DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H02-0503-22**	**Applicant:**	**Mr G Bowater**
Proposal:	Change of use from retail shop to offices and alterations		
Location:	6 South Street Crowland Peterborough		
Terminal Date:	15th July 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
24	The Retail Hierarchy
28	The Natural Environment
29	The Historic Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

National Planning Policy Framework (2021)

Section 2: Achieving sustainable development
Section 4: Decision-making
Section 7: Ensuring the vitality of town centres
Section 9: Promoting sustainable transport
Section 12: Achieving well-designed places
Section 14: Meeting the challenge of climate change, flooding and coastal change
Section 15: Conserving and enhancing the natural environment
Section 16: Conserving and enhancing the historic environment

Sections 66 and 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990

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

The application seeks approval for the change of use from retail shop to offices including external alterations at 6 South Street, Crowland. Planning history indicates a previous permission has been granted for the change of use from a veterinary surgery into a one-bedroom self-contained flat. However, this permission does not appear to have been implemented and the existing use appears to be a retail shop (Angling/fishing shop). As both a retail shop and offices fall within Use Class E, the change of use is not considered development and therefore does not require planning permission. As such, this report will only assess the proposed external alterations.

The proposed external alterations include the installation of a wooden frontage, part rendering and replacement windows.

Site Description

No. 6 South Street is a single storey property that is predominantly finished in a facing brick The site is located within the defined settlement boundary for Crowland, the Town Centre boundary for Crowland and is located within the Primary Shopping Area.

The site is also located within Crowland Conservation Area and is in close proximity to a Grade I Listed Building (Holy Trinity Bridge, East Street).

History

H02-0680-17 - Proposed change of use from a veterinary surgery into a one bedroom self-contained flat - Permitted November 2017.

Consultation Responses

South Holland District Council's Conservation Officer
Raised no objections.

Lincolnshire County Council Highway Authority and Lead Local Flood Authority
Raised no objections.

Planning Considerations

Principle

The site is located with the settlement boundary of Crowland, the Town Centre boundary and the Primary Shopping Area as defined by the adopted South East Lincolnshire Local Plan (SELLP, 2019). Policy 1 of the SELLP identifies Crowland as a Main Service Centre where development will be permitted that supports the settlements role as a Main Service Centre, including sustaining existing facilities.

Given that the proposal seeks permission for the external alterations to improve the external

appearance of an existing property that is intended to operate as offices (Use Class E) within the Primary Shopping Area of Crowland, the principle of development

Design and Heritage

The proposed external alterations include the installation of a wooden frontage, part rendering and replacement windows.

The proposed addition of a traditional style timber frontage, matching the timber shopping frontages spread throughout this central portion of the Crowland Conservation Area, could easily be considered an enhancement of the qualities and character of not only the host property but also those of the wider conservation area setting.

The proposed rendering of the south-east elevation is considered to be acceptable given the numerous examples of render in the immediate locality. Furthermore, the proposed wooden windows and doors would reflect the traditional character of the area and the proposed timber frontage.

Overall, the proposal is considered to be in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan (SELLP, 2019), Sections 66 and 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 and the guidance within the National Planning Policy Framework (NPPF, 2021).

Other Matters

The site is located within Flood Zone 1 and is therefore not considered to result in any flooding impacts. As the proposed external alterations are cosmetic with no additional floorspace, the proposal would not impact the public highway or result in any highway safety concerns.

Planning Balance

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The proposal generally accords with Policies 1, 2, 3, 4, 10, 11, 17, 28, 30, 31, 32, 36 and Appendix 6 of the adopted South East Lincolnshire Local Plan (SELLP, 2019) plus advice within the National Planning Policy Framework (NPPF, 2021). There are no other material considerations that indicate planning permission should not be granted in this instance.

Conclusion

Planning permission should be granted, subject to conditions.

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.