DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H02-1106-25**	**Applicant:**	**Mr M Haseeb**
Proposal:	Change of use of community hall section for commercial storage - Retrospective		
Location:	Crowland Community Hall 65 Broadway Crowland		
Terminal Date:	16th February 2026		

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
07	Improving South East Lincolnshire's Employment Land Portfolio
30	Pollution
32	Community, Health and Well-being
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 8 - Promoting healthy and safe communities
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places

Representations:

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

BOARD				
RESIDENTS	4	0	0	0

CASE OFFICER ASSESSMENT

Proposal

The proposal seeks full planning permission to change the use of part of Crowland Community Hall to commercial storage. No external changes are proposed. The application is retrospective, as according to the application form the use stated in February 2025.

The current application follows the refusal of a similar application in August 2025 which sought retrospective consent to change the use of the site (ref: H02-0282-25).

Site Description

The application site comprises approximately 180sqm of floorspace within Crowland Community Hall, 65 Broadway. The site relates to the northern portion of the building which was formerly used as a community hall.

The site is within the settlement boundary of Crowland, as identified by the South East Lincolnshire Local Plan (2019) and the accompanying policies map.

The site is within Flood Zone 1, as identified by the Environment Agency's flood risk maps.

Planning History

H02-1349-01: (Full Application) Re-roofing of Hall and Sports and Social Club - approved 10 January 2002

H02-0305-02: (Full Application) Front and side extensions, new boiler flue & internal alterations - approved 24 April 2002

H02-1272-21: (Full Application) Proposed change of use from British Legion Club to Child Nursery and Community Hall, with External Alterations - approved 26 April 2022

H02-0945-22: (Full Application) Proposed change of use from British Legion Club to Child Nursery and Community Hall, with External Alterations - approved 07 November 2022

H02-0998-23: (S73 Application) Proposed change of use from British Legion Club to Child Nursery & Community Hall with External Alterations - approved under H02-0945-22. Modification of Conditions 2 & 3 to allow amendments to previously approved plans relating to site changes and discharge of Conditions 4, 5, 7, 8 & 9 relating to operation details of arrangements for scooter & cycle provision, signage locations showing entrances & parking, roof lights, illumination of all elements of building and areas of the site and arrangements for private refuse/recycling collection - approved 18 January 2024

H02-0282-25: (Full Application) Change of use of community hall section for commercial storage - Retrospective - refused 08 August 2025

Consultation Responses

Crowland Parish Council: Objection - traffic concerns, loss of community space, and lack of consultation, as detailed below. The use of the site for commercial storage has created traffic problems, including parked lorries obstructing the highway and blocking a designated bus stop. The

change of use has also resulted in the loss of community space previously available for public hire, reducing facilities for social and community events. A request was made for parishioners to be consulted on whether this community space was still required, but this consultation has not taken place. In addition, the activity represents a commercial operation that is not suited to this location, which has historically served community purposes, and delivery issues have been reported since the change of use, causing further disruption in the area.

North Level Internal Drainage Board: No comments.

Lincolnshire County Council - Highways and SUDS: There is ample parking to the rear - the proposal will not have an adverse effect on the public highway.

Ecology Officer: No response received.

Environmental Protection: No response received.

Cllr B Alcock: No response received.

Cllr J R Astill: No response received.

Cllr A Harrison: No response received.

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, 4 representations from members of the public have been received. The following summarises the key matters raised within the representations.

-The same concerns still apply as for the previous application (H02-0282-25).
-Vehicles are still parking 2 to 3 times per week moving stock in and out of the hall on the junction with Chapel Street which presents a highway safety hazard. The vehicles block access on Chapel Street.
-There was a problem when an articulated container lorry delivered stock to the community hall which blocked Chapel Street for approximately two hours where no one could get in or out of the road.
-The proposal has already created a serious traffic issue exacerbating what is already a blind corner for drivers out of Chapel Street onto Broadway.
-The proposed commercial activity is incompatible with what is a residential area.
-The proposal would result in no particular benefit for the town or the local residents. There are already plenty of suitable existing commercial properties available without removing a needed community space.
-The proposed development would result in the permanent loss of a community facility. The proposal does not accord with Policy 32 of the Local Plan.

Key Planning Considerations

Development Plan

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, December 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

There are no adopted Neighbourhood Plans for the area within which the site is located.

The main issues and considerations in this case include the following:

-Principle of Development;
-Impact on Amenity;
-Highway Safety and Parking;
-Biodiversity Net Gain.

These matters are assessed in turn below.

Principle of Development

Policy 1 of the Local Plan sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location. In this case, the site is within Crowland which is a Minor Service Centre.

Paragraph 98 of the NPPF is considered to be relevant in this case as this sets out that planning decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community ability to meet its day-to-day needs (part c).

Policy 32 of the Local Plan is considered to be relevant in this case and the policy sets out that the redevelopment or change of use of an existing community facility will be permitted only if:

"1. an assessment has been undertaken which has clearly shown that the facility is:
a. surplus to requirements; or
b. not economically viable; or
c. unfit for purpose; and
d. in the case of recreational open space, does not make an important contribution in amenity, visual or nature conservation terms; or

2. the loss resulting from the proposed redevelopment or change of use will be replaced by equivalent or better provision (in terms of quantity and quality) in a suitable nearby location; or

3. (in the case of sports facilities or recreational open space) the redevelopment or change of use is for alternative sports or recreational provision, the need for which clearly outweighs the loss."

Therefore, the applicant needs to show compliance with either part 1, part 2 or part 3 of Policy 32 as the application seeks retrospective planning permission to change the use of a community hall to commercial storage.

The current application is not accompanied by a planning statement; however, the applicant provided a planning statement for the previously refused application H02-0282-25. Based on the information from the previous application, the building is used to store the following type of items:

-Fine China and cutlery (plats, cups, serving sets);
-Light homeware items (small domestic goods awaiting dispatch); and
-Cleaning equipment (mops, crushes, cloths and related supplies).

Whilst a planning statement has not been provided with the current application, the previous information has nonetheless been considered against the criteria of Policy 32 for reference. The main difference between the current application and the previous application is the provision of annual accounting information from the Royal British Legion. No other additional information has been provided.

Part 1a

In terms of part 1a, it needs to be clearly demonstrated that the hall is surplus to requirements. The applicant previously set out that the community hall was surplus to requirements as "no group confirmed more than a single one-off booking for the venue". The applicant set out that activities that used to take place within the hall have been relocated to Crowland Leisure and Wellbeing Centre, which is located approximately 0.5 miles to the north-east of the site, approximately an 11-minute walk from the site. According to the previously submitted information, a Zumba class that previously took place within the community hall has been relocated to the wellbeing centre.

The applicant considered that there was "no unmet demand" as prospective users had been "signposted to alternate venues without difficulty". Limited information has been provided from previous users to confirm that this is the case. The public representations have raised some concerns regarding the loss of the community space. Councillor Alcock also previously raised concerns but has not responded to the current application. No references have been made within the public representations regarding the type of activities that have been lost as a result of the change of use, such as the types of classes or events that used to take place within the site. The Parish Council previously did not raise specific objections to the loss of the community space, only concerns with the parking arrangements. However, for the current application the Parish Council have raised concerns with the loss of the community space that was previously available for hire, reducing facilities for social and community events.

Part 1b

In terms of part 1b, it needs to be clearly demonstrated that the hall is not economically viable. The applicant previously set out that they took over the hall in October 2021. Prior to this, the hall was operated by the Royal British Legion. Within the previous planning statement, Appendix 1 included an extract from a news article from Lincs Online. The article included a statement from a Royal British Legion spokesman setting out that "Unfortunately, the building was no longer financially viable, and the Branch took the difficult decision to close it."

The current application is accompanied by accounting information from the Royal British Legion. This information is summarised below:

-Year ending 30 September 2010 - net deficit £12,257;
-Year ending 30 September 2011 - net deficit £3,993;
-Year ending 30 September 2013 - net deficit £3,104;
-Year ending 30 September 2014 - net deficit £4,133; and
-Year ending 30 September 2016 - net deficit £3,246.

Therefore, it appears that the community hall had been experiencing a net loss of income prior to 2021 when the current applicant took over the site. However, information for some years is missing including 2012 and the years from 2016 to 2021.

It was noted during the determination of the previous application that a bid to turn the site into an asset of community value was turned down in 2021 as the community group that wished to purchase and manage the site was considered to have insufficient funds to manage this. Within a report prepared by South Holland District Council to consider the bid, it was noted that the site was experienced a loss of £7,000 in 2018.

According to the previous submission, after the applicant took over the site it was necessary to invest heavily in repairs and maintenance. The need for significant repairs was acknowledged within the above referenced report prepared by the council. The applicant spent approximately £18,875 on repairs and investment into the site. According to the applicant these works were carried out from October 2022 to March 2024. The hall was then only open for use from August 2023.

Various items and services were purchased such as a new boiler, fire equipment, signage, a boundary wall at the front of the site, an electrical certificate, insurance, tables, chairs and deep cleaning. During the determination of the previous application, the necessity of some of this work was accepted; however, it was unclear if some of the works were strictly necessary such as the construction of a new boundary wall. It was also unclear if some of the works related to the portion of the building that is used as a children's nursery and not only the community hall. Therefore, the expenditure from some of these works might be at least partially mitigated through the income received by the nursery.

As set out within the previous application, the applicant considered that they tried to promote the

use of the site through the following marketing measures:

-5,000 leaflets were distributed to the local areas of Crowland, Eye, Thorney, Newborough and Spalding, advertising the site. A copy of the leaflet has been provided as part of the submission for reference.
-A Facebook Page was created to promote and advertise the site.
-A website was also provided.
-Free taster sessions were offered.

The applicant previously set out that despite these efforts, the rental income remained lower than the expenditure into the site. However, the applicant did receive bookings for the following uses; Zumba, birthdays, fitness classes, dance classes, yoga classes and religious gatherings. This included both one-off events and regular bookings.

The applicant previously set out further information related to the regular bookings within the planning statement. The applicant summarised some examples of classes that were operating from the site as follows:

-A dance class operated from 11th January to 7th June 2024 including two 2 classes per week for an hour each. The instructor was offered a discounted rate for the first two months, however, attendance numbers dropped.
-A yoga class operated from 5th January to 9th December 2024. Attendance numbers dropped and the applicant sets out that the instructor wanted to heat the hall prior to use for three hours when the hire was not being paid for.
-Another dance class operated from 29th February to 12th November 2024, however, attendance declined.

This information appeared to match up with the income information that was provided for 2024. According to the applicant, uptake remained low and there was insufficient interest from the public to hire the space. The applicant set out that clubs and instructors were not willing to commit to a regular rental contract at sustainable rates. Therefore, there was insufficient income to cover the costs of operation.

During the determination of the previous application, the applicant provided some income and expenditure figures for 2022 to 2024. The hall did not start to be used until August 2023 due to various works that were undertaken. Therefore, there was no income between 2021 and 2023. According to the application, there was a loss of £26,000 in 2023. The applicant has not provided expenditure details for 2023 and it is, therefore, unclear why the loss was so much higher than in 2024. It is presumed that the loss was higher partly due to the investment in various works such as the boundary wall. The figure for these works is quoted by the applicant as £18,875. These works were undertaken from 2021 to 2023 and as such, the £18,875 presumably was spread over these three years. Therefore, it is unclear how the loss was so much higher in 2023.

The loss of income in 2023 is not necessarily a typical year for the hall, and it is expected that profit and loss will vary from year to year. When a new operator takes over a site and in situations such as this where significant investment was clearly needed, it is expected that the first year or two of operation might not generate profit.

In 2024, the income from the hall was £11,641 and the expenditure was £14,158. The loss was therefore £2,517. According to the applicant's planning statement, the loss in this year was £13,483. Therefore, the information provided contradicts itself. Furthermore, this only covers one year and this does not necessarily indicate the site is not viable.

The unauthorised storage use then began in February 2025 and as such, it is unclear what the income and expenditure could have been this year.

It is considered that the following matters are key operating costs; heating and electric, licensing fees, insurance, council tax, water, servicing of equipment and facilities, cleaning, internet provision, maintenance. This list is not exhaustive. The applicant has not summarised how much these are for the hall. Therefore, it is difficult to assess what the general costs are to operate the building every year, in order to establish how much income would be required each year on average.

Within the previous submission, the applicant set out that they considered that the site is not economically viable due to the lack of interest in the use of its facilities. The applicant has provided

some evidence of this. The applicant considered that regular bookings could not be sustained due to reducing demand and that attempts were made to accommodate the needs of users.

Within the current submission the applicant has only provided accounting figures from the British Royal Legion from 2009 to 2016 (excluding the year ending 2012). These figures show that there was a net deficit each year (except the year ending 2012 as these figures are omitted). Whilst this might indicate a pattern of a lack of profitability, these figures do not include the years 2016 up to 2021 when the applicant took over the hall.

Notwithstanding the lack of information that has been submitted with the current submission, it is recognised that the applicant previously provided accounting information for 2024, which showed a net loss. Prior to 2024, it appeared that the hall was only opened in August 2023 and as such from 2021 to 2023, the hall was not used in a typical way. Therefore, it is not considered that accounting figures from 2009 to 2016 or from 2024 are sufficient to demonstrate that the hall is no longer viable in the long term. As such, the requirements of part 1b have not been fully addressed.

Part 1c

In terms of part 1c, it needs to be clearly demonstrated that the facility is not fit for purpose. Previously, the applicant set out that the hall was unfit for purpose due to access and layout constraints. For example, the narrow loading doors and the absence of secure back of house storage deterred caterers. The previously submitted statement set out that "substantial investment" is required to invest in the hall's heating, lighting and acoustic performance to bring these up to modern hire standards. It was implied that the lack of compliance with these standards deterred potential users. As previously referenced, a bid was rejected in 2021 to turn the site into an Asset of Community Value. The bid was partly rejected due to insufficient evidence that the Crowland Cares community group could fund repairs and renovations to the building. Therefore, this helps to corroborate the applicant's current justification.

Whilst there is an area for parking at the rear of the site, this is partly used for the nursery within the building. It appears that the lack of dedicated parking for the hall is a drawback to the use of the hall which potentially discourages users. However, it is not considered that the space is unfit for purpose and, therefore, the proposal does not clearly accord with part 1c.

Part 1d

The site does not comprise recreational open space and as such part 1d is not relevant in this case.

Part 2

In terms of part 2, it needs to be clearly demonstrated that the facility will be replaced elsewhere with an equivalent or better provision. In this case, the loss of the community hall is not proposed to be replaced elsewhere; however, the applicant previously set out that they consider that previous users of the hall can use facilities elsewhere including Crowland Leisure and Wellbeing Centre. The centre is approximately 0.6 miles from the site. Within the centre, there is a hall for hire which according to the centre's website costs £20 per hour. This is similar to the cost of hiring the community hall when it was open, based on a review of the previously submitted information. It is unclear if the sports hall has facilities such as a food preparation area though. Therefore, it is unclear if the centre can be viewed as providing equivalent or better facilities and it is not considered that the requirements of Part 2 have been clearly addressed.

The applicant also considers that users could instead use Crowland Community Hub which is 0.3 miles from the site.

Neither of these facilities has been provided by the applicant and as such, the proposals would not result in an equivalent or better provision elsewhere.

Part 3

Part 3 is not relevant in this case as the site does not comprise a sports facility or recreation open space.

The loss of community facilities such as the community hall is generally resisted as such facilities can play an important role in terms of bringing communities together and providing space for

community gatherings. In this case, it is considered that the principle of development is unacceptable as the proposals do not accord with Policy 32 of the Local Plan or Paragraph 98 of the NPPF.

Impact on Amenity

Paragraph 135 of the NPPF states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of Local Plan sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

Within the building there is a nursery which was granted planning permission under application H02-0945-22. The nursery is located within the southern portion of the building.

The nearest dwelling to the site is 67 Broadway which is located to the east of the site. 1 Chapel Street is located to the west of the site on the opposite side of Chapel Street and 3 Chapel Street is located to the south-west. In terms of the potential impact on the nearest dwellings, the proposed use is not likely to involve significant numbers of people accessing and leaving the site as the proposal is for storage rather than a use that generates significant levels of employment for example.

The public representations have raised some concerns with the potential disruption from deliveries to and from the site. According to the previous submission, the site is proposed to be used via an appointment-only system for the tenant's retail operation. The site is not proposed to be open to members of the public and as such, the site is not proposed to be used by multiple businesses or users.

Within the previous submission, a statement set out that the tenant is expected to visit the site once or twice per week on average to collect or replenish stock. All visits will be arranged by prior appointment and will take place between 10am to 2pm, Monday to Sunday. This is considered to be a reasonable timeframe to confine deliveries to, and this could be secured by condition. The statement sets out that each delivery and collection is expected to last approximately 20 minutes and that a single commercial van will be used rather than a lorry.

Therefore, the proposed use of the land is expected to have an acceptable impact on the amenity of the nearest dwellings. As such, the proposed development accords with the provisions of the Section 12 of the NPPF and Policies 2 and 3 of the Local Plan.

Highway Safety and Parking

Paragraph 116 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, following mitigation.

Policy 2 of the Local Plan sets out that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation.

Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the Local Plan, in conjunction with Appendix 6, sets out minimum vehicle parking standards.

No alterations are proposed to the site access as a result of the proposals. There is a car park located to the rear of the site on Chapel Street. No employees are proposed to be on site as part of the proposed change of use. Delivery drivers are proposed to access the site to deliver and collect

stock. As set out previously, the applicant proposes for deliveries and collections to be undertaken once or twice per week between 10am and 2pm. Deliveries are expected to be undertaken by a commercial van rather than a lorry.

It is noted that concerns are raised within the public representations regarding parking concerns and highway safety. Within the previous submission, the applicant set out that approximately once every six months, it is proposed for a lorry to deliver goods to the site. These deliveries are proposed to take place at the weekend, outside of peak traffic times and the lorry is proposed to park within the on-site car park rather than on the neighbouring roads. The delivery period is likely to take approximately one hour. The nursery within the site is not open at the weekends. Condition 5 of permission H02-0945-22 restricts the opening hours for the nursery from Mondays to Fridays. Therefore, the proposed delivery arrangements should not result in an unacceptable degree of disturbance, inconvenience or highway safety concerns given the infrequent nature of larger deliveries.

No employees are proposed and as such, the only people accessing the site would be delivery drivers who will deliver and collect stock form the site. Therefore, the only need for parking will be for deliveries to take place.

Lincolnshire County Council's Highways and SUDS team have not raised any objections to the proposals.

Therefore, the proposal would have an acceptable impact in terms of highway safety in accordance with Policies 2, 3, 33 and 36 of the Local Plan, as well as Section 9 of the NPPF.

Biodiversity Net Gain

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) requires developers to deliver a minimum of 10% Biodiversity Net Gain using standardized biodiversity units measured by statutory biodiversity metrics. This is often referred to as the mandatory requirements for Biodiversity Net Gain.

"Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits".

The biodiversity gain condition is a pre-commencement condition. This relates to a condition that seeks, once planning permission has been granted, a Biodiversity Gain Plan that must be submitted and approved by the planning authority before commencement of the development, alongside the need to submit a Habitat Management and Monitoring Plan.

The effect of Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition".

The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:
(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan, or
(c) the development is exempt from the biodiversity gain condition.

When taking the above into account, the development in this instance the application is exempt from the statutory 10% Biodiversity Net Gain requirements.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The loss of community facilities such as the community hall is generally resisted as such facilities can play an important role in terms of bringing communities together and providing space for

community gatherings. In this case, it is considered that the proposals do not accord with Policy 32 as insufficient information has been provided to demonstrate that the hall is no longer needed or viable.

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.

Conclusion

The proposed development would result in the permanent loss of a community facility. It has not been clearly demonstrated that hall is surplus to requirements, that the hall is not economically viable, that the hall is unfit for purpose, or that a suitable facility would be proposed elsewhere to compensate for the loss of the space. Therefore, the proposal does not accord with Policy 32 of the Local Plan or Paragraph 98 of the NPPF, which amongst other things, seek to protect community facilities.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be refused under delegated authority.