DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H01-1049-19**	**Applicant:**	**Mr Nick Creasey**
Proposal:	Change of use of domestic garage/workshop to use for storage of materials in relation to property maintenance business		
Location:	The Old Mill 11 Backgate Cowbit		
Terminal Date:	10th January 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
29	The Historic Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Section 11 - Making effective use of land
Section 12 - Achieving well-designed places
Section 16 - Conserving and Enhancing the Historic Environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This application is for full planning permission to change the use of a large domestic garage/workshop to storage for the Homeowner's Property Management business (B1 - Light industrial).

Site Description

The site features 3 separate large structures; the garage that this application relates to, the associated house and a Grade II listed windmill at the western end of the site. The property sits on a large curtilage which consists of hard-standing between the garage and house and turf surrounding the mill. The site is not within close proximity to any further listed buildings and Cowbit does not benefit from its own conservation area.

The immediate area surrounding the site is purely residential, featuring large, mainly modern homes. To the south of the site is a large modern residential development.

History

H01-0591-14

Insertion of uPVC windows and re-pointing of brickwork (retrospective). REFUSED on 10/10/2014.

H01-0877-17

Remove uPVC windows and replace with wooden windows. APPROVED on 02/01/2018.

Consultation Responses

Cowbit Parish Council

No objections

South Holland District Council Environmental Protection Officer

No objections

Planning Considerations

Principle of development

As the proposal will not suggest the complete loss of residential floor space on the site and will not cause a loss of parking provision that would lower the parking on site to an unreasonably low level as defined by Policy 36 and Appendix 6 of the South East Lincolnshire Local Plan (2019). Additionally, because the 'light industrial' use is purely for storage, it is possible for this use to be conducted within a residential area without causing harm to the local amenity. For these reasons, it is determined that the principle of development is acceptable.

Residential Amenity

Whilst the Local Planning Authority recognises concerns regarding industrial uses in residential areas, the Environmental Protection Officer has been consulted and raised no concerns and the applicant has indicated that the operating hours will only be 07:45am - 17:00pm Monday - Friday with no weekend or bank holiday opening hours. The applicant should be aware that approval of this planning permission does not exempt them from controls on generation of noise as enforced by the Environmental Protection Team.

Heritage Impact

It is the view of the local planning authority that the proposal present no risk to the significance of the listing of the Old Mill. This is because no changes are proposed to the listed element of the property - the mill itself. Because no changes are proposed to the mill and because these proposals

will help to bring the site back into use after an extended period of vacancy, it is clear that the proposals help to CONSERVE the historic environment.

Design and Layout

The Local Planning Authority seeks no amendment to the design or layout of the plans because no alterations are suggested to the design or layout of the site as it currently stands.

Conclusion

For the reasons listed above, this application is found to be in accordance with policies 1, 2 , 3, 29, 36 and Appendix 6 of the South East Lincolnshire Local Plan (2019) and Sections 11, 12 and 16 of the National Planning Policy Framework. Therefore, this application is recommended for APPROVAL.

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.