

BOSTON BOROUGH COUNCIL

Planning Committee – 06 June 2023

Reference No: B/23/0005

Expiry Date: 06-Jun-2023
Extension of Time:

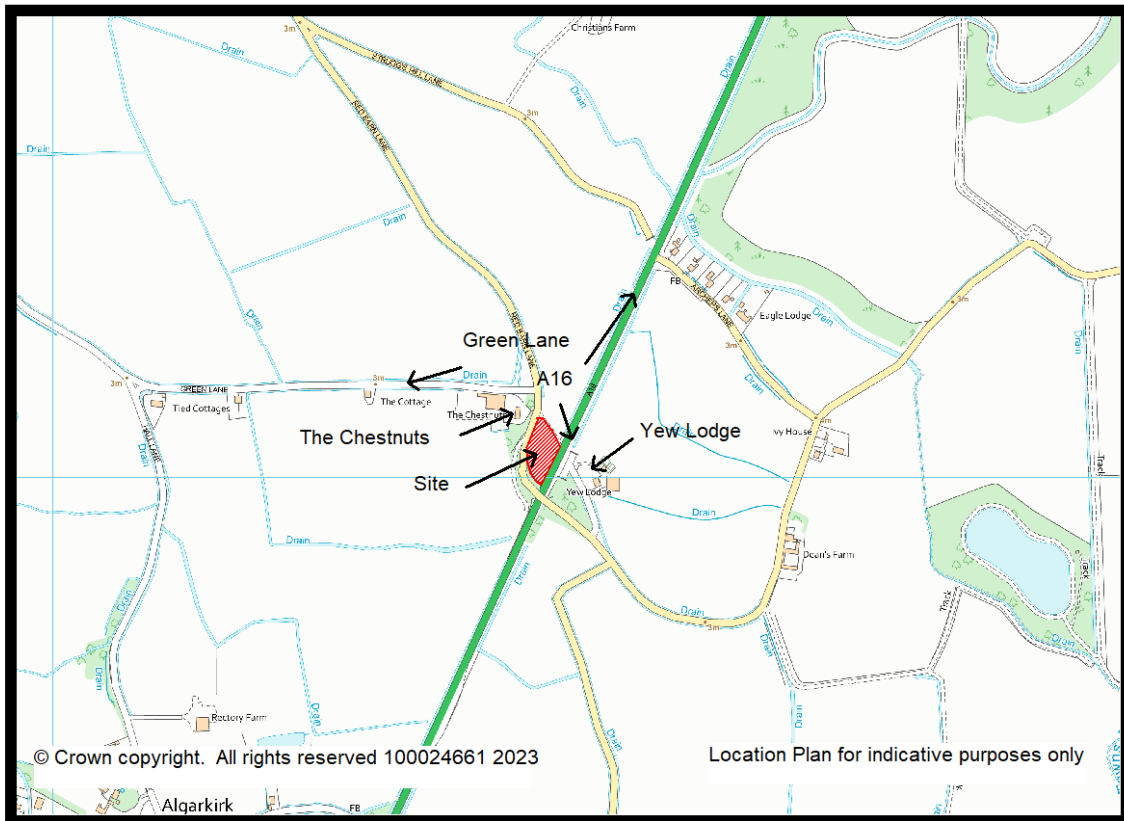
Application Type: Full Planning Permission
Proposal: Proposed siting of 4no. static holiday caravans
Site: The Chestnuts, Green Lane, Algarkirk, Boston PE20 2AD

Applicant: Mr Tim Woodcock, Barn Dried Logs
Agent: Mr Andrew Clover, Andrew Clover Planning and Design Ltd

Ward: Five Village Parish: Algarkirk Parish Council

Case Officer: Simon Eldred Third Party Reps: None

Recommendation: REFUSE Planning Permission



1.0 Reason for Report

- 1.1 This item has been called in for consideration by the Planning Committee by Councillor Aaron Spencer on the basis that the proposal will promote rural tourism and should not be refused.

2.0 Application Site and Proposal

- 2.1 The application site measures approximately 0.38 hectares, and is located between Red Barn Lane and the A16. It contains a mixed-species copse of semi-mature trees, the external boundaries of which are defined by earth-bunds of between approximately 1.2m and 3m-height and topped (in places) with newly-planted hedgerow plants. At the time of the site visit, the copse also contained pallets of firewood, piles of sawdust, and piles of sheet and other materials.
- 2.2 The site is located within the open countryside, and is accessed by narrow, rural roads. The majority of surrounding land is in agricultural use, but the site's immediate surroundings also contain dwellings, farm buildings and a business processing and selling firewood.
- 2.3 Full planning permission is sought for the siting within the copse of four static caravans to be used as holiday accommodation. The caravans will measure approximately 12m x 4.25m in plan, and the Supporting Statement which accompanies the application includes a photograph showing an *"example of the type of caravan proposed"*. The caravans will be placed on stone or gravel bases, and will be located at least 10m apart. Vehicular access to the site will be provided from the unclassified track which follows the site's northern boundary. The access will lead to a gravel or stone-surfaced parking area within the site (providing at least 4 spaces) from which pedestrian accesses to the caravans will be provided. A 3m-high acoustic timber fence will be provided within the bund on the site's eastern boundary (onto the A16). The drawings appear to show the felling of at least two of the existing trees, but Drawing No. 37122-02 Rev A and the Supporting Statement indicate that new, native planting is intended to *"restore the natural character of this small woodland"*.
- 2.4 Details of the proposal are set out in:
- Drawing No. 37122-01 Rev A – Existing Site Plans;
 - Drawing No. 37122-02 Rev A – Proposed Site Plan & Conversion;
 - Supporting Statement proposed holiday accommodation, The Chestnuts, Green Lane, Algarkirk, Boston, PE20 2AD.
- 2.5 The application is accompanied by:
- Transport Statement proposed holiday accommodation, The Chestnuts, Green Lane, Algarkirk, Boston, PE20 2AD;
 - Flood Risk Assessment proposed holiday accommodation, The Chestnuts, Green Lane, Algarkirk, Boston, PE20 2AD; and
 - Flood Warning & Evacuation Plan The Chestnuts, Green Lane, Algarkirk, Boston, PE20 2AD.
- 2.5 N.B. The application initially also sought planning permission for the change of use to holiday accommodation of an existing workshop/office building located approximately 60m to the copse's west. Following consultation responses, the applicant chose to amend the application to omit this element.

3.0 Relevant History

- 3.1 B/20/0393 – full planning permission was granted on 27th November 2020 for change of use from agricultural use to Class B2 (general industry) for the processing and supplying of fuel wood, wholesale and retail (retrospective application).
- 3.2 B/20/0393/CD1 – details relating to Condition 4 (parking) were approved on 15th March 2021.
- 3.3 B/21/0317 – full planning permission was granted on 24th September 2021 for the construction of 2 storage sheds (Class B8) for timber.

4.0 Relevant Policy

- 4.1 The **South East Lincolnshire Local Plan 2019** shows the site as being in the Countryside, approximately 860m from the nearest Settlement Boundary (Algarkirk), but no particular allocations or designations apply. The relevant Policies of the Local Plan are:
- Policy 1: Spatial Strategy;
 - Policy 2: Development Management;
 - Policy 3: Design of New Development;
 - Policy 4: Approach to Flood Risk;
 - Policy 9: Promoting a Stronger Visitor Economy;
 - Policy 30: Pollution;
 - Policy 32: Community, Health and Well-being; and
 - Policy 36: Vehicle and Cycle Parking.
- 4.2 At the heart of the **National Planning Policy Framework (2021)** is a presumption in favour of sustainable development. The following sections are relevant to this scheme:
- Section 2 – Achieving sustainable development;
 - Section 4 – Decision-making;
 - Section 6 – Building a strong, competitive economy;
 - Section 9 – Promoting sustainable transport;
 - Section 11 – Making effective use of land;
 - Section 12 – Achieving well-designed places;
 - Section 14 – Meeting the challenge of climate change, flooding and coastal change; and
 - Section 15 – Conserving and enhancing the natural environment.

5.0 Representations

- 5.1 No third-party representations have been received.

6.0 Consultations

- 6.1 Boston Borough Council's Principal **Environmental Health** Officer initially indicated that they were very concerned about potential noise, dust and odour impacts upon the occupants of the proposed workshop/office building conversion, and also provided comments re. the proposed caravans. Following the amendment of the application, they commented "*I was unaware from the plans that there was an approximate 2.5m high earth bund on the south eastern boundary of the site offering some noise protection in relation to traffic noise from the A16 and therefore a fence along this boundary would not offer any greater protection from this noise. This being the case the need for fence is unnecessary. It is not say that traffic noise will not be heard on the site, it clearly will, but the bund should mean the site is acceptable in term of the proposed 'holiday' use as people will be there temporarily and have the choice to holiday there or not. If consent is*

granted the caravans would be subject to caravan site licensing under the provisions of the Caravan Sites & Control of Development Act 1960. The site licence would come with conditions which are designed to protect the safety and well-being of users. The standard conditions can be found at https://www.boston.gov.uk/media/21749/Specimen-Caravan-Site-Licence-Static-Holiday-Sites/pdf/Specimen_Caravan_Site_Licence_-_Static_Holiday_Sites.pdf?m=638072452723970000 Any site granted would have to comply with the licensing conditions. I would ask that an informative be appended to any consent.”

- 6.2 The **Welland and Deepings Internal Drainage Board** indicates that “if any discharges of either surface water or treated effluent are proposed at any point in the future into a watercourse then the Board’s written consent would be required.”
- 6.3 **Cadent Gas Limited** indicates that it may have gas assets in the vicinity of the application site, and asks for the attachment of the following Informative Note to any planning permission “Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. Prior to carrying out works, please register on www.linsearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.”
- 6.4 **Lincolnshire County Council** (the Local Highway and Lead Local Flood Authority) initially asked for the submission of a Transport Statement and “sufficient information ... to demonstrate that the use of a suitable drainage system for the management of surface water run-off is appropriate for this site to mitigate concerns with flooding of the property and surrounding land.” Following the receipt of a Transport Statement, it indicated that the proposed access “meets the guidelines set out in Manual for Streets for visibility. Adequate provision for car parking and turning space has been provided within the limits of the site to enable vehicles to enter and leave in a forward gear and therefore, it is considered that this proposal would not result in an unacceptable impact upon highway safety. It should be noted that the Lane leading to the site from Red Barn Lane is a private road, of which the highway authority have no jurisdiction over. Although it is accepted that the roads leading to the site are in parts narrow, the site is located a relatively short distance to the B1397. Additional vehicles movements on average are likely to be limited and it is unlikely that all visitors will arrive and depart at the same time. The proposal will not increase flood risk at this or adjacent properties as the surface water run-off will be directed to the ground on the site.”
- 6.5 **Algarkirk Parish Council** objects on the basis that:
- the site is not associated with any tourist facilities and is not on any clear tourist routes;
 - existing nearby tourist sites (e.g. Walnut Lakes, Wyberton, or The Thatched Cottage Caravan Park, Sutterton) will satisfactorily meet any local demand;
 - there are no services or facilities close to the site, requiring visitors to travel in private cars to access e.g. a general store or public house;
 - the public highways leading to the site are narrow, unlit, lack pavements, are in poor condition in some locations, are used by large agricultural and other vehicles, and are subject to the national speed limit. They are unsuitable to carry the traffic that would be generated by the proposals;
 - visitors staying in the proposed caravans will be exposed to unacceptable levels of noise and pollution from the neighbouring A16, and will be overlooked from the neighbouring flyover. Visitors’ amenity should be protected as strongly as residential amenity;
 - the proposals must not impede access to the public footpath which crosses the A16 adjacent to the proposed access to the caravan site; and
 - the proposals do not identify: concrete bases for the caravans; the position of electricity connections; fire points; fire alarms, emergency phone box; defibrillator; waste bins; refuse collection/recycling points; drainage/sewerage; and fresh water points.

[N.B. the Parish Council had additional concerns about the proposed conversion of the workshop/office building but, since that element of the proposals has now been omitted, those concerns are no longer relevant.]

6.6 The **Environment Agency** indicates that *“the submitted flood risk assessment (FRA) ... does not use the appropriate scenario to inform mitigation for single storey development or caravans in this location, which is at risk of flooding should a breach in the tidal defences occur. The FRA has used the 0.5% event for present and future scenarios, but in line with South Lincolnshire standing advice, the FRA should have considered the 0.1% event. However evidence held by the Environment Agency shows that this site is unlikely to be impacted by flood water should a breach of the tidal defences occur in an event with a 1 in 1000 (0.1%) chance of occurring in any year up to 2050. After 2050 the site may be impacted by flood water and appropriate mitigation to manage the impacts of climate change will need to be implemented. Taking a precautionary approach, we would require planning conditions imposed to secure the following mitigation measures:*

- *Condition 1 - The caravans hereby permitted shall be available for year round holiday occupation until 31 December 2049. From 01 January 2050 onwards, no caravan shall be occupied between 01 November in any year and 14 March in the succeeding year. Reason - To reduce the risk of loss of life during a flood event by ensuring that the development is not occupied during winter months from 2050 onwards (in the climate change scenario) when the risk of tidal flooding will significantly increase.*
- *Condition 2 - The caravans shall be secured to the ground using an appropriate mechanism, such as chains and ground anchors and the finished floor level shall be set a minimum 300mm above ground level. Reason - To reduce the risk of the caravans floating and contributing to hazardous debris during a flood.*

Notwithstanding the conclusions of the submitted flood risk assessment or the advice provided above, we are aware that this proposal may be contrary to the South East Lincolnshire Flood Risk Policy 4, which only permits caravan sites to be open between 15th March and 31st October in any year. We would stress that our advice, outlined above, covers part b of the exception test relating to flood resilient and resistance development only. It does not override the Council’s conclusions in respect of compliance with Local Plan policies or cover issues of safety relating to access and escape routes or emergency planning.”

7.0 Planning Issues and Discussions

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination must be made in accordance with the Plan unless material considerations indicate otherwise. The key considerations in regards to this application are:

- matters of principle
- impacts on the character of the area;
- impacts on neighbours’ amenity;
- the amenity of the caravans’ occupants;
- impacts upon biodiversity;
- flood risk;
- parking provision;
- highway safety;
- other matters raised by respondents.

Principle

7.2 Policy 1 of the Local Plan identifies that the Countryside is an *“area of development restraint”*, where 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.”

7.3 Policy 9 of the Local Plan indicates that, in the Countryside, “... *small-scale development to support the visitor economy ... 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...”*

7.4 Paragraph 84 of the NPPF indicates that “*planning policies and decisions should enable ... sustainable rural tourism and leisure developments which respect the character of the countryside. ...*”

7.5 Algarkirk Parish Council has objected to the proposal, citing three grounds which touch upon matters of principle, namely:

- the site is not associated with any tourist facilities and is not on any clear tourist routes;
- existing nearby tourist sites (e.g. Walnut Lakes, Wyberton, or The Thatched Cottage Caravan Park, Sutterton) will satisfactorily meet any local demand; and
- there are no services or facilities close to the site, requiring visitors to travel in private cars to access e.g. a general store or public house.

7.6 The Supporting Statement which accompanies the application argues that the proposal:

- meets the requirements of the above Local Plan Policies and NPPF paragraph; and
- is similar to other recent proposals (B/21/0460, B/21/0173, B/21/0092, and B/22/0108) for which planning permission has been granted.

7.7 Looking first at Policy 1 of the Local Plan, the Policy sets out two tests, namely whether a proposal: is ‘necessary’ to its location; and meets the area’s sustainable development needs, in terms of economic, community or environmental benefits. The Supporting Statement that accompanies the application argues that the proposal is necessary to its location because it will support the existing firewood business and will allow visitors to enjoy the countryside and skies. It is not considered that either of these arguments demonstrates that the proposal is ‘necessary’ to its location, and it is therefore considered that Policy 1’s first test is not passed. However, it is accepted that the proposal will generate economic, community and environmental benefits and that it therefore complies with Policy 1’s second test.

7.8 Although the proposal is considered to meet the requirements of Policy 1, it must also meet those of Policy 9, which is more directly focussed on developments of this type. Later sections of this report will consider whether or not the proposal will be in conflict with neighbouring land uses or will be in keeping with the character of the locality, but in terms of matters of principle, the important criterion of Policy 9 is whether the proposal demonstrates a functional link with: an existing rural attraction or farm enterprise.

- Functional link with an existing attraction - no information is supplied to demonstrate that the proposed holiday caravans will have a functional link with an existing rural attraction – the Supporting Statement which accompanies the application simply argues that “*the proposal will create niche tourism facility ...*”. Apart from a public footpath which passes adjacent to the application site, the site visit did not identify any existing rural attractions in the vicinity. Thus, it is considered that the proposal has provided no evidence of a functional link with an existing rural attraction.

- Functional link with an existing farm enterprise – the Supporting Statement which accompanies the application identifies that the site is “*part of the applicant’s business, Barn Dried Logs*” and argues that “*the proposal will ... sit comfortably with the existing business.*” However, given that the business is concerned with the processing and sale of firewood, it is considered that the proposal has provided no evidence of a functional link with a farm enterprise.

7.9 In overall terms, it is considered that the proposal does not comply with Policy 9’s provisions, and that the Parish Council’s concern that the site “*is not associated with any tourist facilities and is not on any clear tourist routes*” has some merit.

7.10 Turning to the other permissions which are cited within the Supporting Statement as being relevant and which were deemed to meet Policy 9’s requirements, it is considered that none are directly comparable to the current proposal in that:

- B/21/0460 – this application was concerned with the expansion of existing holiday accommodation, rather than the establishment of a brand new site for holiday accommodation;
- B/21/0173 – the report into this application identifies a link with an existing rural attraction and farm enterprise (in the shape of “*alpacas on site which may attract future guests*”);
- B/21/0092 – the report into this application identifies links with an existing rural attraction (a pond on site which is intended to be brought into fishing use for the occupants of the proposed lodges); and
- B/22/0108 – the report into this application identifies that the site was in a mix of uses including agriculture, and that the proposal was therefore “*linked with the existing farm enterprise.*”

7.11 In all, it is considered that the proposal does not meet the requirements of Policy 9 of the Local Plan as there is no evidence provided to demonstrate a functional link with nearby tourist or farm enterprises. Furthermore, the site is isolated from existing settlements – Sutterton is nearly 2kms distant, whilst Kirton is nearly 3kms distant – and the majority of linking roads do not have footways or streetlights. As a consequence, it is considered that there is merit in the Parish Council’s concerns re. visitors needing to travel by private car to access basic facilities such as a shop or public house. In this respect, it is not considered that the proposal would constitute a “*sustainable rural tourism and leisure development*” as envisaged by the NPPF. These issues weigh against the proposal.

Impacts upon the character of the area

7.12 Policy 2 of the Local Plan indicates that developments will be permitted which will not have harmful impacts upon the character and appearance of the area. Policy 3 states that all developments must create a sense of place by respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area. Policy 9 indicates that, in the Countryside, “*small-scale development to support the visitor economy ... will be supported provided that proposals ... are in keeping with the character of the locality.*”

7.13 The character of the area surrounding the application site is dominated by:

- flat agricultural fields containing isolated dwellings and agricultural/commercial buildings;
- the busy A16 road and other highway infrastructure, such as the flyover immediately to the site’s south which carries Red Barn Lane over the A16; and
- a significant concentration of trees in the immediate area around the application site – within the site itself, within the curtilage to The Chestnuts, on the roadside verges around the junction of Red Barn Lane with Green Lane; and on the opposite side of the A16, to the immediate west of Yew Lodge.

- 7.14 The proposed caravans will be relatively small size, and their external walls will be finished in brown-coloured, timber-effect panels. There will be significant space between the proposed caravans, and associated infrastructure (paths, parking and accesses) is proposed to be in gravel or stone. Given the above, and the fact that the site is effectively screened from view from public vantage points by existing bunds and planting, it is considered that the proposal will not appear out-of-place in the context described in the preceding paragraph. Although the proposal will involve the removal of some of the existing trees within the copse, it appears that this will be a small percentage of those existing and that the character of the area will not be unduly harmed. Nonetheless, the proposals refer to the intention to provide compensatory new planting, which is welcomed. Few details are provided of the proposed new planting and, if planning permission is granted, a condition would be required to require the submission of landscaping details and to require the replacement of any new trees/shrubs which fail in the first five years after planting.
- 7.15 Subject to such a condition, it is considered that the proposal will not harm the character and appearance of the area and could meet these requirements of Policies 2, 3 and 9.

Impacts upon neighbours' amenity

- 7.16 Policies 2, 3 and 30 of the Local Plan require neighbours' amenity to be protected. Policy 9 indicates that, in the Countryside, *"small-scale development to support the visitor economy ... will be supported provided that proposals ... do not conflict with neighbouring land uses"*.
- 7.17 The application site has public highways to its immediate east, south and west and an unclassified track to its immediate north. Beyond these are: agricultural land; a copse of trees; and a dwelling (The Chestnuts) which is associated with the application.
- 7.18 It is considered that the proposal, by virtue of its small scale and boundary screening, will have no unacceptably severe adverse impacts on any nearby land users, and that it therefore meets these requirements of Policies 2, 3, 9 and 30.

The amenity of the caravans' occupants

- 7.19 Policy 3 of the Local Plan identifies that applications must secure residential amenity.
- 7.20 Algarkirk Parish Council objects to the proposal on the basis that visitors staying in the proposed caravans will be exposed to unacceptable levels of noise and pollution from the neighbouring A16, and will be overlooked from the neighbouring flyover. The Parish Council argues that the amenity of visitors should be protected just as strongly that of permanent occupants.
- 7.21 In relation to impacts from the neighbouring A16, the proposals include the erection of a 3m-high timber acoustic fence within the bund on the site's eastern boundary, and the Borough Council's Principal Environmental Health Officer indicates that the existing earth bund between the site and the A16 will offer *"some noise protection in relation to traffic noise from the A16 and therefore a fence along this boundary would not offer any greater protection from this noise. This being the case the need for fence is unnecessary. It is not say that traffic noise will not be heard on the site, it clearly will, but the bund should mean the site is acceptable in term of the proposed 'holiday' use as people will be there temporarily and have the choice to holiday there or not."* Given the proposed fence and the above views from Environmental Health, it is not considered that the amenity of holiday-makers staying in the caravans would be adversely impacted to an unacceptable degree by the A16.

7.22 The Parish Council was also concerned that the application site would be overlooked by the flyover to its south which carries Red Barn Lane over the A16. In this case, it is considered that the flyover carries very little traffic, any overlooking from vehicles on the flyover would be very temporary in nature, and any views are substantially obscured by boundary planting. Taking account of the above, it is considered that the amenity of holiday-makers staying in the caravans would not be adversely impacted to an unacceptable degree by overlooking from the neighbouring flyover.

7.23 In all, it is considered that the amenity of holiday-makers staying in the caravans would be acceptable.

Biodiversity

7.24 Policy 3 of the Local Plan requires the incorporation of existing hedgerows and trees into development proposals, and the provision of appropriate new landscaping to enhance biodiversity. Policy 28 requires all development proposals to provide an overall gain in biodiversity. Policy 31 requires all development proposals to incorporate measures which promote and enhance green infrastructure and provide a net gain in biodiversity.

7.25 The application site contains a mixed-species copse of semi-mature trees and, although the proposal involves the removal of some existing trees, it appears that this will be a small percentage of those existing. Furthermore, the proposals refer to the intention to provide compensatory new planting, although little detail is provided of the proposed new planting and no details of any other measures (e.g. bird nesting boxes/ bat roosting boxes) that might ensure that a net gain in biodiversity will be achieved. If planning permission is granted, a condition would be required to require the submission of detailed planting proposals and other measures to provide biodiversity net gain.

7.26 Subject to such a condition, it is considered that the proposal would meet these requirements of Policies 3, 28 and 31.

Flood risk

7.27 Policy 4 of the Local Plan seeks to ensure that new development is not unnecessarily exposed to flood risk, and does not increase flood risk elsewhere. More specifically, it states that:

- a proposed development within an area at risk of flooding (Flood Zones 2 and 3) will be permitted where it can be demonstrated that there are no other sites available at a lower risk of flooding (through passing the sequential test), and appropriate flood mitigation measures have been put in place; and
- caravan, chalet, log cabin, camping and touring sites at risk of fluvial flooding where there is a 'danger for most' and 'danger for all' will not be permitted. Sites at risk of tidal flooding will not be permitted to open between 1st November in any one year and 14th March in the succeeding year.

7.28 The application is accompanied by:

- a Supporting Statement, which identifies that the site is within Flood Zone 3;
- a Flood Risk Assessment (FRA), which:
 - identifies that the site is within Flood Zone 3a, but is at 'low' risk (i.e. with an annual chance of flooding of between 0.1% and 1%);
 - acknowledges that a sequential test is required, but argues that *"as there is not any other site at lower flood risk. Due to the nature of the proposed development, the location must consider a wide variety of factors such as access to nearby amenities as well as just*

available land. The land is adjacent to the landowner's existing dwelling and business. It is therefore considered that there are no more suitable sites available to the applicant at the present time";

- argues that the exception test is passed because the proposal will provide wider sustainability benefits and will be made safe for its lifetime by proposed mitigation measures; and
 - a Flood Warning & Evacuation Plan, which sets out procedures to ensure that all users of the caravans are adequately prepared for a flood event, and are able to evacuate in safety.
 - *predominantly all the surrounding area is located within Flood Zone 3,*
- 7.29 The Environment Agency indicates that, subject to the attachment of two conditions, it considers that appropriate flood mitigation measures will be in place (i.e. that the Exception Test will be passed), but stresses that this *"does not override the Council's conclusions in respect of compliance with Local Plan policies or cover issues of safety relating to access and escape routes or emergency planning"*.

7.30 Whilst it is agreed that, subject to the conditions suggested by the Environment Agency, the development could be made safe for its lifetime (i.e. the Exception Test could be passed), the application is not accompanied by a successful Sequential Test to demonstrate that alternative sites at lesser risk of flooding are unavailable. The arguments put forward in the FRA to justify the lack of a formal assessment of alternative sites are not accepted, and it is considered that the proposal does not meet the requirements of Policy 4 of the Local Plan and Section 14 of the NPPF. This weighs against the proposal.

Parking provision

- 7.31 Policy 36 of the Local Plan indicates that all new developments should provide vehicle and cycle parking in accordance with minimum standards set out in Appendix 6. The Appendix provides no specific standards for this type of development.
- 7.32 Drawing No. 37122-02 Rev A shows the provision of a gravel or stone-surfaced parking area to the east of the caravans which appears to have capacity for 4 vehicles, and annotations to the drawing suggest *"for at least 4 no. cars"*.
- 7.33 In the absence of specific standards, it is considered that one car parking space per caravan will be adequate, given that each caravan is likely to be occupied by one family-unit only. No provision is proposed for cycle parking but again, given the nature of the proposal, it is considered that this is acceptable. The Highway Authority has raised no concerns.
- 7.34 In all, it is considered that the proposal includes adequate provision for the parking of cars and bicycles.

Highway safety

- 7.35 Policy 2 of the Local Plan identifies vehicular access as a sustainable development consideration.
- 7.36 The application is accompanied by a Transport Statement (produced at the Highway Authority's request) which provides information on the surrounding roads, local accident statistics, etc. and concludes that the proposal will create negligible additional vehicle-movements, and will not threaten highway safety.

- 7.37 Algarkirk Parish Council objects to the proposal on the basis that the public highways leading to the site are narrow, unlit, lack pavements, are in poor condition in some locations, are used by large agricultural and other vehicles, and are subject to the national speed limit. As a consequence, the Parish Council considers that they are unsuitable to carry the traffic that would be generated by the proposal.
- 7.38 Vehicular access to the site is proposed to be provided from the unclassified track which follows the site's northern boundary. This access will lead to a gravel or stone-surfaced parking/manoeuvring area within the site.
- 7.39 Although Red Barn Lane is subject to the national speed limit at the point where the unclassified track joins it, visibility appears to be acceptable given that the road carries relatively little traffic and vehicle speeds will generally be limited by local road conditions. Adequate space is proposed within the site to allow for vehicles to enter and leave the site in a forward gear and, even if vehicles were required to reverse out of the site, this manoeuvre would be onto the unclassified track and not onto the public highway.
- 7.40 Although the Parish Council is undoubtedly correct in its characterisation of surrounding roads, it is considered that, taking into account:
- the findings of the Transport Statement; and
 - the fact that the Highway Authority has no concerns,
- the proposal would not be detrimental to highway safety.

Other matters raised by respondents

- 7.41 Boston Borough Council's Principal Environmental Health Officer indicates that "*the caravans would be subject to caravan site licensing under the provisions of the Caravan Sites & Control of Development Act 1960. The site licence would come with conditions which are designed to protect the safety and well-being of users. The standard conditions can be found at [https://www.boston.gov.uk/media/21749/Specimen-Caravan-Site-Licence-Static-Holiday-Sites/pdf/Specimen Caravan Site Licence - Static Holiday Sites.pdf?m=638072452723970000](https://www.boston.gov.uk/media/21749/Specimen-Caravan-Site-Licence-Static-Holiday-Sites/pdf/Specimen%20Caravan%20Site%20Licence%20-%20Static%20Holiday%20Sites.pdf?m=638072452723970000) Any site granted would have to comply with the licensing conditions. I would ask that an informative be appended to any consent.*" If planning permission is granted, it is considered that these comments should be added to the Decision Notice as an Informative.
- 7.42 The Welland and Deepings Internal Drainage Board indicates that "*if any discharges of either surface water or treated effluent are proposed at any point in the future into a watercourse then the Board's written consent would be required.*" If planning permission is granted, it is considered that these comments should be added to the Decision Notice as an Informative.
- 7.43 Cadent Gas Limited indicates that it may have gas assets in the vicinity of the application site, and asks for the attachment of the following Informative Note to any planning permission "*Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. Prior to carrying out works, please register on www.linerearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.*" If planning permission is granted, it is considered that these comments should be added to the Decision Notice as an Informative.
- 7.44 Algarkirk Parish Council objects to the proposal on the basis that:

- the proposals must not impede access to the public footpath which crosses the A16 adjacent to the proposed access to the caravan site. It is not considered that the proposal will obstruct the public footpath; and
- the proposals do not identify: concrete bases for the caravans; the position of electricity connections; fire points; fire alarms, emergency phone box; defibrillator; waste bins; refuse collection/recycling points; drainage/sewerage; and fresh water points. It is considered that sufficient detail has been provided to enable the determination of the planning application.

8.0 Summary and Conclusion

8.1 The above assessment identifies that, subject to the attachment of appropriate conditions, the proposal:

- will not harm the character and appearance of the area;
- will not harm neighbours' amenity;
- will provide a satisfactory standard of amenity for holiday-makers staying in the caravans;
- will provide a net gain in biodiversity;
- includes adequate provision for the parking of motor vehicles and bicycles; and
- will not be detrimental to highway safety.

8.2 However, it is considered that the proposal does not meet the requirements of Policy 9 of the Local Plan in that it has not provided evidence of a functional link with an existing rural attraction or an existing farm enterprise. Given the above, and the fact that the site is isolated from existing settlements and the majority of linking roads do not have footways or streetlights, it is considered that the proposal is contrary to Policy 9 and would not constitute a 'sustainable' rural tourism development as envisaged by the NPPF.

8.3 Furthermore, the application site is located within Flood Zone 3, and the proposal falls within the 'more vulnerable' flood risk category. The requirements of Policy 4 of the Local Plan and Section 14 of the NPPF require a Sequential Test to demonstrate that no sites at lesser risk of flooding are available. No such Sequential Test has been submitted and no overriding need for the development to be located on the site has been put forward.

8.4 Bearing in mind the above conflicts with fundamental elements of the Local Plan's Policies, it is considered that planning permission be refused.

9.0 Recommendation

9.1 It is recommended that the Committee refuses Planning Permission for the reasons set out below:

1. The proposal will not constitute a 'sustainable' rural tourism development, given that:

- it has failed to demonstrate a functional link with any existing rural attraction or an existing farm enterprise; and
- the application site is remote from any settlement, and the majority of linking roads have no footways or streetlights, and future occupiers of this proposed dwelling would therefore be highly reliant on the use of a motor vehicle to access even basic services or facilities.

As a result the proposal is contrary to the provisions of Policy 9 of the South East Lincolnshire Local Plan 2019 and the aims of sustainable development in the National Planning Policy Framework 2021.

2. The application site is located within Flood Zone 3 of the Environment Agency Maps and the proposal is within the 'more vulnerable' flood risk vulnerability category. The application is not accompanied by a successfully completed Sequential Test, and therefore fails to demonstrate that sites at lower risk of flooding are unavailable or that the development is necessary to its location. As such the proposal is contrary to Policy 4 of the South East Lincolnshire Local Plan 2019 and Section 14 of the National Planning Policy Framework 2021.