Paragraph 127 of the National Planning Policy Framework (NPPF), 2019 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 proposed modular building will be situated at the north east of the site, in place of the existing outdoor canopy and shed. The modular building will be approx. 8m x 4m, with the inclusion of a w/c which will be connected to the main sewers. The rest of the building will be used for a children's dayroom.

The proposed materials will consist of Western Red Cedar Cladding for the external walls, slate grey windows and doors and a charcoal roof system. The proposed design of the modular building will give a contemporary and modern design and would be in keeping with the scale of surrounding buildings. Surrounding development is varied in terms of appearance and it is not considered that the contemporary appearance of the modular building would be at odds with the character of existing development in the locality.

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

Residential amenity

The proposed windows on both the front and side walls of the modular building will not overlook unacceptably to any residential plot neither habitable rooms of other dwellinghouses. The window

on the rear elevation is high level and would be for the W/C so there would be no issue of overlooking. It can also be noted that the building would more or less run in parallel to the neighbour's garage and would be a similar height (approx. 2.5). It can therefore be said that it would not have a detrimental impact on the occupants of the adjacent property.

It is therefore not considered that there would be a material adverse impact on residential amenity in terms of overlooking, loss of light or being overbearing.

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

Parking

There has been objections received received from the Parish Council and two members of the public regarding highway safety and potential for an increase in on-street parking. However, the Local Highways Authority have no objections to the proposal and the applicant has confirmed that the proposal will not lead to increased on-street parking as it is not their intention to increase the number of children using the facility.

The proposal therefore accords with Policy 2 of the SELLP with regard to vehicle levels.

Conclusion

In light of the considerations above the proposed development is considered to be in accordance with Policies 1, 2, 3 and 32 of the South East Lincolnshire Local Plan (2019) and of Section 12 of the National Planning Policy Framework (2019).

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.