DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H02-0708-22**	**Applicant:**	**Mr T & Mrs J Smith**
Proposal:	Change of use from office accommodation to a residential - one bed ground floor flat		
Location:	2 East Street Crowland		
Terminal Date:	8th September 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
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
24	The Retail Hierarchy
26	Primary Shopping Frontages
28	The Natural Environment
29	The Historic Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
32	Community, Health and Well-being
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

National Planning Policy Framework (NPPF, 2021)

Section 2: Achieving sustainable development
Section 4: Decision-making
Section 5: Delivering a sufficient supply of homes
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

Planning Practice Guidance

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
SHDC INTERNAL	0	0	0	1
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This application seeks approval for the change of use of No. 2 East Street, Crowland to a one-bedroom flat. The application form states that the existing use of the site is that of office accommodation (Use Class E).

Site Description

The two-storey property is located on the corner of East Street and North Street, Crowland and is constructed in red facing brick. The property is located within the Crowland Conservation Area and is in close proximity to four Listed Buildings:

-Holy Trinity Bridge, East Street - Grade I
-The Manor House, 5 East Street - Grade II*
-The George and Angel Public House, North Street - Grade II
- Mounting Block, East Street - Grade II

The site is also located within the Town Centre boundary and Primary Shopping Area of Crowland.

History

H02-1408-04 Use of ground floor residential dwelling as office accommodation - Approved 07-12-04.

H02-0043-92 Conversion of three storey terraced dwelling into 2 person flat on ground floor & 3 person flat on 1st & 2nd - Approved 05-03-92.

Consultation Responses

Crowland Parish Council
CPC are pleased to see this currently empty property being bought back into use. We do see a problem with no designated parking space.

South Holland District Council's Conservation Officer
As no external alterations are proposed, this proposal will not alter the conservation area in any way, and thus assists in conserving the heritage asset via lack of impact in accordance with the requirements of S16 of the National Planning Policy Framework (2021). Therefore, I wish to raise no

objections on conservation grounds.

One letter of objection was received by a neighbouring property on the grounds of no off-street car parking.

Planning Considerations

Principle

The site is located within the settlement boundary of Crowland, which Policy 1 of the adopted South East Lincolnshire Local Plan identifies as a Main Service Centre where development will be permitted that supports its role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities.

Policies 24 and 26 of the adopted Local Plan address matters relating to development within Town Centre and Primary Shopping Area boundaries. It should be noted that since the adopted of the South East Lincolnshire Local Plan, amendments have been made to the Use Class Order, including the introduction of the wider, encompassing Use Class E which covers previous Use Classes A1, A2, A3, B1 and parts of D1 and D2.

Whilst residential dwellings are not classified as a Main Town Centre Use in line with the National Planning Policy Framework (NPPF, 2021) and the proposal would result in the loss of a Main Town Centre Use, it is noted in paragraph 86 of the NPPF that residential development plays an important role in ensuring the vitality of town centres. Furthermore, Class MA of the General Permitted Development Order allows the conversion of commercial properties (including office accommodation) to residential, subject to a prior approval application.

The current application does not benefit from these permitted development rights as the property has not been vacant for a continuous period of 3 months. However, as the property has been vacant since 30th June 2022, the proposal would benefit as of 30th September 2022.

The property is considered to be residential in appearance with no traditional shop front and would address East Street, which includes other residential properties along the streetscene. Given the vacancy of the existing property and the number of nearby commercial properties, the proposal is not considered to result in detrimental impacts on the vitality or Crowland Town Centre.

On balance, the principle of development is considered to be acceptable, subject to all other planning matter being addressed. Accordingly, the proposal is considered to be in accordance with Policies 1, 24 and 26 of the adopted South East Lincolnshire Local Plan (SELLP, 2019) and the guidance within the National Planning Policy Framework (NPPF, 2021).

Design and Heritage

The proposal includes the change of use of the existing office accommodation to a one bedroom residential flat (ground floor only). The property is located within the Crowland Conservation Area and is in close proximity to four Listed Buildings:

-Holy Trinity Bridge, East Street - Grade I
-The Manor House, 5 East Street - Grade II*
-The George and Angel Public House, North Street - Grade II
- Mounting Block, East Street - Grade II

As a result of the proposed development, no external alterations are proposed and therefore would result in no impacts on the character and appearance of the streetscenes of East Street and North Street, the surrounding area, the Crowland Conservation Area or the nearby heritage assets.

Flood Risk and Drainage

The site is located within Flood Zone 1 and the proposal is for the change of use of an existing building. As such, the proposal is not considered to result in any flooding impacts.

The proposal seeks to connect to the mains sewer for the disposal of surface water and foul drainage. This is considered to be acceptable in this instance.

The proposal is therefore considered to be in accordance with Policy 4 of the adopted South East Lincolnshire Local Plan (SELLP, 2019) and the guidance within the National Planning Policy Framework (NPPF, 2021).

Impact on Neighbouring Amenity

Given the scale and nature of the proposed change of use, the proposal is not considered to result in any detrimental noise and disturbance impacts on any neighbouring properties amenities and as no external alterations are proposed, would not result in any physical impacts on any neighbouring properties amenities.

Whilst the proposed dwelling would be located centrally of Crowland Town Centre with a number of commercial and non-residential properties in close proximity - including a restaurant/drinking establishment on the opposite side of North Street, the impacts are not considered to be over and above that expected of Town Centre living with the immediately adjacent neighbouring properties in retail use with standard hours of operation.

As such, the proposal is not considered to result in any detrimental impacts on neighbouring amenities and the amenities of any future occupier are considered to be preserved. Furthermore, the proposal is considered to be in accordance with Policies 2 and 3 of the adopted South East Lincolnshire Local Plan (SELLP, 2019) and the guidance within the National Planning Policy Framework (NPPF, 2021).

Highway Safety

During the course of the application, concerns were raised by Crowland Parish Council and a neighbouring property over the lack of off-street car parking provision. However, given the proposal seeks approval for the change of use from an office, which is likely to generate more vehicular comings and goings than a residential dwelling, it would be unreasonable to refuse planning permission on this basis. Furthermore, given the Town Centre location, occupants of the dwellinghouse are less likely to be reliant on private vehicle usage given the number of nearby services and facilities - including nearby bus stops on Hall Street and West Street.

On balance, the proposal is considered to be acceptable in terms of highway safety.

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 proposed change of use is considered to be acceptable in principle and would not result in any detrimental impacts on the character and appearance of the streetscene or surrounding area, would not result in any detrimental flooding or highway safety impacts and would be acceptable in terms of impacts on future occupants. The proposal is therefore considered to be in accordance with Policies 1, 2, 3, 4, 10, 24, 28, 29, 30 and 36 of the South East Lincolnshire Local Plan, 2019 as well as the guidance within the National Planning Policy Framework (NPPF, 2021).

Conclusion

Approve.

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.