DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H13-0600-21**	**Applicant:**	**R Murray & P Summerfield**
Proposal:	Change of use of part of public house into shop & post office		
Location:	Golden Lion Inn 73 Seas End Road Moulton Seas End		
Terminal Date:	30th July 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
27	Additional Retail Provision
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

NPPF 2021
Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 6 - Building a strong competitive economy
Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	0	1
RESIDENTS	0	2	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

Full planning permission is sought for a change of use of part of the Golden Lion Inn Pub to a shop and a post office.

SITE DESCRIPTION

The site comprises a detached white rendered building located on the corner of Seas End Road and Pipwell Gate. The site is located within the Moulton Seas End settlement boundary. Entrance to the pub is off Seas End Road. There is a gravelled parking area to the north of the building. The immediate area is primarily residential with a mixture of single and two storey dwellings varying in size and design.

RELEVANT HISTORY

H13-0601-21 - Residential Development - Erection of Dwelling - Pending consideration

H13-0019-18 - Proposed extension - Approved

H13-0955-10 - Proposed extraction system - Approved

H13-0722-08 - Extension and alterations (re-submission after withdrawal of H13/0442/08) - Approved

H13-0442-08 - Extension and alterations - withdrawn

CONSULTATION RESPONSES

Moulton Parish Council

The Parish Council supports having a shop and post office in the village but only if permission for the building in the car park is refused as this would cause very big road safety issues with more cars parking on the sides of the road and poor visibility for both vehicles and pedestrians.

Environmental Health

No objection.

LCC Highways/SUDs

The proposed development is acceptable and accordingly, does not wish to object to this planning application.

Public

Two no. letters of support have been received commenting the following:
·This will provide a convenience to the local community as currently the nearest shop is 2 miles away.
·The development will provide additional employment in the village.

PLANNING CONSIDERATIONS

Principle of development

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.

Policy 27 of the South East Lincolnshire Local Plan, 2019 (SELLP) states that Individual local shops, leisure uses and services and small neighbourhood clusters of them which meet the day-to-day needs of nearby residents, without the need to use a car, will be protected. Proposed new shops in such circumstances, will be limited to a maximum 100 sqm (net) floor space, unless a qualitative need to remedy a geographical deficiency in the distribution of food shopping can be demonstrated, in which case units up to 500 sqm (net) floor space will be permitted.

The proposed shop would be approximately 60 sqm therefore it is well within the limit set under Policy 27. There are no such facilities within the immediate vicinity therefore the proposal will provide additional convenience for local residents.

As such the scheme is considered to comply with Policy 27 of the SELP, 2019.

Character/Appearance

The proposal involves minor external alteration to the western and northern elevations which are not considered to unacceptably change the overall appearance of the site. The rest of the building will remain largely untouched. The glazing would be removed and one door and one window opening created on the western elevation.

The proposal therefore satisfactorily accords with Policies 2, 3 and 29 of the SELLP in this respect.

Amenity

Given the current use of the site, the proposed use is not considered to create any additional impact upon the occupiers of nearby residential properties in terms of noise, general disturbance, lack of privacy, etc.

The proposal therefore satisfactorily accords with Policies 2 and 3 of the SELLP in this respect.

Highway Safety

The Parish states that they support this application if permission for the building in the car park is refused as they consider this would cause road safety issues with more cars parking on the sides of the road and poor visibility for both vehicles and pedestrians.

The concerns are noted, however The Local Highway Authority has advised that although there is limited customer parking provision associated with this development, we would expect the main mode of travel to be either walking or cycling, due to the site being in a sustainable location for local residents to visit, which would greatly reduce the need for vehicle use. The application site is using the existing access provision which has suitable visibility so that drivers intending entering the highway at the access, may have suitable visibility of approaching traffic and pedestrians to judge if it is safe to complete the manoeuvre. As such no objections are raised as the proposal would not be expected to have a detrimental cumulative impact upon road safety, traffic or highway terms, in accordance with Policies 2, 3 and 36 of the SELLP.

Planning Balance

In light of the above considerations the proposal
The planning balance is in favour of the proposal and is considered to be in accordance with Policies 1, 2, 3, 27 and 36 of the South East Lincolnshire Local Plan (2019) as well as Sections 2, 4, 6 and 12 of the National Planning Policy Framework (2019).

Conclusion

For the reasons listed above, this application is considered to be in accordance with Policies 1, 2, 3, 27 and 36 of the South East Lincolnshire Local Plan (2019) as well as Sections 2, 4, 6 and 12 of the National Planning Policy Framework (2019).

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.