DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H22-0806-22**	**Applicant:**	**Crowtree Wigwams**
Proposal:	Erection of clubhouse and part change of use of site to use for performing wedding/civil partnership ceremonies		
Location:	Crowtree Wigwams Crowtree Farm Wragg Marsh		
Terminal Date:	6th October 2022		

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
09	Promoting a Stronger Visitor Economy
30	Pollution
36	Vehicle and Cycle Parking

National Guidance

National Planning Policy Framework 2021

Section 6 - Building a strong, competitive economy
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	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application seeking permission for the erection of a clubhouse (retrospective) measuring 8.1 metres x 6.6 metres and standing at 4.5 metres in height (2.5 metres to the eaves).

The proposal also includes part change of use of site to use for performing wedding/civil partnership ceremonies with a temporary marquee.

Site Description

The application site is part of Crowtree Farm in Wragg Marsh. Access to the site is off Marsh Road via a private road. The site currently has 10no galping pods which are rented as holiday accommodation along with a pavilion used as a clubhouse. The site is surrounded by open countryside.

History

H22-0055-17 - Change of use of land for holiday accommodation approved under H22-0742-14. Modification of Condition 2 to allow amendments to previously approved plans. - Approved

H22-0742-14 - Change of use of land for holiday accommodation - Approved

Consultation Responses

South Holland Internal Drainage Board

No objections subject to compliance with the Boards Bylaws. A ground investigation is recommended to be carried out to determine infiltration potential.

LCC Highways/SUDS Authority

Does not wish to restrict the grant of permission.

Environmental Protection

No objections.

Planning Considerations

Principle

Policy 9 of the SELLP states that proposals for tourism and visitor development which utilise and enrich the natural and built environment and existing attractions of South East Lincolnshire to the benefit of the local economy, visitors and local communities will be supported within the boundaries of settlements identified in Policy 1. Outside these settlements, small-scale development to support the visitor economy, including farm diversification, equine development and fishing lakes, will be supported provided that proposals:

1. do not conflict with neighbouring land uses;
2. are in keeping with the character of the locality; and
3. demonstrate a functional link with an existing rural attraction or farm enterprise.

The site is not located within a defined settlement boundary, as set out in the South East Lincolnshire Local Plan (2019), however it is located within the grounds of Crowtree Farm and would support the existing leisure use to the rear of the site. The proposal would not change the overall appearance and rural character of the site and would be associated with the existing use of

the site.

Furthermore, Paragraph 84 of the National Planning Policy Framework (2021) sets out that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings and support sustainable rural tourism and leisure developments which respect the character of the countryside.

The proposal would enable the retention/expansion of the already established leisure business and would therefore support the tourism and visitor economy.

Taking the above into account, the proposal is on balance considered to be acceptable in principle subject to other material planning considerations discussed below.

Design, Layout 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 clubhouse has a relatively minor footprint, especially in relation to the wider site. In addition there would not be any prominent views from the public realm given its backland location therefore no unacceptable impact is considered to result on the character of the area.

With regards to part change of use of the site to allow wedding/civil partnership ceremonies to be performed on the site and the addition of a temporary marquee to accommodate this, this aspect of the proposal is not considered to materially change the overall character and appearance of the site.

As such the proposals would on balance comply with the aforementioned policies on design, layout and impact upon the character of the local area.

Residential 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 closest neighbours are towards the east of the site, located at least 250 metres from the proposed development. Given this separation distance, the levels of activity indicated and the existing use of the site it is not considered that any unacceptable noise impacts would on residential amenity.

Furthermore the hours of use would be restricted by way of a condition to further reduce any potential impact on residential amenity.

In addition, the Environmental Protection Officer has not raised any objections with regards to noise and has advised that no noise complaints have been received in respect of the existing business on the site.

The proposal is therefore considered to accord with Policies 2, 3 and 30 of the Local Plan in respect of their provisions on residential amenity.

Drainage

Policy 4 of the SELLP relates to flood risk management and states that new development will be permitted if appropriate flood resistance and resilience measures are proposed (criterion c); it incorporates the use of Sustainable Drainage Systems (SuDS) (criterion e); and demonstrates that

adequate foul water treatment and disposal already exists or can be provided in time to serve the development (criterion g).

South Holland Internal Drainage Board has recommended that ground investigation is carried out to determine infiltration potential, followed by testing in line with BRE Digest 365 if onsite material is considered favourable for infiltration. If infiltration is not feasible at this site, following the drainage hierarchy the applicant would be expected to propose discharge of surface water to a watercourse. In this case, consent would be required under Byelaw 3. It is recommended that any discharge is in line with the non-statutory technical standards for sustainable drainage systems (SuDS), therefore the Board is unlikely to grant consent for discharges in excess of greenfield rate. It is noted that the applicant has not indicated how they propose to dispose of foul water from the development. If the applicant proposes to discharge treated foul water to a watercourse, consent would be required under Byelaw 3. There is a watercourse which is not maintained by the Board (a riparian watercourse) adjacent to the site boundary. Whilst not currently proposed, should the applicant's proposals change to include works to alter the riparian watercourse, or if works are proposed to alter the watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4). An informative has been appended to this effect advising the applicant of the drainage boards bylaws.

Given the above the proposal is considered to be in accordance with Policies 2, 3 and 4 of the Local Plan and Section 14 of the National Planning Policy Framework (2021) with regard to their provisions on drainage.

Highway safety and car parking provision

The Local Highway Authority has not raised any objections to the proposal as the existing access/parking would be utilised.

As such the scheme is considered to accord with Policy 36 of the SELLP 2019.

Planning balance

The principle of erecting a clubhouse and part change of use of the site to use for performing wedding/civil partnership ceremonies is considered acceptable as it would be within the existing glamping pods site. The proposal would not unacceptably change the overall appearance of the site/area or result in residential amenity issues. The existing access is to be retained therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety.

In summary, any adverse impact of granting permission to the proposals would not significantly and demonstrably outweigh the benefits of doing so.

Conclusion

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.

Taking into account the considerations above, the planning balance is overall positive when assessing the proposals against the policies taken as a whole. In particular, the proposals are considered to comply with Policies 1, 2, 3, 4, 9, 30 and 36 of the South East Lincolnshire Local Plan (SELLP), 2019 and Sections 6, 12 and 14 of the National Planning Policy Framework (NPFF), 2021.

It is accordingly recommended to approve this planning application via delegated powers.

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 into account, the proposal is considered to be in accordance with Policies 2, 3, 9 and 30 of the South East Lincolnshire Local Plan (2019) as well as Sections 6 and 12 of the National Planning Policy Framework (2019).

The recommendation is therefore for a delegated approval.