DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H08-0937-20**	**Applicant:**	**Mr M Culy**
Proposal:	Change of use from residential to E (g)(i) offices to carry out administrative/operational functions in connection with home care for the elderly company and to include the erection of a shed.		
Location:	Bromley House Chesboule Lane Gosberton Risegate		
Terminal Date:	14th December 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
07	Improving South East Lincolnshire's Employment Land Portfolio
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 6 & 12 of the National Planning Policy Framework (2019)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for a change of use from residential to E (g)(i) offices to carry out administrative/operational functions in connection with home care for the elderly company and to

include the erection of a shed at Bromley House, Chesboule Lane, Gosberton Risegate. The proposal seeks to utilise the dwelling for the operational and administrative functions of a care home. A shed 8 metres long and 3.5 metres wide, with an eaves height of 3 metres and a maximum apex height of 4m will be sited one metre away from the northern side boundary of the site. The shed will be constructed from wood with a felt roof.

A 1.83 metre high fence will be erected at the boundaries, stopping 3 metres from the frontage to allow for good vision for vehicles exiting the site. The rear garden will be gravelled for use as a car park. The office would operate 07:00 to 17:00 Monday to Friday only, and would operate with 4 employees. An existing corrugated steel shed will be removed to facilitate the proposal.

Site Description

The proposal site is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design. The site is in Environment Agency Flood Zone 3, and is not subject to increased flood depth or hazard on the 2115 South Holland Strategic Flood Risk Mapping.

History

H08-0229-18

Outline - Residential development - Approved - 28 August 2018.

H08-0906-18

Outline - Residential development (re-application of H08-0229-18) - Approved - 24 October 2018.

Consultation Responses

None received.

Planning Considerations

Assessment against South East Lincolnshire Local Plan (SELLP) Policy 1 - Spatial Strategy

This proposal is assessed against SELLP Policy 1 title - Spatial Strategy. The relevant section of this policy relates to the placement of Gosberton Risegate in the settlement hierachy. This section is titled "Other Service Centres and Settlements" and states:

"Within the settlement boundaries of the Other Service Centres and Settlements (as shown on the Inset Maps) 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. Development will normally be limited to Committed sites and infill."

The proposal is considered to help sustain existing facilities and meet the service needs of other local communities by providing an administrative hub for a care home. The dwelling will not be altered or extended and is already in existence, in an established row of development, therefore the proposal is considered to accord with SELLP Policy 1.

Assessment against SELLP Policy 2 - Development Management

This proposal is assessed against SELLP Policy 2 titled - Development Management. This policy states:

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:
1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;

7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets;
9. impact on the potential loss of sand and gravel mineral resources."

When assessed against the above relevant criteria the following can be observed:

1. The size, scale and layout of the proposed shed is considered to be appropriate for the site. A small amount of weeds will be removed to facilitate the proposal. The character and appearance of the site is not considered to be impacted by this proposal given that no external alterations to the property are proposed and the shed would be sited to the rear.

2. The design and orientation is considered appropriate for the site and does not present as being dissimilar to any other dwelling in the vicinity.

3. The proposal does not seek to maximise the use of sustainable materials and resources.

4. Vehicular movements will be increased to the site, however not to a level that would materially harm residential amenity. Car parking provision will be increased by the gravelling of the rear garden.

5. Existing community services and infrastructure will not be impacted by this proposal.

6. The dwelling would be used for administrative purposes only and therefore there is not considered to be an impact on neighbouring land use from noise, odour or disturbance. Visual intrusion will be reduced by the introduction of a 1.83 metre high timber fence to the side and rear boundaries. The proposed shed would not be in close proximity to a boundary with any neighbouring property.

7. Sustainable drainage and flood risk will not be materially impacted by the introduction of a timber shed as it is would occupy a lesser footprint than the workshop that is to be removed.

The proposal is considered to generally accord with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

This proposal is assessed against SELLP Policy 3 titled - Design of New Development. This policy states:

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. 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.
Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:
1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
2. distinguishing between private and public space;
3. the landscape character of the location;
4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;
5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;
8. crime prevention and community safety;
9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;
10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);

13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;
14. the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;
15. the appropriate use or reuse of historic buildings.

When assessed against the above relevant criteria the following can be observed:

1. A sense of place will not be materially impacted as the dwelling will still present as a dwelling not an office.

3. The visual amenity of the area will be improved by the removal of the dilapidated workshop and the addition of a timber shed.

4. The site is not well placed for service by public transport. Staff will access the site by private motor vehicle.

5. The storage of recycling bins, general storage and bicycle parking will not be impacted by the proposal. The layout of car parking will be improved by the gravelling of the rear garden for parking and manoeuvring of private vehicles.

11. Residential amenity is not considered to be materially impact by this proposal. Aside from a small increase in vehicular movements, which are not uncommon in this area, there is not considered to be any impact on residential amenity. Such office uses are generally considered compatible with residential uses.

12. Sustainable drainage and flood risk will not be materially impacted by the introduction of a timber shed as it is would occupy a lesser footprint than the workshop that is to be removed.

The proposal is considered to accord with SELLP Policy 3.

Assessment against SELLP Policy 7 - Improving South East Lincolnshire's Employment Land Portfolio

Part of this policy states "New employment development/businesses or the extension of an existing business outside the above 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."

The site is taken to be previously development land and, as such, the proposal is considered to accord with SELLP Policy 7.

PLANNING BALANCE

The general thrust and aims of the National Planning Policy Framework, 2019 are to support sustainable business development and the proposal is considered to be in accordance with Policies 1, 2, 3 and 7 of the South East Lincolnshire Local Plan, 2019, as well as Sections 6 and 12 of the National Planning Policy Framework, 2019.

Conclusion

The 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.