DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H03-0145-21**	**Applicant:**	**Mr K Crapper**
Proposal:	Change of use of former public house car park to car storage area and security fencing		
Location:	The Bluebell Inn Main Road Hop Pole		
Terminal Date:	14th April 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019	
07	Improving South East Lincolnshire's Employment Land Portfolio
01	Spatial Strategy
02	Development Management
03	Design of New Development
30	Pollution

National Guidance

National Planning Policy Framework 2019

Section 12- Acheiving well designed places

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	1	0
OTHER STATUTORY BODIES	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

This is a full application seeking permission for a proposed change of use of the former public house car park to car storage and with the erection of the fence around the boundary for security purposes.

Site Description

The site is outside of defined settlement limits to the south west of Deeping St Nicholas and is situated to the south of Main Road. There is a variety of development within the area (including residential), which is dispersed along the north of Main Road. The existing car park is situated to the north east of the former public house of The Bluebell Inn.

History

No relevant planning history.

Consultation Responses

Deeping St Nicholas Parish Council - No objections.

SHDC Environmental Protection Officer - No objections.

Local Highway and Lead Local Flood Authority - Does not wish to restrict the grant of permission.

Planning Considerations

Principle of development

The site is located outside of the settlement boundary of Deeping St Nicholas as indicated in the South East Lincolnshire Local Plan (SELLP), 2019. The site is therefore considered to be located within the countryside, where new development is typically restricted (Policy 1 of SELLP).

Notwithstanding this, the site is a pre-existing car park and such uses as that proposed are particularly difficult to locate as they are not suited to town centre sites and are an inefficient use of serviced industrial land if they are located on established industrial estates. Therefore a site outside of a built-up area would seem a more suitable solution. Furthermore, Policy 7 of the Local Plan states that new businesses outside of allocated employment sites will be supported provided that the proposal involves the re-use of previously-developed land or the conversion/re-use of redundant buildings. Given that the current use makes use of previously-developed land and involves the use of a redundant car park it is considered that it is, in principle, acceptable.

Compliance with Policy 7 of the SELLP - Improving S E Lincolnshire's Employment Land Portfolio

This proposal is assessed against SELLP Policy 7 - Improving S E Lincolnshire's Employment Land Portfolio. The application should be considered against the criteria of "Other Employment Sites".

The development is not considered to conflict with neighbouring land uses. There is a property to the west (the former public house), however storage uses are typically low noise generators and there have been no objections from residents or the council's Environmental Protection Officer.

The proposed car storage area is not considered to impact upon the character and appearance of the area, as the site is a pre-existing car park so the impact would be no different than if the car park were in full use. However, northern boundary hedging is recommended to screen and obscure the view of the car storage area and associated fencing from the street scene and will provide visual and biodiversity enhancement once established.

Limited changes are proposed, therefore there is limited need for the design to be responsive to the local context. There is an opportunity for hedging to be planted along the boundary with Main Road to provide visual and biodiversity enhancement once established.

The proposal to create a storage area for cars is not considered to materially impact the local

highway network as the usage is for storage purposes only. This parking provision is not considered to significantly increase vehicular movements. The County Highways Officer has no objections to the proposal.

There is not considered to be an adverse impact on the viability of other allocated employment sites given the scale of the site.

The proposal does not facilitate a modal shift away from the private car as the site is not readily accessible by public transport.

However, there is an identified need for the business to be located outside of identified employment areas on the Policies Map. Such uses are particularly difficult to locate as they are not suited to town centre sites and are an inefficient use of serviced industrial land if they are located on established industrial estates. A pre-existing unused car park would seem to be ideally suited for the proposed use.

Overall, it is considered that the proposal satisfactorily accords with Policy 7 of the SELLP.

Impact upon character and appearance of the area

It is not considered that the proposed car storage area will have a material adverse impact upon the character and appearance of the surrounding area. It is a pre-existing parking area and the only change proposed is the installation of security fencing. Furthermore, a condition for hedging along the north-western boundary has been recommended to screen and obscure the view of the car storage area and proposed fencing from the street scene to provide visual and biodiversity enhancement once established.

Taking the above into account, the proposed change of use to a car storage area and proposed fencing is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2019 in terms of character and appearance.

Residential Amenity

The proposed change of use to a car storage area will not cause a significant detrimental impact to residential amenity. There is a property to the west (the former public house), however storage uses are typically low noise generators and there have been no objections from residents or the council's Environmental Protection Officer. A condition will be added precluding the installation of any lighting without planning permission in the interests of residential amenity.

Taking the above into account, the proposal is deemed to comply with Policies 2, 3 and 30 in the SELLP, 2019 and Section 12 in the NPPF, 2019 in terms of residential amenity.

Increase in vehicular movements

The proposal seeks to store a maximum of 20 cars on the site. It is not considered that there will be a material increase in vehicular movements as a result of this proposal for storage.

The County Highways & SUDS Officer has no objections to this proposal.

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 car storage area will not materially harm the character or appearance of the locality or amenity of nearby residents and is considered to comply with the relevant employment provisions of the Local Plan.

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 proposal is considered to be in accordance with Policies 1, 2, 3, 7 and 30 of the South East Lincolnshire Local Plan, 2019.

A delegated approval is considered to be appropriate.