DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H23-0957-23**	**Applicant:**	**Mr D Dlugosz**
Proposal:	Use of site for storage of campers and caravan trailers		
Location:	Adj Valencia Cranesgate North Whaplode St Catherine		
Terminal Date:	11th January 2024		

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
28	The Natural Environment
30	Pollution
36	Vehicle and Cycle Parking

National Guidance

National Planning Policy Framework 2023

Section 2 - Achieving sustainable development
Section 4 - Decision-Making
Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment

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
SHDC INTERNAL	0	0	1	0
RESIDENTS	12	0	0	2

CASE OFFICER ASSESSMENT

Proposal

This is an application for full planning permission for the storage of campers and caravan trailers. The application site is located to the rear of 'Valencia' and to the north east of Whaplode ST. Catherine.

Site Description

The application site is located just outside of the settlement boundary of Whaplode St Catherine. The application site is located within flood zone 2 in accordance with the EA Maps for planning.

The site would utilise the same access that serves Valencia and Kennet, the through way would allow for access to the field to the rear using the existing land associated with Valencia.

The application site is a field, that extends all the way along the rear of dwellings fronting the eastern side of Cranesgate North.

History

None - Relevant

Consultation Responses

Parish

The properties fronting the site will be compromised. We also object from a traffic generation point of view, ins and outs, off Cranesgate North, which is a narrow rural road

Highways & Suds Support

No objection: The host dwelling, 'Valencia' appears to share its vehicular access with the property to the south, 'Kennet'. This access is wide and is of a good quality construction and so provided the whole of the entrance is to be available for use by those storing their caravans and motorhomes at the facility then it should be possible to safely access and egress the site with car and caravan combinations and with motorhomes. This type of use typically generates very few vehicle movements and the proposed development would not therefore be expected to overwhelm the local highway network. In consideration of the above and having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network and therefore does not wish to object to this planning application.

Environmental Protection

No comments

Representations

A number of objections have been received against the proposal, they are summarised into the following material points:

-Highway safety impacts
-Congestions
-Noise and disturbance

-Impact on character

Planning Considerations

The application site is located within the open countryside, the closest settlement is Whaplode St. Catherine. The site is also located within flood zone 2 in accordance with the Environment Agencies Mapping System. The following issues are relevant to this assessment:

- Principle of Development
- Character and Appearance
- Amenity
- Flood Risk and Drainage
- Highway Safety

Principle of Development

Policy 1 of the South East Lincolnshire Local Plan sets out the overarching spatial strategy for the district. It states that "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." Within the policy justification its expands that "Agriculture and forestry are clearly uses which must function in the Countryside but other uses which may diversify from agriculture and forestry, e.g. recreation and tourism, can meet the broad sustainable objectives of the Local Plan. Similarly, other assets such as waterways and access to the coastal areas may offer opportunities to expand the opportunities the area can offer visitors"
The proposal is for external storage (of caravans and trailers), the applicant has not justified why such a proposal would require a countryside location or how the development would align with the sustainable objectives of the local plan.

On this basis it is considered that the proposal would not accord with the overarching spatial strategy of the plan and in conflict with policy 1 and is therefore unacceptable in principle.

Design, Character and Appearance

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. Policy 2 point 1 states that proposal should meet with sustainable development considerations specifically in relation to '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'.

Policy 3 sets out the 'Design of new development' in part it 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"

Part 12 of the NPPF (Achieving well-designed places) states that good design is a key aspect of sustainable development and new development should be visually attractive as a result of good architecture and appropriate landscaping. It is important that new residential development should be of the highest quality to enhance and reinforce good urban design characteristics. It is generally accepted that good design plays a key role towards sustainable development. Regard must be had towards the impact that the proposed dwelling would have on local character, including topography, street patterns, building lines, boundary treatment and through scale and massing.

Specifically, paragraph 135 of the National Planning Policy Framework (NPPF), 2023 (December) 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.

Paragraph 180 (of section 15) seeks to conserve and enhance the Natural Environment. Paragraph 'b' states that (proposals should contribute to and enhance the natural and local environment by)

"recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;"

The applicant seeks to utilise the entire field for storage purposes. This would result in a having a detrimental effect upon the wider open countryside. Whilst the storage is likely to be of low scale, given the flat topography of the area and the omission of any landscaping strategy it is considered that the effect of this site being used in its entirety for external storage would have an altering effect upon the verdant open landscape. Furthermore, there would be an impingement upon the visual amenity of residents on this side of Cranesgate North, who would be subject to the field being populated by storage vehicles.

The proposal then fails to recognise the intrinsic character and beauty of the open countryside as well as having an impact upon the visual amenity of neighbouring residents. Limited information has been provided to demonstrate the effect upon the wider landscape, due to this is unknown whether any mitigation could be applied, that would successfully mitigate the effects of the development. Furthermore it appears that the visual amenity of residents has also not been considered as part of this application.

Amenities and Environmental Considerations

Paragraph 135 of the National Planning Policy Framework (December, 2023) states that development should 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policy 2 and of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.
Policy 30 is concerned with pollution and places impacts in relation to noise, disturbance and air quality as important consideration when considering proposals for planning.

The applicant has provided a location plan and a block plan which show only the location of CCTV cameras. A planning statement has not been provided which expands upon how the business would operate, nor has the number of proposed caravans or trailers (including the location of storage within the site).

The effect upon amenity of neighbouring properties is therefore hard to assess, and mitigation can therefore not be applied. The only information given is the hours of operation. There is potential that the entire field could be covered with caravans and trailers, it is not clear how many this could amount to and so impossible to 'cap off' the numbers that can be stored on site (within the parameters of meeting the tests for conditionality and aligning with the terms of the permission). Also, without information on how these are stored and access rights for customers it is not clear whether the level of coming and goings would result in an unacceptable impact upon the amenity of neighbouring properties, through noise and disturbance.

In terms of other polluting activated there is no information on artificial lighting and whether or not this would be necessary in the winter months for successful operation of the proposed business. Should it be required then it is likely that residents would suffer from light pollution.

At this stage then it is considered that insufficient information exists to determine whether the proposal would allow for a sufficient level of amenity for neighbouring properties. The proposal is therefore considered to be contrary to policies 2 and 30 of the SELLP as well as paragraph 135 of the National Planning Policy Framework.

Flood Risk & Drainage

Policy 4 sets out South Hollands approach to Flood Risk. The application site for the most part is located within FZ 2 in accordance with EA Planning Maps. The SFRA Hazard maps show that the application site is in a low risk area for flooding.

Section 14 of the NPPF (December 2023) sets out the national policy basis for making assessments in relation to flood risk.

The proposal would not increase the vulnerability classification on the site. Land and buildings used for agriculture and forestry are classified as 'less vulnerable' whilst 'car parks' (it is considered the proposal would effectively be the same classification) are also considered less vulnerable by the vulnerability classification table, contained within Planning Practice Guidance. In terms of flood risk then the proposal is considered acceptable.

In terms of drainage the applicant has stated that surface water will be disposed of via soakaway, given that built form is not proposed then this is considered acceptable.

It is considered that on the basis of flood risk that the proposal would accord with policy 4 of the South East Lincolnshire Local Plan as well as section 14 of the National Planning Policy Framework (December, 2023).

Highway Safety & Parking Provision

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.

Section 9 of the National Planning Policy Framework (December 2023) specifically relates to 'Promoting sustainable transport'. It advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
Policy 36 is concerned with Vehicle and Cycle Parking it states that "All new development, including change of use, should provide vehicle and cycle parking, in accordance with the minimum Parking Standards adopted by the Local Planning Authorities (in Appendix 6).

The Highway Authority have been consulted and have no objections to the proposal. The proposed access arrangement is considered to be suitable to allow for the safe access egress of storage vehicles. The officer states that "This type of use typically generates very few vehicle movements, and the proposed development would not therefore be expected to overwhelm the local highway network".

One point of note however in respect of parking considerations is that due to the lack of detail on plan it is not clear where/or whether customer parking is provided. Also due to the lack of information on numbers it is not clear how (if full) customers would safely negotiate the site with large trailers, these two points of course are not picked up by the Highway Authority due to the issues being within the site (and off the adopted highway) but do require some consideration.

In terms of highway safety then the proposal would accord with policies 2 and 3 of the South East Lincolnshire Local Plan as well as section 9 of the National Planning Policy Framework (December 2023).

Conclusion

The proposal is considered not to accord with the overarching spatial strategy, the applicant has failed to justify why the proposal would require a countryside location and how it would accord with the sustainable objectives of the local plan. The proposal also fails to recognise the intrinsic natural beauty of the open countryside and in turn would also given rise to negative character impact for the residents of neighbouring properties. Lastly insufficient information has been presented with the application to understand what the effect of the development would be upon local residents. On the above basis this application is not considered to accord with the policies outlined within this report.

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.