DECISION DELEGATED TO DEVELOPMENT MANAGER

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| **Application No:** | H08-0626-20 | **Applicant:** | Mr & Mrs Waterson |
| **Proposal:** | Proposed provision of stud walls, form opening to existing internal wall, provision of fire resistant door and installation of false ceilings | | |
| **Location:** | 2 Wargate Way Gosberton Spalding | | |
| **Terminal Date:** | 9th November 2020 | | |

**Planning Policies**

**South East Lincolnshire Local Plan - Adopted: March 2019**

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|---|---|
| 01 | Spatial Strategy |
| 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 (2019)

**Representations:**

| | Object | Support | No Obj. | Comments |
|---|---|---|---|---|
| PARISH COUNCIL | 0 | 0 | 0 | 0 |
| WARD MEMBER | 0 | 1 | 0 | 0 |

CASE OFFICER ASSESSMENT

**Proposal**

This full planning application is for the change of use of the ground floor of 2 Wargate Way to a tearoom with the domestic element above ground floor retained as a flat. The proposal includes some minor interior alterations including creation of new doorway openings and the installation of some new stud walls.

**Site Description**

2 Wargate Way is a Grade II listed property in the centre of Gosberton, featuring in the Gosberton Conservation Area (GCA). The building itself is a mid-C19th commercial property converted into a single dwelling, although retaining the original timber shop frontage. Historic England describes the building as such:

"*Former house and shop, now house. Mid C18, altered C19. Red brick in flemish bond, pantile roof with raised stone coped gables, single ridge and gable stacks. 2 storey, 3 bay front with to right a 6 panel door, a glazing bar sash to left and a double door with bordered lights, flanked by large glazing bar shop windows set in a wood pilastered surround with plain cornice. To first floor are 3 glazing bar sashes. All openings have segmental brick heads.*

The immediate area is charactersied by urban residential development, mostly of a C19th-mid-C20th nature. The site is adjacent to the similarly Grade II listed 4 Wargate Way and also features prominently in views of and from the nearby Grade I listed Church of St Peter and St Paul.

## History

None relevant

## Consultation Responses

Cllr Walsh - Local Ward Member

Whilst it is important to preserve Heritage as much as possible, development must also be allowed where appropriate and where it supports local sustainability. To allow this, changes to interiors must be enabled and a happy medium struck. It is felt that a tea room would be a suitable and beneficial addition to the village. The potential impact upon the area of increased traffic and parking must, however, be a consideration.

## Planning Considerations

Heritage Impact

The Local Planning Authority does not consider there to be any risk presented to the value or significance of the listed structure or the GCA as whole. This is because the proposal suggests to make absolutely no external alterations to the building, meaning that from a GCA perspective, there should be absolutely no impact. With regards to the listing, it is noted that some internal removal and installation of walls is proposed to slightly alter the internal layout, however, the Local Planning Authority does not consider this to have a material impact upon the value or significance of the property as the proposed removal of original material is minimal in scale and the new additions are proposed to be fully reversible stud walls.

Furthermore, the property's original purpose was as a commercial endeavour with associated flat. To restore this state as proposed would be the ideal situation when considering the authenticity of the listing.

For the reasons listed above, this application is considered to help to Enhance the Historic Environment by adapting a listed structure to a viable use, without impacting significantly upon the material of the structure or external visage whilst also restoring the authentic, original use of the structure.

## Conclusion

The Local Planning Authority considers this application to be in accordance with Policies 1, 2, 3, 29,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.