DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H02-0972-20**	**Applicant:**	**Sterling Bluebrick Ltd.**
Proposal:	Change of use of first & second floors to create 3 residential units and retaining existing retail use on the ground floor		
Location:	6 West Street Crowland Spalding		
Terminal Date:	25th December 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
04	Approach to Flood Risk
11	Distribution of New Housing
17	Providing a Mix of Housing
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards
02	Development Management
03	Design of New Development
29	The Historic Environment

National Guidance

National Planning Policy Framework 2019

Sections 12 and 16 of the National Planning Policy Framework.

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This planning application is for the change of use of the 1st and 2nd floors of 6 West Street, Crowland from commercial use to C3 dwellinghouses. The proposal includes some internal alterations to create new subdivisions, in order to create 3 apartments (2 x 1 bedroom, 1 x 2 bedroom). No external alterations are proposed - the property will not be visually amended from the outside.

Site Description

The proposal site is a non-listed C19th, 3 storey commercial property, housing the 'Crowland Mini-Mart'. The property is a fairly handsome example of its type, featuring distinctive green glazed tiles at the shopfront with traditional pilaster details at the signage. 4 taxation windows (2 on each floor above ground, on either side of the principal elevation) as well as 4 further standard windows on the frontage, all featuring sliding sash timber frames.

The area in general is characterised by mainly commercial, historic development, dating mainly from the early C18th onwards, with the specific distinction for the very closely situated grade I listed Trinity Bridge.

Multiple properties in the immediate setting have had rear and above ground floor residential conversions.

History

H02-0030-13

Repositioning of front entrance door. Refused on 13-03-13.

H02-0488-15

Proposed installation of ATM machine. Refused on 26-08-15

H02-0922-15

Installation of ATM machine - retrospective re-submission of H02-0488-15. Approved on 30-11-15

H02-0923-15

Signage in connection with ATM machine - retrospective re-submission of H02-0489-15. Approved on 30-11-15

Consultation Responses

Local Residents

Concerns that the proposal would impact upon the waste generation in the area.

Crowland Parish Council

Supports the application but notes concerns about compounding traffic issues.

Lincolnshire County Council as Lead Local Highways and Flood Authority

No objections

Planning Considerations

Objections

Objections were received from local residents and the Local Parish Council to the effect of:

- The proposal will add to waste build-up in the area, and will compound traffic issues.

This proposal includes a dedicated waste storage site to prevent waste overspill and pollution into the environment. Furthermore, the proposal has been put to Lincs County Council Highways Authority who have raised no issues with the principle of a car-less development on this site.

Principle of development

The proposal site sits within the defined settlement boundary of Crowland, therefore, on the most basic level, residential style development is acceptable as a matter of principle. Although this site is within the primary shopping frontage, Policy 26 does set out that independent uses above ground floor of commercial properties are suitable provided that there is no loss of ground floor commercial shopping frontage. This in conjunction with the viability of the site thanks to its settlement boundary location and the fact that this site is within Flood Zone 1 (lowest risk). Therefore, the principle of development in this case is deemed to be acceptable.

Heritage Impact

The proposal site sits within the centre of the conservation area for Crowland and within short range of several listed buildings. However, the Local planning Authority does not consider there to be any risk to the value or significance of any designated asset. This is because the proposal only included internal alterations to a non-listed structure. The Building shall not be visually altered by this proposal, meaning the site, as appreciated from the public realm, shall not change. In fact, by finding an alternative use for unused space in a historic core building, it adds to the viability of the site, further protecting it from degradation and therefore, enhances the site in line with Section 16 of the National Planning Policy Framework (2019)

Design and Layout

The local planning authority seeks no amendment to either the design or layout of the proposals. As mentioned above, there are no amendments proposed to the design of the property and the proposed layout is suitable for the proposed use as 3 residential units.

Residential Amenity

The Local Planning Authority does not consider this proposal to have any adverse effect upon any residential amenity of either any neighbouring residents or that of the future residents of this site. This is because the proposal suggests no alteration to the external elements of the building and given the urban nature of the site, does not overlook any residential properties and neither does it overshadow any nearby residential properties.

Parking provision

This application is put forth as a car-less development. The County Council Highways Authority have been consulted and have raised no concerns with such a development. Furthermore, provision for onsite secure cycle storage is included in this proposal. This, coupled with the fact that the proposal is a town centre development, with easy access to a multitude of services, shops, amenity spaces, leisure and entertainment facilities as well as employment sources, means that the principle of a car-less development on this site is deemed appropriate.

Waste storage

The proposal includes a dedicated waste storage location to the side of the property, reserved for use by residents of the proposal.

Planning Balance

It could be argued that the lack of parking provision at this site is a detractive point from the argument to approve this application, however, the local Highways Authority have raised no objections to this principle. On balance, then, the proposal is far more weighted towards an approval due to its reuse of unused above-ground town centre space in a manner which does not impact upon residential amenity or the value or significance of the Historic Environment.

Conclusion

Due to the reasons listed above, this application is considered to be in accordance with Policies 1, 2, 3, 4, 11, 17, 29, 36 and Appendix 6 of the South East Lincolnshire Local Plan (2019) as well as Sections 12 and 16 of the National Planning Policy Framework (2019). 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.