

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H09-0857-21	Applicant:	EGM Insurance Brokers
Proposal:	Change of Use from Residential to Offices		
Location:	Distillery Farmhouse Welbourne Lane Holbeach		
Terminal Date:	6th October 2021		

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
07	Improving South East Lincolnshire's Employment Land Portfolio
08	Prestige Employment Sites
16	Holbeach West Sustainable Urban Extension
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

NPPF 2021.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	1	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	1	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

Change of Use from Residential to Offices.

SITE DESCRIPTION

The property is located to the west of the A17, within a complex of buildings, and is part of the allocated Holbeach Food Enterprise Zone (FEZ) site, that is subject to a Local Development Order and is partially under development.

It is the longer term intention that this building be demolished as part of the wider FEZ development in due course.

RELEVANT PLANNING HISTORY

Holbeach Food Enterprise Zone (FEZ) Local Development Order (LDO) was adopted on 20 November 2018.

No specific planning history related to this property.

CONSULTATION RESPONSES

SHDC Ward Member Cllr F Biggadike

Due to the large scale commercialisation of the land adjacent to this residential property along with the new access road I am unable to reach any other decision than to grant permission.

SHDC Inward Investment Manager

Wish to support this application, the Food Enterprise Zone is now being built out with considerable interest being shown by a number of companies, having an insurance business on site will enhance the offer, a residential use no longer fits with the overall use of the site.

South Holland Internal Drainage Board

No comments.

LCC Highway and Flooding Authority

Does not wish to restrict the grant of planning permission.

PLANNING CONSIDERATIONS

The main issues in this case are:

Principle of Development
Sustainability
Highway safety and parking

Principle of Development

The principle of the redevelopment of this property is accepted by the strategic intentions of the LDO and Policies 1, 7, 8 and 16 of the SELLP.

The continued use of the building in the short term as residential accommodation is not considered to be appropriate given the proximity of the works being undertaken on the wider FEZ site and

highway network. The occupation of the property as a dwelling would now result in inappropriate living amenities to an occupier, contrary to Policies 2 and 3 of the SELLP.

To leave it vacant would leave the risk of squatting and a tenant who would use the property for office and storage for a temporary period, has been identified. A 5 year flexible contract with a rolling break clause is intended to be put in place. The temporary use of the building until its demolition would be a direct benefit to a local employer and business.

It would not set a precedent for future planning applications due to the special circumstances of the LDO.

Sustainability

The site is part of the LDO proposal, which is considered to be a sustainable development in terms of detail as well as strategic importance.

Highway safety and parking

The site has a large area for informal parking that is more than adequate for the proposed use as office accommodation. It is not considered that the safety of the road network by vehicles or pedestrians would be impacted by this development.

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 change of use would accord with the strategic planning intentions of the Holbeach Food Enterprise Zone (FEZ) Local Development Order (LDO) and would not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking. Taking into consideration these factors, the proposal is considered to comply with Policies 1, 2, 3, 4, 29 and 36 and Appendix 6 of the South East Lincolnshire Local Plan (SELLP), 2019, plus advice within the National Planning Policy Framework (NPPF), 2021.

CONCLUSION

There are no significant factors in this case that indicate against the proposal and would outweigh factors in favour of the proposal and the policies referred to above.

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.

RECOMMENDATION

Delegated approval.

The application was considered by the Chairman's Panel meeting of 17 September 2021, where it was concluded that this application could be determined by delegation to the Head of Planning.