

Your ref: PP-12750722
Our ref: 1604 1 LMS

26 January 2024

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Mr M Gildersleeves
Assistant Director - Planning
Boston Borough Council
Municipal Buildings
West Street
Boston
PE21 8QR

Dear Mr Gildersleeves

**MR PAUL WILKINSON, WILKINSON DEVELOPMENTS
APPLICATION UNDER SECTION 73a IN RESPECT OF PLANNING PERMSSION
B/22/0192 FOR THE SITING OF UP TO 36 NO. GLAMPING PODS WITH FISHING
LAKES, AMENITY SPACE, LANDSCAPING, PARKING, ACCESS ROADS AND
ASSOCIATED OTHER DEVELOPMENT AT LAND OFF FELLANDS GATE, OLD
LEAKE, BOSTON PE22 9PN**

We have submitted an application pursuant to Section 73a of the Town and Country Planning Act to vary condition 9 of planning permission B/22/0192 that restricts the occupancy of the accommodation to the period of 15 March to 31 October in any year.

The application seeks an amendment to the occupancy condition to state:

The accommodation hereby permitted shall be available for year-round holiday accommodation until 31st January 2049. From 1st of January 2050 onwards, no unit shall be occupied between 1st November in any year and 14th March in the succeeding year.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with SP19 of the East Lindsey Local Plan and paragraph 163 of the National Planning Policy Framework.

We have updated the Flood Warning Evacuation Plan, and this is submitted as part of the application.

The glamping pods on site are constructed in such a way that they are effectively permanent structures with a finished floor level of +2.5m AOD and, therefore, not prone to adverse impacts arising from floodwater in the same way as caravans and other temporary accommodation envisaged in Annex 3: Flood risk vulnerability classification. Here, caravans, mobile homes and park homes intended for permanent residential use are considered to be 'Highly Vulnerable'. Instead, what has been constructed is built development (as opposed to the use of land) for holiday use, but which is intended for occupation throughout the year and, therefore, is more akin to a 'More Vulnerable' use.



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Economic Impact

The ability to occupy the accommodation year-round will enable the applicant to realise a significant increase in revenue from being able to take advantage of the Christmas, New Year and Valentine's Day holiday periods/events which carry a premium in booking fees compared to other times of the year. Year-round occupancy will also enable the staff employed by the company to be kept on permanently throughout the year, providing security of employment, which, in turn, ploughs money back into the local economy. Part-time employees would have to seek alternative employment in the winter and would be unlikely to return in the spring meaning the company would be starting from scratch recruiting and training the season's staff, which is likely to mean an inconsistent work force and additional training costs.

This contribution to the local economy also extends to all the maintenance contracts, cleaners and other local trades and companies that will benefit from a guaranteed income throughout the year, and also the following:

- **Attractions and Activities** –despite the accommodation having the immediate attraction of the fishing lakes, guests do explore the local area and the applicant goes to great lengths in to promote not only Boston, but Lincolnshire in general, together with its many attractions. Information regarding the local attractions in and around the area is provided on site by the applicant.
- **Restaurants, Pubs and Cafes** - whilst the accommodation is self-catering, guests will enjoy local eating establishments and the likelihood of guests eating out increases in the winter months as the opportunity to use outside areas to BBQ etc reduces due to the weather. Local taxi firms will also benefit with guests accessing local facilities. The applicant also provides hot snacks for anglers by the lakeside during the day and there will clearly be a positive economic impact on local food suppliers, if occupancy is year-round.
- **Shops and Supermarkets** – guests using self-catering accommodation will often buy provisions from local shops rather than bringing it from home and this will also have a positive local economic impact.
- **Employment/Purchasing** - the other benefit of operating all year around is that the company can retain trained staff. Were the site to close during the winter, it is likely that individuals would seek alternative employment and would be unlikely to return in the spring meaning the company would be starting from scratch recruiting and training the season's staff, which is likely to mean an inconsistent work force and additional training costs.






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The Planning Balance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that,

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The Development Plan for the purposes of this application comprises the South East Lincolnshire Local Plan (Local Plan) which was adopted in March 2019.

The National Planning Policy Framework (NPPF)

The NPPF sets out Central Government's planning policies for England and how these are expected to be applied.

Paragraphs 7 and 8 of the NPPF confirm the commitment to sustainable development based on three dimensions:

"an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible local services and open spaces that reflect current and future needs and support communities' the community's health, social and cultural well-being; and

an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."

This is followed by a commitment to a presumption in favour of sustainable development and at paragraph 11;



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"For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or,
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i) The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or
 - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

Paragraph 12 confirms that applications should be determined in accordance with the Development Plan and that, in such cases, Local Authorities should apply the presumption in favour of sustainable development. Where a planning application conflicts with an up-to-date development plan permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Local Plan Policy 4 - Approach to Flood Risk, sets out the how development will be assessed in relation to flood risk and that development will be permitted where the sequential test is passed and that more vulnerable development will be allowed in Flood Zone 3a provided there are "...wider sustainability benefits to the community that outweigh flood risk" and that appropriate flood warning and evacuation procedures are in place.

The floor levels of the accommodation is above the estimated flood level during a 0.1% annual probability overtopping breach event and the increase in flood risk up to 2049 is mitigated through the use of a Flood Warning Evacuation Plan. There are wider benefits to the community as demonstrated here that outweigh flood risk, in accordance with Local Plan Policy 4.

Conclusion

Flood risk is just one of the material considerations that may form part of the planning judgement. In this case, proper account has been taken of flood risk and the consequences of flooding to the development, including the management of residual risk.



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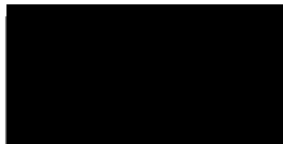
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In exercising the planning balance, there is no conflict with the development plan and the wider community benefits of the development outweigh any residual concerns on flood risk grounds.

We trust you will receive the proposal favourably and should you require any further information, please do not hesitate to contact us.

Yours sincerely



Lewis M Smith MRTPI






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