

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H14-0491-19 **Applicant:** W M Morrisons Supermarket Plc

Proposal: Proposed garden centre structure

Location: Morrisons Benner Road Pinchbeck

Terminal Date: 9th July 2019

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

- 01 Spatial Strategy
- 02 Development Management
- 03 Design of New Development

National Guidance

National Planning Policy Framework 2019

Section 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
HIGHWAYS & SUDS SUPPORT	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is an application for a proposed garden centre structure at Morrisons, Benner Road, Pinchbeck. The proposal seeks to provide a structure that is constructed from Perspex infill sheets between PPC aluminium frames with twin wall polycarbonate roof panels and a roller shutter door for access. The structure will measure 4.15 metres in width, 11.95 metres in length and have a 3.2 metre roof height. The garden centre is to be sited in the car park adjacent to the existing pedestrian

entrance to Morrison's. A newly created zebra crossing that leads to the centre will be placed within the car park from the Morrison's entrance.

Site Description

The proposal is within defined settlement limits and the surrounding area is characterised by industrial estate buildings of various ages and design.

History

H14-0430-00

Extensions, modifications/demolitions to supermarket & replacement petrol filling station - Approved - 11 October 2000

H14-1391-00

Extensions modifications / demolitions to supermarket and replacement petrol filling station - Approved - 30 January 2001

H14-0373-01

Erection of various signage - Approved - 01 May 2001

H14-0344-06

Replace ATM cash point machine in existing location - Approved - 21 April 2006

H14-0588-06

Renewal of existing advertising consent (reference H14/0373/01) - Approved 09 June 2006

H14-1114-17

Installation of new Timpson's Retail Pod - Approved - 05 January 2018

H14-0608-19

Works to car park entrance to include extra entrance lane to ease congestion and improve traffic flow, new/alterd traffic islands and new pedestrian crossing. - Yet to be determined.

H14-0610-19

Installation of new refrigeration units and supporting condensers. Equipment to sit on a new concrete plinth situated at the rear of the existing store adjacent to the service yard and on a new platform on the roof to the rear of the store. - Yet to be determined.

Consultation Responses

County Highways & SUDS Officer

No objections

Planning Considerations

There is not considered to be any material harm to site user amenity from a minimal loss of parking spaces. The design has similar dimensions to nearby trolley stores and should not impact vehicle / pedestrian safety if customers use the site in an appropriate manner. The design, scale and layout is considered to be appropriate for the site and does not materially impact the character of the dwelling or the surrounding area.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2

and 3 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2019.

A delegated approval is considered to be appropriate.

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 to grant permission 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 to grant permission 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 to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.