DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-0484-24**	**Applicant:**	**Lincolnshire County Council**
Proposal:	Change of use of Minerva House to create children's services hub with early years provision, children's centre and sixth form accommodation including the creation of fenced external play areas		
Location:	University Of Lincoln Holbeach Campus National Centre For Food Manufacturing Park Road		
Terminal Date:	20th June 2024		

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
05	Meeting Physical Infrastructure and Service Needs
28	The Natural Environment
31	Climate Change and Renewable and Low Carbon Energy
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2023

Section 8 - Promoting healthy and safe communities
Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed and beautiful places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Description of Proposal

This is a consultation for Lincolnshire County Council for the change of use of Minerva House, located at the University of Lincoln Holbeach Campus National Centre for Food Manufacturing, to create a children's services hub. This would include the provision of an early year's centre, a children's centre, sixth form accommodation and offices. These proposed uses would replace the existing use as an agricultural/ food research hub.

The southeast portion of the ground floor, as well as the southern section of the first floor, would be incorporated into the University Academy Holbeach campus, utilising the existing laboratories here. The northeast corner would become an early years centre, focussed on children under five. The central-western portion would be a children's centre, serving children up to nineteen years old. The far west of the ground floor and the eastern wing of the first floor would be retained for Lincolnshire County Council use. The building will be open from 7.30am - 6pm Monday to Friday to accommodate the Early Years provision. The Children's Centre will operate from 8.30am - 4.30pm.

Minor external changes are proposed. One new door would be added to the northeast elevation, while several, currently covered, windows will be returned to proper use.

Site Description

The site is within the settlement boundaries of Holbeach, as outlined within the South East Lincolnshire Local Plan, 2019. The site is located to the far north of the settlement, approximately 25 metres south of the A17. Minerva House is located to the north of University Academy Holbeach, with the two displaying a close physical and functional relationship. The building was formerly part of the wider Holbeach Technology Park, operated by the University of Lincoln.

The building itself is typical of the area. It is an amalgamation of functional appearing buildings which have become connected via previous extensions. The building is primarily flat roofed, clad in grey sheet metalling and white render. The site is well screened, and low lying, reducing its visual impact.

Relevant History

H09-0760-19 - Full. Creation of additional car parking spaces. Approved 09/10/19.

H09-0345-11 - County Council Reg 3. Proposed solar PV panels of roof of building. Approved 09/06/11.

H09-1312-06 - County Council Reg 3. Extension, additional parking and relocation of double mobile classroom unit. Approved 20/10/06.

H09-0523-06 - County Council Reg 3. Extension forming vocational, teaching and changing room accommodation, together with re-modelling of existing changing rooms to form vocational changing and ICT Suite, additional parking and replacement hardplay area. Approved 09/05/06.

H09-1406-02 - County Council Reg 4. Use of site for business (Class B1)/educational purposes, including new junction/estate road and refurbishment/extension of existing training centre. Approved 17/04/03.

Consultation Responses

South Holland District Council are a consultee to this application. As such, no formal consultation process was undertaken by the Council. Details of the consultation process conducted by Lincolnshire County Council can be found within the LCP9 form available on the South Holland District Council Website.

Key Planning Considerations

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.

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 2023 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Principle of Development

Policy 1 of the SELLP 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.

The site is within the settlement of Holbeach which is classed as a Main Service Centre within Policy 1. As such development will be permitted that supports Holbeach's role as a service centre, helps sustain existing facilities or helps meet the service needs of other local communities.

As the site is within Holbeach, development within this location is considered appropriate. The proposal would support the settlement's role as a main service centre and make a positive contribution to local education facilities.

Policy 5 of the SELLP, meeting physical infrastructure and service needs, outlines that there is a general deficit of education and child care facilities within South Holland. The policy specifically states that there is a need to expand primary and secondary school provisions within Holbeach. Therefore, some weight would be given in support of the proposal as it helps to achieve the aims of this policy.

Section 8 of the NPPF broadly outlines that planning decisions should generally support the delivery of education or wider infrastructure projects which benefit an area. Paragraph 99a states that planning authorities should "give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications". In line with this, weight is given in favour of the proposal.

Therefore, the proposal is considered to be in accordance with Policies 1 and 5 of the SELLP, as well as Section 8 of the NPPF. The principle of development on this site is considered acceptable subject to other material considerations being met.

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

Section 12 of the NPPF, "Achieving well-designed and beautiful places", states 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 NPPF, states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture 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. Developments 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, among other considerations.

Likewise, Policy 2 of the SELLP outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 of the SELLP 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 NPPF 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. 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 proposed external alterations are minor and would not be visible from the public realm. As a result, the character impacts of these alterations are limited.

The proposed use of the building, while partly falling within Class E, would be broadly consistent with the existing education use of the site. The change from higher education to younger students/ children would not significantly alter the character.

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 and 3 of the SELLP and Section 12 of the NPPF.

Impacts Upon Resident 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.

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

The nearest dwellings are located to the east and north, both over 75 meres away from the site. Busy roads separate Minerva House from these dwellings.

The proposal would not result in a significant increase in the intensity of the use of the site. The proposed hours are not considered to be unsociable and would not result in significant noise disturbance to nearby residents. In any event, any potential noise disturbance would likely be offset (to a certain extent) by the aforementioned roads.

Due to the nature of the proposal, no additional overshadowing would occur. The proposed reintroduction of windows in the north facing elevation would not significantly increase overlooking concerns as these windows would face onto the screening between the building and the A17.

As detailed above, the scale and design of the proposal is considered to have 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 Section 12 of the NPPF and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.

Highway Safety and Parking

Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this, Paragraph 115 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 would be severe".

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

Policy 36 of the SELLP, in conjunction with Appendix 6, sets out minimum vehicle parking standards for the district. One space per three employees is required.

It is for Lincolnshire County Council, as lead Highway Authority, to advise on the potential impacts of development upon highway safety. As such, the consultation response produced by the Highway Authority should be closely examined prior to a decision being reached.

The proposal would result in higher volumes of vehicular movements throughout the day, as parents pick and drop off their children. That being said, the proposed children's centre would replace the existing facility at Holbeach Primary Academy, with a comparable number of pupils. As such, the submitted transport statement states that the actual volume of traffic within the area would be unchanged (albeit relocated).

Measures to reduce private car dependency have been mooted as part of this proposal. While these provisions may help with regards to staff movement's, the impact upon the other site users (who would constitute the bulk of the site's movements) would be limited.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3, 33 and 36 of the SELLP, as well as Section 9 of the NPPF.

Flooding Considerations

Section 14 of the NPPF requires development plans to "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: applying the sequential test and then, if necessary, the exception test as set out below".

Paragraph 168 of the NPPF states " 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". The sequential approach is required in areas known to be at risk now or in the future from any form of flooding, with the flood risk assessment being the tool to demonstrate this.

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 SELLP 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 SFRA as a basis to apply the sequential test.

Within the SFRA the site is classed as danger for some, with a hazard depth of up to 0.5 metres.

Both the new and proposed uses would fall within the more vulnerable category. As such, the proposal would not result in a significant increase to the vulnerability of the site. Therefore, despite the significant flood risk of the site, the proposal is considered acceptable from a flood risk perspective.

That being said, the applicant is encouraged to incorporate flood risk measures where appropriate and feasible to do so as part of the wider refurbishment. Unintrusive measures such as raising plug sockets, removing carpet and placing storage above flood levels may help with the resilience of the building.

Overall, when considering the development on balance, it is considered, given the mitigation measures detailed and recommended by condition, that the proposal accords with Policies 2, 3 and 4 of the SELLP and the intentions of the NPPF with regards to flood risk.

Environmental Sustainability

In respect of the climate emergency, Section 14 of the NPPF states that new development should be planned for in ways that: 'avoid increased vulnerability to the range of impacts arising from climate change' with care taken to manage and adapt where development is brought forward in areas which are vulnerable; and that 'can help to reduce greenhouse gas emissions, such as through its location, orientation and design'.

Section 15 of the NPPF promotes the conservation and enhancement of the natural environment. Paragraphs 180 and 185 ensure sites of biodiversity value are protected through the planning system; while Paragraph 186 states that "if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused".

In line with both aforementioned sections of the NPPF, Policies 28 and 31 of the SELLP ensure the preservation and enhancement of the natural environment and that suitable mitigation and adaptation to the climate crisis is in place.

As the proposal is a change of use, with no extension to the scale of the building or hard surfaced area, the proposal is subject to the de minimis exception and as such does not need to demonstrate a 10% biodiversity net gain inline with the Environment Act 2021.

Taking the above into account it is considered that given the details submitted, and those required by suitably worded condition, the proposal is acceptable with regards to environmental sustainability. The proposal would therefore be in accordance with Policies 28 and 31 of the SELLP and Sections 14 and 15 of the NPPF.

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 SELLP and the provisions of the NPPF when viewed as a whole.

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 these factors into consideration, the proposal is considered to comply with Policies 1, 2, 3, 4, 5, 28, 31 33 and 36 of the SELLP, as well as Sections 8, 9, 12, 14, and 15 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.