DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H08-0145-25**	**Applicant:**	**Bacon and Webb Ltd**
Proposal:	Change of use and alterations (internal and external) to Former Plumber's Merchant, along with conversion of an existing detached workshop to form a total quantum of five independent flats (3x flats within main building and 2x flats within workshop)		
Location:	31-33a High Street Gosberton Spalding		
Terminal Date:	20th June 2025		

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
06	Developer Contributions
10	Meeting Assessed Housing Requirements
17	Providing a Mix of Housing
29	The Historic Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

Section 4 - Decision-making
Section 5 - Delivering a sufficient supply of homes
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 16 - Conserving and enhancing the historic environment

Representations:

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

SHDC INTERNAL	0	0	1	2
OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application that seeks permission for the change of use and alterations (internal and external) to the Former Plumber's Merchant at 31-33a High Street in Gosberton, along with the conversion of an existing detached workshop to the rear to form a total quantum of five independent flats (3x flats within main building and 2x flats within workshop).

It should be noted that proposals description during this application was altered to make it easier for the public to understand the proposed works. The previous description read the following:

"Alterations to existing property at ground floor (Former Plumber's Merchant) to create a change of use to a 2 bed 3 person flat including the conversion of an existing detached workshop to create 2 No 1 bed 2 person flats."

Site Description

The application site is located on the eastern side of High Street in Gosberton within the Gosberton Conservation Area and comprises a two storey building to the front of the site, with a single storey workshop building to the rear.

The site is located within a residential area and is surrounded by dwellings of varying designs to the north east and south, with a playing field to the west.

History

H08-0255-86 - Full - Proposed alteration and change of use of ground floor from domestic to shop - Approved

H08-0372-87 - Full - Two sun blinds (folding type) on shop windows - No history

H08-0779-99 - Change of use to office or retail with ancillary storage - Approved 29.09.1999

H08-0574-03 - Full - Change of use to office, retail, food preparation with ancillary storage - Approved 13.08.2003

H08-0040-05 - Lawful Development Certificate - Use of front buildings as ground floor offices and two first floor flats, plus use of rear building for storage - Refused 07.03.2005

H08-0330-05 - Full - Change of use of frontage building to ground floor office and use of warehouse for storage in relation to plumber's equipment - Approved 25.04.2005

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

LCC Highway and Lead Local Flood Authority

Recommendation: No objection

The proposal is for Alterations to existing property at ground floor (Former Plumber's Merchant) to create a change of use to a 2 bed 3 person flat including the conversion of an existing detached workshop to create 2 No 1 bed 2 person flats and it does not have an impact on the Public Highway or Surface Water Flood Risk.

Lincolnshire County Council does not have adopted parking standards and considers each application on its own merits. This proposal has three spaces, and whilst it is possible that the development may result in more parking demand than these spaces, there is parking available on the highway in the vicinity, and it is therefore not considered that this proposal would result in an unacceptable impact on highway safety.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response regarding drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application, and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Historic Environment

Thank you for consulting us on this application. Having reviewed the application documents and the updated available Historic Environment information for this application, the proposal is unlikely to have an impact on significant archaeological remains. Consequently, no further archaeological input is necessary for this application. It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

Conservation Officer

No objections. The application does include proposals for UPVC, which is typically unjustified in a conservation area setting. However, the host property already extensively features UPVC fenestration, and so a requirement for timber would be unreasonable and create a visual inconsistency. Other visual alterations to the property would not be readily visible from the public realm.

SHDC Environmental Protection Officer

No comments regarding land contamination or environmental protection

Conservation Assistant (Tree Preservation)

Is it a property where bats have been recorded at any point? Check county records. If evidence a survey may be required if proposed to alter roof.

Public Representation

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, one letter of representation has been received.

These can be summarised as follows:

- Close proximity to boundary of 11 Poplar Drive
- Many things are a concern
- Workshop not fit for purpose
- There is asbestos in the roof of the workshop
- Parking very limited
- HMO comes to mind
- Car fumes are a concern
- Noise concern
- Privacy concerns

Evaluation

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.

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms 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 (updated December 2024) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals. In this instance, no relevant neighbourhood plans have been adopted.

The Authority is able to demonstrate a supply of deliverable sites equivalent to in excess of 5 years through the latest Housing Land Supply Assessment.

Principle of Development and Sustainability

The South East Lincolnshire Local Plan (2019) sets out the settlement hierarchy in respect of delivering sustainable development that 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 housing need, whilst making more sustainable use of land and to minimise the loss of high-quality agricultural land by developing in sustainable locations and at appropriate densities.

Policy 1 of the South East Lincolnshire Local Plan (2019) sets out a spatial strategy for delivering sustainable development across South East Lincolnshire to 2036. Policy 1 (Spatial Strategy) expresses this sustainable framework 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 in respect of sustainable development 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.

Policy 1 (Spatial Strategy) of the South East Lincolnshire Local Plan (2019) indicates that within 'Minor Service Centres', development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities. This policy goes on to detail that development within 'Minor Service Centres' will normally be limited to Allocated and Committed sites and infill.

The application site in this instance is within Gosberton, a 'Minor Service Centre', and lies within the defined settlement boundaries as detailed by Policy 1. In context of this, the principle of residential development within this location is considered to be appropriate, comprising an appropriate form of development for the location and would be in accordance with the overall principles of the spatial strategy.

Policy 7 however, relates to Improving South East Lincolnshire's Employment Land Portfolio, stating

the following:

"Conversion and redevelopment of, or change of use from, existing non allocated employment sites to non-employment uses will be considered on their merits taking account of:

1.whether the loss of land or buildings would adversely affect the economic growth and employment opportunities in the area the site or building would likely serve;
2.whether it is demonstrated that the site is inappropriate or unviable for any employment use to continue and no longer capable of providing an acceptable location for employment purposes; and
3.whether the applicant has provided clear documentary evidence that the property and/or land has been appropriately but proportionately marketed without a successful conclusion for a period of not less than 12 months on terms that reflect the lawful use and condition of the premises."

When assessing the proposal against Policy 7, the application has not been supported by any evidence to suggest that the Plumber's Merchant was surplus to requirements, not economically viable or unfit for purpose. Furthermore, the applicant has not provided clear documentary evidence that the property has been appropriately but proportionately marketed without a successful conclusion for a period of not less than 12 months on terms that reflect the lawful use and condition of the premises in order to satisfy Policy 7. As such, the proposal is not considered to be in accordance with the requirements of Policy 7 of the South East Lincolnshire Local Plan when viewed in principle.

Notwithstanding the above, there are already two flats within the upper floor of the two storey building; it is also considered that the Plumber's Merchant is surplus to requirements, as the Plumber's Merchant has clearly ceased operation at that location, although the date is unknown, on Company's House, the registered office address changed from the application site to a different site in March 2024.

In light of the above, whilst not strictly being in accordance with the Local Policy listed above, the current use could be considered surplus to requirements. Therefore, on balance, when also considering that the proposal in broad principle in that residential development within the settlement boundary of a 'Minor Service Centre' would be acceptable, the development is considered acceptable in principle.

Layout, Design and Consideration of the Character and Appearance of the Area

Section 12 of the National Planning Policy Framework (December 2024) specifically relates to 'Achieving well-designed places' and details that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the National Planning Policy Framework (December 2024), states that new development should function well and add to the overall quality of the area (beyond the short term and over the lifetime of the development) and should be visually attractive as a result of good architecture, layout and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing.

Development proposals should also ensure that developments 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, among other considerations.

Likewise, Policy 2 of the South East Lincolnshire Local Plan (2019) outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework (December 2024), in that it requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the National Planning Policy Framework (December 2024) and require that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

Notwithstanding the above, the application site is located within Gosberton Conservation Area. In respect of any buildings or other land in a conservation area, special attention must be paid to the desirability of preserving or enhancing the character or appearance of that area, through Section 72 the Planning (Listed Buildings and Conservation Areas) Act 1990.

The National Planning Policy Framework (NPPF) (December 2024) expresses the importance of considering the impact of development on the significance of designated heritage assets; advising that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.

Section 16 of the National Planning Policy Framework (December 2024) states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

The application seeks the conversion of the ground floor of the existing two storey building, as well as the conversion of the workshop/garage to the rear into residential units, together with alterations to the existing residential upper floor. The application site is located within a residential area, and it is therefore considered the proposed change of use from a Plumbers Merchant into residential units would not be at odds with the surrounding area.

Some external alterations are proposed to the two storey building with the majority of changes being internal. The alterations include the removal of a side window and the openings filled in on the southeast elevation, the removal of an external door and the openings filled in on the northwest elevation, and the removal of an external door and the openings filled in on the northeast elevation. The final external alteration to the two storey building is the new proposed flat roof link between the latest flat roof rear extension of the building and the existing building to the front, this is to allow more roof height for the existing first floor flats. It is considered that the external alterations are all relatively minor and the change of use would not materially harm the character or appearance of the existing building or the surrounding area.

The external changes proposed to the single storey building to rear include the removal of the garage door to the southwest elevation with two replacement windows, the enlargement of two windows on the southeast elevation, along with the relocation of the existing door on the southeast elevation toward to the northeast and the creation of two new windows. To the northwest elevation two roof lights are proposed, the remaining alterations are all internal changes. It is considered that the external alterations are all relatively minor and the change of use would not materially harm the character or appearance of the existing building or the surrounding area.

Taking account of the design, scale and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan (2019) and Section 12 and 16 of the National Planning Policy Framework (December 2024).

Impact on Residential Amenity/Land Users

Paragraph 135 of the National Planning Policy Framework (December 2024) 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 South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The conversion of the Plumber's Merchant to residential units is considered, to some extent be less intensive or intrusive and have the potential to comprise less of an impact upon the occupiers of nearby residential properties in terms of noise, general disturbance, lack of privacy, etc. The use of the built form as residential units is not considered to result in an unacceptable or disturbing nature to the occupiers of neighbouring properties.

The proposed development is considered to form an appropriate design as to minimise the potential for overlooking to the existing neighbouring dwellings. Although the building is within close proximity to neighbouring dwellings to the north No. 39 High Street, to the east 11 Poplar Drive, to the south 27 High Street and to the north west 35 High Street there are existing boundary treatments that provide suitable screening, to ensure that there shall be no overlooking as a result of this conversion being carried out.

It is noted that the windows to the south east elevation face towards the nearby neighbouring property. However, the first floor windows are existing and currently, prior to this application, serve a residential flat As such, the proposal would not give rise to any additional detrimental impact. The ground floor windows to this elevation have been reduced, from those currently serving the Offices. Whilst this remaining window is of a fairly high level for a ground floor window, the outlook would not give rise to additional overlooking or loss of privacy when viewed in respect of the existing first floor relationship of an established and permitted flat.

The workshop building to be converted comprises a ground floor, further reducing the extent of outlook from the property towards neighbouring properties.

As such, the proposed development will not have a material adverse impact on residential amenity, in terms of creating overlooking, loss of privacy or loss of lights to neighbouring dwellings.

An asbestos survey has been submitted as part of this application. This survey shows that there is currently asbestos within the building. Recommendations for its removal have been provided within this survey. The steps taken are considered proportionate, given the existing conditions on the site and the legislative support for the removal of asbestos to ensure its safe removal.

As detailed above, the scale and design of the proposal is considered to be such that there would be no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the provisions of the Section 12 of the National Planning Policy Framework (December 2024), and Policies 2 and 3 of the South East Lincolnshire Local Plan (2019).

Highway Safety and Parking

Section 9 of the National Planning Policy Framework (December 2024) specifically relates to 'Promoting sustainable transport'. Paragraph 116 of the National Planning Policy Framework (December 2024) advises 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, following mitigation, would be severe, taking into account all reasonable future scenarios".

In respect of highway matters, Policy 2 details 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.

Further, Policy 36, to be read in conjunction with Appendix 6, of the South East Lincolnshire Local Plan (2019), sets out minimum vehicle parking standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

The existing access is to remain with three parking spaces to the rear, whilst it is possible that the development may result in more parking demand than these spaces, there is parking available on the highway in the vicinity, and it is therefore not considered that this proposal would result in an unacceptable impact on highway safety.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan (2019), and Section 9 of the National Planning Policy Framework (December 2024).

Flooding Considerations

Section 14 of the National Planning Policy Framework (December 2024) explains that "Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere".

This goes on to state, within Paragraph 172, that all plans "should apply a sequential, risk-based approach to the location of development - taking into account all sources of flood risk and the current and future impacts of climate change - so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: a) applying the sequential test and then, if necessary, the exception test as set out below".

Paragraph 173 of the National Planning Policy Framework (December 2024) goes on to state that "A sequential risk-based approach should also be taken to individual applications in areas known to be at risk now or in future from any form of flooding", by following the steps set out within Section 14 of the National Planning Policy Framework (December 2024).

Paragraph 174 goes on to state that, "Within this context the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding", with the strategic flood risk assessment being the tool to demonstrate this.

Paragraph 175 details that "The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk)".

If, following the application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in Zones with a lower probability of flooding, the Exceptions Test can be applied if appropriate.

The site lies within Flood Zones 3 of the Environment Agency's Flood Maps. These have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences.

The South East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how flood risk has been considered in shaping the proposals of the Local Plan; including the spatial strategy and the assessment of housing and employment sites. Policy 4 of the South East Lincolnshire Local Plan (2019) is clear in that "Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted" in instances where specific criteria is met.

It is worth noting that large parts of the district of South Holland lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the South East Lincolnshire Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test.

In this case, the site is located within Flood Zone 3 of the Environment Agency's Flood Maps and an

area of no hazard within the South Holland Strategic Flood Risk Assessment. However, the proposal involves the re-use of an existing building, plus the South Holland Strategic Flood Risk Assessment indicates that the site is within an area identified as no hazard. No objections are therefore raised on flood risk grounds. The site is therefore considered to be suitable in this case, as such, there are no relevant mitigation measures that will need to be applied should the application be approved.

Overall, when considering the development on balance, it is considered that given the mitigation measures detailed and recommended by condition, the proposal accords with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan (2019) and the intentions of the National Planning Policy Framework (December 2024) in this regard.

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.

For applications that are submitted prior to the introduction of this requirement, the development would be exempt from the mandatory 10% requirement and as such, the Biodiversity Gain Condition would not apply. However, this application was submitted following the introduction of this legislation. As such, unless comprising development that is exempt from this mandatory Biodiversity Net Gain (10%), a condition would be required, as mandatorily set.

When taking the above into account, the development in this instance is exempt from the statutory 10% Biodiversity Net Gain requirements. In this instance, a Biodiversity Net Gain Statement was submitted with the application. It is considered that the application is subject to the de minimis exemption, due to the proposal not impacting a priority habitat and the development impacts less the 25 square metres of onsite habitat.

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 proposal represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking, whilst conforming with the South East Lincolnshire Local Plan (2019) and the provisions of the National Planning Policy Framework (December 2024) when viewed as a whole.

In this instance, there are no material considerations that weigh against the proposal and as such,

the planning balance is in favour of the development.

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

Taking into consideration these factors, the proposal is considered to comply with Policies 1, 2, 3, 4, 29 and 36, along with Appendix 6, of the South East Lincolnshire Local Plan (2019); in addition to the identified sections contained within the National Planning Policy Framework (December 2024). Notwithstanding the aforementioned minor conflicts, there are no significant factors in this case that would outweigh the benefits of the proposal; therefore, in considering all the matters raised above the planning balance is in favour of the proposal and the policies referred to above.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.