

PLANNING APPLICATION B/20/0338

Planning Application:

Full Planning Permission for Siting of 4no. Glamping Pods
with associated highways access,
car parking & wash block

Location:

Land Adj. to Olcote, Scrane End North,
Freiston, Boston, PE22 0LR

Applicants:

Mr & Mrs A. Drury

BOSTON BOROUGH COUNCIL

Planning Committee – 9th March 2021

Reference No: B/20/0338

Expiry Date: 25-Nov-2020

Extension of Time:

Application Type: Full Planning Permission

Proposal: Siting of 4no. Glamping Pods with associated highways access, car parking & wash block

Site: Land Adj. to Olcote, Scrane End North, Freiston, Boston, PE22 0LR

Applicant: Mr & Mrs A. Drury

Agent: Mr Guy Forman, Guy Forman Architect Ltd

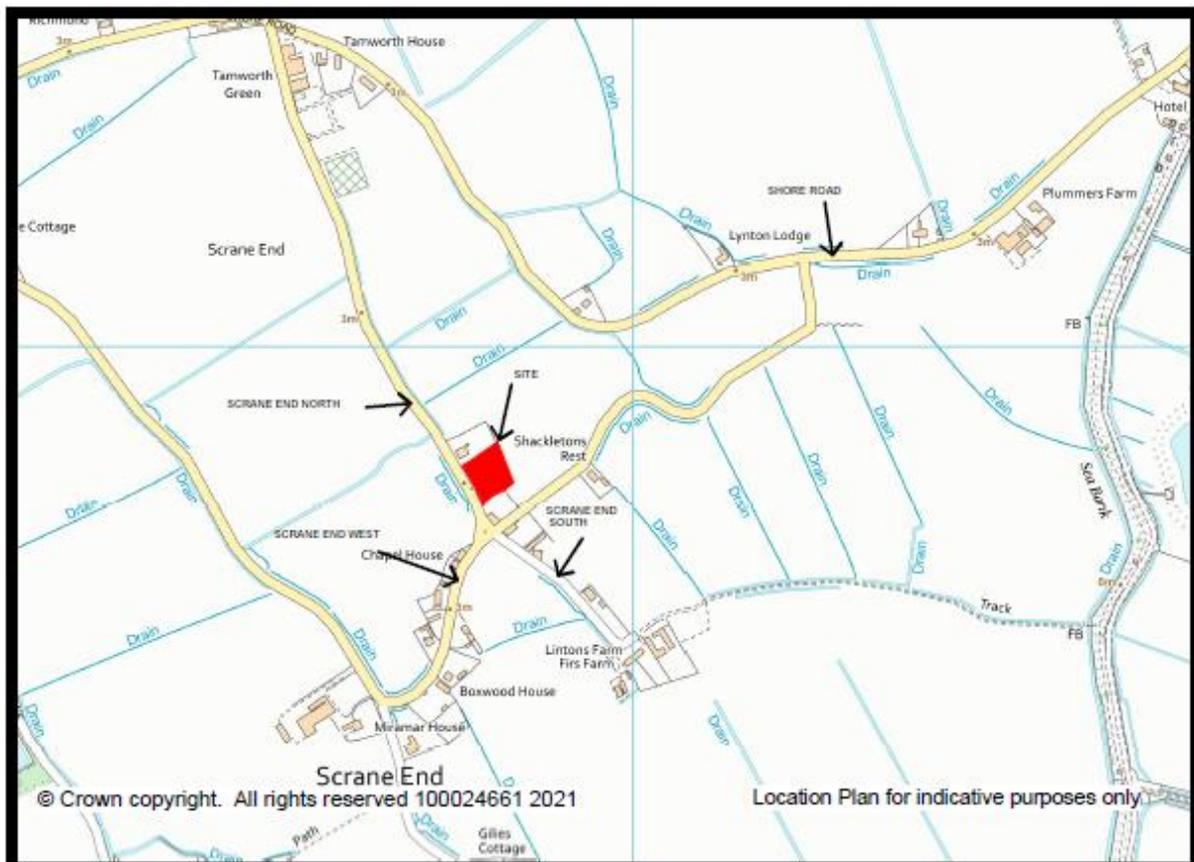
Ward: Coastal

Parish: Freiston Parish Council

Case Officer: Trevor Thompson

Third Party Reps: Eleven

Recommendation: REFUSE



1.0 Reason for Report

- 1.1 This application is presented to the Planning Committee at the request of Councillor Welbourn who raises a number of points in favour of and against the proposal, including noise, proximity of other previous tourism accommodation (now closed), traffic considerations and notes the positives this could have on nearby facilities including the RSPB.
- 1.2 Councillor Welbourn has indicated that a reduced proposal, may be more appropriate.

2.0 Application Site and Proposal

- 2.1 This application seeks full planning permission for the siting of 4no. glamping pods with associated highways access, car parking & wash block. The proposed glamping pods will be single storey and will be about 5m long by 2.5m or so wide.
- 2.2 Four car spaces are proposed within the site to serve this development plus a bin storage area and a shower/toilet block. The proposed shower /toilet block will be sited near to the northern boundary of the site next to 'Olcote' and will be about 1.5m by 2.1m. Foul water will be discharged to a proposed package treatment plant within the site.

3.0 Relevant History

- 3.1 There have been no recent planning applications relating to this site though the property known as 'Olcote' is subject to an agricultural habitation condition. Ref BR319/67.
- 3.2 This condition states:

'The occupation of the dwelling shall be limited to persons employed or last employed locally in agriculture or to their dependents'

- 3.3 Planning permissions have been granted in the past for glamping pods or similar forms of tourist accommodation within this district that have included conditions which restrict when the pods may be occupied during the year given flood risk constraints and to ensure that the pods are used for holiday accommodation and not as permanent residential accommodation.

4.0 Relevant Policy

South East Lincolnshire Local Plan (2011-2036).

- 4.1 The site is located within countryside as identified within the South East Lincolnshire Local Plan (2011-2036) (SELLP). Scrane End is not identified within the SELLP as a recognised settlement.

4.2 The following policies will be relevant in the determination of this application.

Policy 1 – Spatial Strategy

This policy seeks to focus new development into existing settlements, in particular those with a significant service base. It sets out a settlement hierarchy, and identifies the types of developments that will be appropriate in each tier of the hierarchy, and in the countryside.

Part (d) of Policy 1 of the SELLP will be specifically relevant to this proposal. It states:

D. Countryside

'The rest of the Local Plan area outside the defined settlement boundaries of the Sub-Regional Centres, Main Service Centres, Minor Service Centre and Other Service Centres and Settlements is designated as Countryside.

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'.

Policy 2: Development Management

This policy seeks to ensure that all new development will be sustainable. It sets out nine particular sustainable development considerations against which planning applications will be judged.

Policy 3: Design of New Development

This policy seeks to ensure that all new development will make a positive contribution to the character and quality of its surroundings. It sets out fifteen particular design issues against which planning applications will be judged.

Policy 4: Approach to Flood Risk

This policy seeks to ensure that new development is not unnecessarily exposed to flood risk, and does not increase flood risk elsewhere. It identifies the process by which planning applications in Flood Zones 2 and 3 will be considered, and sets out particular requirements for applications to change the use of buildings, and for caravans, mobile homes, etc.

Policy 9: Promoting a stronger visitor economy.

This policy supports tourist related developments within and outside built up settlements subject to certain criteria being met. In particular, it says:

'... 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
3. Demonstrate a functional link with an existing rural attraction or farm enterprise.....'

Policy 28: The Natural Environment

This policy seeks to protect, enhance and manage existing natural assets. It also seeks to ensure that all development proposals will provide an overall net gain in biodiversity.

Policy 30: Pollution

This policy seeks to ensure that new development will not have harmful environmental impacts, and that existing pollution will not have harmful impacts upon any development proposals.

Policy 31: Climate Change and Renewable and Low Carbon Energy

This policy seeks to ensure that all new developments address, minimise and mitigate the consequences of climate change. It supports the provision of renewable energy facilities (with the exception of wind energy proposals).

Policy 36: Vehicle and Cycle Parking

This policy requires all developments to provide appropriate vehicle and cycle parking.

5.0 Representations

5.1 As a result of publicity eleven representations have been received from the occupiers of the following properties:

- Revedene, Scrane End North;
- Roses Cottage Scrane End North (x2);
- The Cottage, Scrane End South;
- Meadow Lodge, Scrane End West;
- Cherry Tree Cottage, Scrane End West;
- Lintons Farm, Scrane End South;
- Chapel House, Scrane End West;
- Capricorn Scrane End West;
- Boxwood House, Scrane End West;
- The Cottage Scrane End.

5.2 The objections and comments can be summarised as follows:

- Impact on highway safety, increase in traffic generation (vehicular and pedestrian) along single track rural lanes which already struggles with local traffic and farm machinery and is not wide enough or suitable to accommodate extra traffic. There are no passing places along the local roads. Concerns over pedestrian safety.
- Site is within a quiet and peaceful rural area and development will cause noise disturbance especially during the evenings and will be detrimental to the area. Noise disturbance will affect mental health and standard of living. Concerns relating to noise from dogs barking and large gatherings of people. Disruption caused by deliveries, workman and extra traffic. Adverse impact on local community.

- Development will change the nature of the area and the character of this quiet rural hamlet. Development is not the right place for glamping pods. Development is not of a scale or type that respects the character and appearance of the area. Development will be detrimental to the area.
- No specifications on what the proposed central feature will be as indicated on the submitted plan.
- Trees and bushes will need to be removed to accommodate development.
- Impact on local wildlife. There are bats, barn owls, newts and snakes in area. Has an ecological survey been undertaken? Removal of trees will affect wildlife habitat.
- Four parking spaces will not be enough. Development will generate more traffic than four vehicles. Concerns that parking will spill out onto the public highway.
- Occupants of the pods will cause damage to neighbour's trees along shared boundary.
- Property 'Olcote' is subject to an agricultural habitation condition.
- Potential conflict between visitors and local residents and farmers.
- The development is contrary to the local Plan that resists development in the area.
- Impact on residential amenity, loss of privacy, concerns over security and impact on mental health.
- Development will not benefit local community. Visitors will not use museum and the RSPB will not receive any revenue because visitors will walk to the nature reserve and will not drive there. RSPB receives income through pay and display car park.
- Type of people that will use the pods will cause disruption and disturbance to wildlife.
- Concerns over drainage and flooding given site is within a flood risk area. No drainage infrastructure for extra buildings.
- Concerns that the development will help spread Covid and will affect local health.
- Insufficient publicity relating to the application (**note:** Site notice was erected and neighbours notified).
- Impact on air quality and health.
- Proposal is anti-social development.

- Planning applications have been refused for developments that would have a lesser impact than this scheme.
- Development will cause light pollution due to the need for external lighting.
- People who wish to visit the RSPB could stay at the Plumbers Hotel which already struggles.
- Approval will set a precedent for additional development.

6.0 **Consultations**

6.1 **Freiston Parish Council** has raised objections to this application and has made the following comments:

The parish council agreed not to support the application drawing attention to:

- *The closeness to the neighbour's property*
- *Flooding and drainage could be an issue*
- *The added provision of all services*
- *Inadequate parking, only 4 spaces on the plan (i.e. cleaning staff and visitors)*
- *Noise would be a huge impact in this rural setting*
- *The effect it would have on local wildlife*

6.2 **Environment Agency** has not commented on this application and points out that that application should be assessed in relation to the Environment Agency's Standing Advice. This matter is discussed below

6.3 **Witham Fourth District Internal Drainage Board** has no objections.

6.4 **Environmental Health** has made the following comments:

This a relatively small scale development of 4 glamping pods in a rural location and as such I have no objections to this application in principle. The site does have residential neighbours however the layout of the units appears to have considered these and in addition boundaries are well screen with mature tree and shrubs (which should be retained). Nonetheless as with all such sites people on holiday can often sit out into the late evening particularly in the warmer summer months and therefore there is a potential for impact on neighbours amenity from raised voices and music at these times. The applicant resides in the adjacent house and as such is at hand to ensure such matters are controlled however it may be prudent to agree site rules in respect of noise in a similar way as planning has done elsewhere with similar developments.

The applicant has stated 'We have considered air quality as part of this development and do not consider there is mitigation that can be implemented as part of this development'. I do not agree. The applicant is to provide on-site parking and at least one of these parking spaces should offer an EV charging point. It is a key theme of the NPPF that developments should enable future users to make green vehicle choices and it explicitly states that low emission vehicle infrastructure, including electric vehicle (EV) re-charging, should be provided.

The provision of glamping pods will require the applicant once permission is granted and prior to occupation to apply for a caravan site licence under the provisions of the Caravan Site & Control of Development Act 1960. They should contact the Environmental Health team in this regard should consent be granted.'

6.5 **Lincolnshire County Council County Highways Authority** initially requested the applicant submit further information relating to traffic generation which has now been received. The County Highways Authority has made the following comments:

'The National Planning Policy Framework (NPPF) is clear in its advice, that developments should be resisted or refused only where the residual cumulative transportation impacts are severe, or that the development would have an unacceptable safety impact. This is clearly not the case from the information provided in the Transport Statement which has given consideration to these matters and provided sufficient justification that this proposed development is not inherently unsafe in terms of traffic movement and therefore, the Highway Authority considers there will be insufficient evidence to support a reason for outright refusal on highway grounds'.

The County highways Authority has no objections subject to one condition relating to highway visibility.

Note: Following this recommendation, the County highway Authority has now withdrawn its recommendation for the imposition of a condition since all the land within the visibility splay is within LCC land and not the application site.

7.0 Planning Issues and Discussions

7.1 The key planning issues in the determination of this application are:

- Whether this development accords with the objectives of policies contained within the SELLP in particular policies 1 and 9;
- Flood risk and drainage;
- Impact on highway safety;
- Impact on the character of the area;
- Impact on local wildlife;
- Impact on residential amenity;
- Other matters.

Whether this development accords with the objectives of policies contained within the SELLP in particular Policies 1 and 9

7.2 As indicated above, Policy 1 (d) of the SELLP supports certain types of development in the countryside where it 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. Compliance with Policy 1 can be achieved by satisfying either the first or second part of this policy. The supporting text to Policy 1 of the SELLP also gives a range of examples of the types of development

which may require a countryside location, including agriculture, recreation and tourism.

- 7.3 Furthermore, Policy 9 of the SELLP supports tourist related development which does not conflict with neighbouring land uses, is in keeping with the character of the locality and where there is a functional link with an existing rural attraction or farm enterprise.
- 7.4 Thus, whilst Policy 1 relates to all forms of development, the remit of Policy 9 is specific to tourist/visitor related development.
- 7.5 There is clearly a marked difference between the locational requirements for development with regard to Policy 1 and opposed to those contained within Policy 9. For instance, it may be demonstrated that a proposed tourist development may have a direct functional link with an existing rural attraction to accord with Policy 9, it does not necessarily follow that the same development is necessary (emphasis added) in a chosen specific location to accord with Policy 1.
- 7.6 The supporting planning statement that forms part of this application points out the close proximity between the site and other visitor attractions within the vicinity of the site including the RSPB nature reserve at Freiston Shore and the 'We'll Meet Again World War II museum at Shore Road coupled with the extensive public footpath network within the area and along the sea bank .The report also identifies the key benefits to tourism and the local economy that may arise as a result of this development.
- 7.7 In this instance the applicant may argue that given the site's close relationship with these nearby visitor attractions, it is therefore 'necessary in such a location' and therefore accords with the first part of Policy 1. Conversely, it may equally be argued that such a scheme is merely speculative and whilst it may be ideal, convenient or more attractive for this form of development to be within the vicinity of these attractions, there is no evidence which suggests that it is necessary in this location. There may be equally accessible and perhaps better sites within the locality of to serve these visitor attractions. On this basis, this application fails to accord with the first part of Policy 1 (d).
- 7.8 Turning to the second part of Policy 1 (d), given the scale and type of development proposed, it may also be argued that this scheme will also some deliver economic, community or environmental benefits.
- 7.9 From an economic perspective, this scheme will provide some, limited local economic benefit which is likely to arise when the development is being carried out and, to a lesser extent, when local facilities such as shops and pubs in surrounding villages are being used by the tourists when the pods are occupied.
- 7.10 From an environmental perspective, whilst this scheme provides no enhancement to biodiversity and that some existing landscaping and potentially wildlife habitat would need to be removed to facilitate the proposed access and parking, such harm can be counterbalanced by the provision of additional nest boxes and the like within the site which may be secured by condition.

- 7.11 In terms of community benefits, this scheme may provide some additional tourist accommodation which in turn may provide some social benefit to the wider community and may deliver a well-designed and safe built environment which reflects current and supports the local communities' health, social and cultural well-being.
- 7.12 Collectively it may be argued that this scheme therefore accords with the second part of Policy 1 (d).
- 7.13 However, this scheme may also cause significant harm to the character of the area and erode residential amenity and would therefore provide insufficient local community benefit. This would conflict with this element of Policy 1 (d). Such matters are discussed below.
- 7.14 Turning now to the three elements Policy 9 of the SELLP. The matter of whether the proposed development conflicts with neighbouring land uses or is in keeping with the character of the locality are issues that are discussed further below.
- 7.15 Whether this scheme forms a direct 'functional link with an existing rural attraction or farm enterprise' as required by this policy is equally a subjective issue. This policy does not necessarily require the rural attraction to be on the same site as the tourist related development, but it would be argued that such attractions need to be easily accessible and within the immediate vicinity of the site. In this instance the WW2 museum, the RSPB nature reserve, the nearby marshlands and the extensive public footpath network are also within easy reach, both pedestrian and vehicular, of the application site. Furthermore, given the scheme is small in scale both in nature and form, it may be argued that it will be commensurate with the functional links to these visitor attractions. In other words the scale of the proposed development is not so great that the links with the visitor attractions become incidental. On this basis, it is considered that this development, in part meets this element of Policy 9.

Flood risk and drainage.

- 7.16 The site is within a high risk flood area, close to The Wash and according to the Environment Agency's 2115 1:1000 year hazard and depth maps, the site is within a 'danger for all' flood hazard with depths of over 1.6m. The proposed development is identified as 'more vulnerable' and the Environment Agency's Standing Advice indicates that the appropriate mitigation would be restricting accommodation between 1st November (or the following Sunday if half term extends into November) in any one year and to 14th March in the succeeding year. The submitted FRA also concludes that occupation is restricted during these periods.
- 7.17 The FRA indicates that the floor level of the pods will be raised by 300mm above existing ground level and says:

'The restricted season will ensure that the building is not occupied during the winter months when the likelihood of flooding is increased due to the chance of coastal storms and tidal surges. In addition to the occupancy restriction, a robust evacuation and warning plan will be prepared, and the holiday lets would not be occupied when a serve

flood warning has been issued by the Environment Agency for the area. This will ensure that the development remains safe for its residents when taking in to account the restricted occupancy period. The ground floor level for the holiday lets would be below the predicted flood level, following a breach or overtopping of the flood defences, which may result in some damage to the pods'

- 7.18 Given that 'half term' varies considerably from one educational body to another would indicate that the recommended planning condition as stated in the 'Standing Advice' would not be precise or enforceable. On this basis, it would not meet the relevant tests laid out with the NPPG. Therefore, should planning permission be granted for this scheme, a condition which simply limits occupancy between 1st November to 14th March the following year would be more appropriate and would accord with the objectives of the NPPG.
- 7.19 With regard to the discharge of surface water, it is proposed that the surface water runoff from the proposed glamping pods will discharge onto the surrounding ground and infiltrate into the ground at the existing rates. Foul drainage from the glamping pods will be collected in underground pipes and connected into a package treatment unit. No details have been submitted which shows the location of the proposed package treatment unit nor of the underground pipes that will serve it.
- 7.20 Concerns have been expressed by some neighbours regarding drainage and flooding. Given the type, layout and scale of the development proposed, it is unlikely that this development will cause third party flooding. However, should planning permission be granted for this scheme, it is recommended that conditions that require the submission of details of the surface water and foul water disposal schemes for approval are imposed.
- 7.21 On this basis, it is considered that there are insufficient reasons to refuse this application on the grounds of flood risk and drainage.

Impact on highway safety

- 7.22 The roads fronting the site and within the site's locality are narrow, rural highways with no footpaths, no street lighting and very few opportunities for oncoming vehicles to pass.
- 7.23 It is proposed to construct a new vehicular access with a 4m radius onto this road to serve the proposed development which will include the removal of part of the fronting hedge. As indicated above, it is intending to provide four car spaces plus a turning area within the site. The surface material of the car park and turning facility will be gravel. The proposed vehicular access will be about 45m from the road junction to the south east and over 600m from the junction to the north with Shore Road.
- 7.24 Concerns have been expressed about the ability of the local highway network to accommodate the proposed development. The County Highway Authority initially raised concerns and requested that the applicant submitted a transport statement which has now been submitted. The Transport Statement states:

'This planning application is for the siting of just four Glamping Pods at Olcote, Scrane End, Freiston. This modest proposal will have minimal, if any, impact on the existing Highway Infrastructure. It should be noted that this tourist accommodation is aimed at bird watchers, ramblers and nature conservationists who may already frequent the immediate local area to enjoy Freiston Shore Nature Reserve which is managed by the RSPB. With the RSPB stating that The Wash is the 'UK's most important estuary for wildlife, where you can get excellent views of large groups of waders on the salt water lagoon at high tide', Freiston already receives regular numbers of visitors every year to enjoy this unique area and its associated birds and wildlife.

Accordingly, it may be considered that the increase in traffic to the area will be of little or no impact. With that said, the applicant is intending to implement the following measures:

- All traffic would be directed to the above address via the road Scrane End N, and so therefore visitors would only be passing one other residence before arriving at the site.*
- There will be a staggered arrival and departure system to address any congestion on the approach or departure to or from the site on exchange day.*

- On Exchange Day:

Pod One will depart at 10.00am and new arrivals at 1.00pm

Pod Two will depart at 10.30 am and new arrivals at 1.30pm

Pod Three will depart at 11.00am and new arrivals at 2.00pm

Pod Four will depart at 11.30am and new arrivals at 2.30pm

It should be clearly noted that each Pod has only a single room and would only be able to accommodate a maximum of two adults and an infant at any one time. Accordingly, there will never be more than one vehicle per Glamping pod (no more than four in total). Further to this, it is the intention of the applicant for themselves to manage and clean the glamping pods on changeover. With the applicant residing in the adjacent dwelling known as 'Olcote', this means there will be no additional traffic created from any employees.

The type of people this holiday accommodation is aimed at (predominantly single/ couples who have an interest in bird-watching, nature and rambling), means the people who shall come to Freiston will have come to walk and experience the immediate locality and its associated special wildlife.'

7.25 The County Highway Authority has made the following comments on the submitted Transport Statement;

'The National Planning Policy Framework (NPPF) is clear in its advice, that developments should be resisted or refused only where the residual cumulative transportation impacts are severe, or that the development would have an unacceptable safety impact. This is clearly not the case from the information provided in the Transport Statement which has given consideration to these matters and provided sufficient justification that this proposed development is not inherently unsafe in terms of traffic movement and therefore, the Highway Authority considers there will be insufficient evidence to support a reason for outright refusal on highway grounds'.

- 7.26 Initially, the County Highway Authority recommended that a condition should be attached to any permission granted that restricted obstacles over a certain height within the identified highway visibility splays. However, upon assessment of the LCCs current 'liability for maintenance plans' it appears that the land shown within the visibility splays on the submitted plan is within the ownership of the Lincolnshire County Council. Therefore the recommended condition is no longer necessary.
- 7.27 The concerns expressed by the neighbouring residents are understandable given the nature and condition of the surrounding highway network. Nevertheless, it is likely that the traffic that would be generated by this scheme will be light and infrequent, even if all four pods are in use at one time. There may be times when approaching vehicles will have to slow down and make the necessary manoeuvres to enable such vehicles to pass one another but this occurrence is not unique to the area and is likely to be an everyday occurrence. The traffic that may be generated by this development will perhaps add to such events occurring but not to the detriment of highway safety. It is likely that the main disruption to the highway will be during the construction and installation period which will be temporary and short term.
- 7.28 The fact that there is no street lighting along the surrounding highway or footpaths may give rise to concerns relating to pedestrian safety, especially with regard to the holidaymakers using the proposed pods who may wish to walk from the site to the local attractions. That may be the case, though it may be equally argued that the same concerns relate to the local residents of Scrane End who may also walk along the local highway network as part of their everyday life.
- 7.29 Overall, it is considered that although the highway network is not ideal, in capacity, condition or nature, there is insufficient justification to refuse the application on highway grounds.

Impact on the character of the area

- 7.30 The application site is located within a small hamlet which consists of around 21 dwellings, including the host property known as 'Olcote' which fronts onto Scrane End North. The hamlet is concentrated around a cross road junction with roads running roughly in a north-south and east –west direction leading from the junction. Scrane End is not defined as a recognised settlement in the South East Lincolnshire Local Plan and is defined as being within countryside. The application site is also within countryside as defined within the SELLP.
- 7.31 The surrounding area may be described as essentially countryside, dominated by open, flat agricultural fields complemented by a loose scattering of dwellings and agricultural buildings of various types and designs located at random intervals along either side of these surrounding roads. In design terms, there is no strong local vernacular. The site is not within an area of local landscape value.
- 7.32 Some neighbours are concerned that the proposed development and the use of the pods by holiday makers will change the nature and the character of the area. Some neighbours also consider that the proposed development is not the right place for

glamping pods and is not of a scale or type that respects the character and appearance of the area.

- 7.33 The installation of four glamping pods which will individually consist of a single room which according to the applicant, would only be able to accommodate a maximum of two adults and possibly a small child at any one time is a very small scheme given the site's context and relationship with the surrounding area.
- 7.34 The nearest pod to the road fronting the site will be about 17m away and the site's perimeter is extensively landscaped which if required could be strengthened by condition. The height of the pods will be around 2.5m high. It is considered in physical terms, the scale, amount and nature of the proposed pods will not cause harm to the character of the area or the built form of the hamlet.
- 7.35 Also, in land use terms, it is not uncommon for such recreation and holiday related developments to be located within both urban or countryside without causing detriment to the character of such an area.
- 7.36 Some neighbours are also concerned that the occupiers of the proposed pods will cause noise and disruption which will be alien to the peace and tranquillity of the area. However, the impact that this development may have on the residential amenity in terms of noise and disturbance is another matter which is discussed in detail below.

Impact on local wildlife

- 7.37 Some neighbours and the Freiston Parish Council have expressed concerns about the impact that this development may have upon wildlife. Some neighbours also point out that there are bats, barn owls, newts and snakes in the area and that the removal of trees will affect wildlife habitat. No ecological survey has been submitted with this application though it should also be noted that no evidence has been submitted by any third party which clearly demonstrates that the site is currently or has been used a wildlife habitat and if so, by which species, how often and whether such use is subject to seasonal variations.
- 7.38 The site is a domestic garden area and it is not within a designated local wildlife site, SSSI or similar protected area. However as with most domestic gardens, some wildlife are bound to be present especially given the amount of trees and bushes in and around the site and its remote location. Nevertheless, given the scale and nature of the scheme, it is not considered that this development, with regards to the pods themselves or the type of people who will likely occupy the pods in this remote location, will harm wildlife or undermine wildlife habitat. As indicated above, the proposed tourist accommodation is aimed at bird watchers, ramblers and nature conservationists.
- 7.39 The application will involve the removal of part of the frontage hedge so it may be the case that this application will result in some loss to wildlife habitat. Should planning permission be granted, it is recommended that a condition which requires biodiversity enhancement within the site be imposed.

Impact on residential amenity

- 7.40 SELLP Policy 2 and 3 advocate that a proposed development should consider if there is an impact on the amenity of the site and neighbouring sites as well as the impact upon neighbouring land uses in terms of noise, odour, disturbance or visual intrusion.
- 7.41 Policy 30 of the SELLP (pollution) in part echoes the objectives of Policies 2 and 3 and seeks to ensure that new development will not have harmful environmental impacts. It says in part that development proposals will not be permitted where, taking account of any proposed mitigation measures, they would lead to unacceptable adverse impacts upon the on amenity from existing uses.
- 7.42 Furthermore, paragraph 127 of the NPPF (2019) seeks, amongst other things, to 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.
- 7.43 The application site forms part of the side garden area that serves a property known as 'Olcote'. This property, including land to the front and to the rear, are outlined in blue on the submitted location plan and is land that is owned or controlled by the applicant. There is a neighbouring property to the south of the site known as 'Roses Cottage' which lies next to the road junction and there are further dwellings within the immediate vicinity within this hamlet further along the local highway network. Further to the north, there is a dwelling known as 'Revedene' which lies adjacent to 'Olcote'.
- 7.44 As indicated above, many local residents have raised objections to this application on the grounds that it will harm residential amenity. Whilst this scheme may result in an increase in pedestrian traffic and vehicular traffic which may cause some noise disturbance, such traffic is likely to be light, infrequent and seasonal. Indeed, as indicated above, any permission granted is likely to be subject to a condition which restricts occupation from 1st November to the 14th March. On this basis, it is unlikely that noise specifically from pedestrian or vehicles generated by this development along the various highway network would be severe or harmful to local residents. Nor is it considered that tourists walking along the highways or public footpaths in the area would undermine privacy, conflict with local residents, affect mental health or well being, cause anti- social behavior or cause harm to the residents' standard of living or quality of life.
- 7.45 Furthermore, it is considered that given the size, height and distance of the proposed pods from the site's western boundary and Roses Cottages to the south, it is unlikely that the pods, in physical terms, will affect the amenity of the occupiers of the adjacent property. The proposed pods are of a reasonable design, will not erode sunlight or daylight provision, will not cause any overlooking or overshadowing or undermine privacy.
- 7.46 However, the land use of the proposed development will also cause some harm to neighbouring residents, especially to the occupiers of Roses Cottage by virtue of noise and disturbance generated by the tourists especially during the evenings of the

summer months when more time is likely to be spent by the neighbours within their own garden area. Taking into account the proposed layout and the comments from Environmental Health, it may still be argued that this development would intensify activities within the garden area of 'Olcote' to an unacceptable level during such periods. It is considered this would be well above levels which neighbouring residents would consider reasonable to be conducted from a single residential property. This would lead to an unacceptable living environment to the occupiers of Roses Cottage in particular.

- 7.47 It is therefore considered that this application is contrary to the objectives of Policies 2, 3, 9 and 30 of the SELLP.

Other matters

- 7.48 As indicated above, the property known as 'Olcote' is subject to an agricultural habitation condition. This condition states :

'The occupation of the dwelling shall be limited to persons employed or last employed locally in agriculture or to their dependents'

- 7.49 Should planning permission be granted for this scheme, it may be the case that the development may affect the ability of the occupiers of the property to comply with the requirements of the aforementioned condition. The applicant was asked to elaborate on this matter and the applicant's agent has submitted the following information:

- *There is no agricultural holding associated with the property now.*
- *Mr & Mrs Drury were aware of the agricultural tie when they bought the property and I can confirm they comply with Condition 4 of the original decision notice for the dwelling with Mr Drury having worked in agriculture since leaving school.*
- *For 41 years Mr Drury has worked for John Saul Limited at nearby Leverton (approx. 3 miles away from Scrane End). There is a link here to the website to this long established farming company, with Mr Drury shown on the 'Meet the Team' page.*
- *The 4 x glamping pods proposed in the grounds of 'Olcote' are by no means a means of replacing Mr Drury's current job/ income with John Saul Limited, but rather a proposal to supplement Mr & Mrs Dury's combined income. As you may appreciate 4 x glamping pods will never be able to provide a full time income for any person. It should be noted Mr & Mrs Drury are not just doing this for a source of extra income but also because they are passionate about the local countryside and wildlife they live within and by nature are sociable people who wish to share the special area that is Freiston Shore.*

- 7.50 On this basis, it would appear that any approval of this application would have no effect on the ability of the applicant to comply with the requirements of this condition. However, such matters can only be formally established by the submission of an application for a Lawful Development Certificate.

Planning balance

- 7.51 As indicated above, there are factors that weigh both for and against the application.
- 7.52 From an economic perspective, this scheme will provide some, limited local economic benefit. There will be benefits for local businesses during the development period in the supply chain as well as an increase in spending in the area when the pods are occupied.
- 7.53 From an environmental perspective, whilst it is not proposed to provide any enhancement to biodiversity and that some existing landscaping and potentially wildlife habitat would need to be removed to facilitate the proposed access and parking, such harm can be counterbalanced by the provision of additional nest boxes and additional landscaping within and around the site the site which may be secured by condition. This will ensure a net gain to biodiversity.
- 7.54 However, in terms of community benefits this application fails. Although this scheme may provide some additional tourist accommodation which in turn may provide some social benefit to the well- being of the wider community, it will also cause significant harm to residential amenity. Furthermore, this application has attracted significant objections from local residents, especially given the limited size of Scrane End, and also from Freiston Parish Council. These are significant factors against the application in the planning balance which attracts substantial weight. These factors against the application should be set against the benefits identified above.
- 7.55 It is considered that the benefits of the scheme outlined above would not overcome the significant harm to residential amenity, in particular the living conditions of the occupiers of Roses Cottage. As such the application conflicts with Policies 1, 2, 3, 9 and 30 of the South East Lincolnshire Local Plan.

Summary and Conclusion

- 7.56 It is considered that insufficient evidence has been submitted that demonstrates that this development is necessary at the application site or that it will meet the sustainable development needs in the area, in terms of economic, community and environmental benefit in accordance with Policy 1(d). Furthermore, it is considered that the proposed development conflicts with neighbouring land uses and will cause significant harm to residential amenity, in terms of noise and disturbance, contrary to the objectives of Policies 2, 3, 9 and 30 of the SELLP.

8.0 Recommendation

- 8.1 It is recommended that Committee REFUSE this application for the following reasons:

Reason 1: Insufficient evidence has been submitted that demonstrates that the proposed development is necessary in this location and/or will provide the sustainable development needs of the area in terms of community benefits. As such the proposed development is contrary to the objectives of Policy 1 (d) of the South East Lincolnshire Local Plan.

Reason 2: The proposed development will generate significant noise and general disturbance, especially during the evenings of the summer months, that will be harmful to residential amenity and the quiet and peaceful living conditions of nearby residents in this relatively remote location, in particular the occupiers of Roses Cottage, Scrane End which lies adjacent to the site. This development is therefore contrary to the objectives of Policies 2, 3, 9 and 30 of the South East Lincolnshire Local Plan and paragraph 127 of the NPPF (2019) which seeks, amongst other things, to create places which promote health and well-being, with a high standard of amenity for existing and future users.

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