DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H14-1021-22**	**Applicant:**	**Knight Street Pharmacy**
Proposal:	Installation of out-of-hours prescription medication dispenser within shop display window		
Location:	Commerce House 16 - 20 Knight Street Pinchbeck		
Terminal Date:	14th December 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
29	The Historic Environment

National Guidance

National Planning Policy Framework 2021

12 - Achieving well-designed places
16 - Conserving and enhancing the historic environment

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
OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	0	0	0	3

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application at Commerce House, 16 - 20 Knight Street, Pinchbeck for the installation of an out-of-hours prescription medication dispenser within a shop display window. The dispenser will be installed in the bay window of the vacant former Cafe unit adjacent to the existing pharmacy. The vacant unit will form part of an extended pharmacy. The proposal seeks to provide a dispenser that is 0.975 metres wide, 2.65 metres high and 2.1 metres in depth into the unit.

SITE DESCRIPTION

The building in which the dispenser would be sited would be within the defined settlement limits of Pinchbeck and the Pinchbeck Conservation Area. The surrounding area is characterised by buildings of varying ages and designs. The site is in Environment Agency Flood Zone 3. The dispenser is in a Low Hazard flood area and the external area not subject to increased flood hazard, with a maximum predicted flood depth of 0.25 metres on the 2115 South Holland Strategic Flood Risk Mapping. As the proposal is not for habitable rooms there is not a requirement to raise finished floor levels in this location.

RELEVANT HISTORY

None

CONSULTATION RESPONSES

Lincolnshire County Council - Highways & SUDS Officer

No objections.

Lincolnshire Police

"Lincolnshire Police do not have any formal objections to this application but would recommend that consideration is given to the following guidance in relation to the installation of an external facing Prescription Drug Dispenser Unit."

"The Prescription Drug Dispenser Unit should be secured and anchored into a substantial concrete base and the unit itself should benefit from an independent attack alarm system that is remotely monitored and meets a level 1 police response inclusive of a Unique Reference Number (police URN) thus meeting ACPO alarm response policy."

"A suitable CCTV system should be installed that provides appropriate surveillance of the Unit but not allow view of the machines keypad."

"The Unit should be in a highly visible position with good natural surveillance from both store staff and customers. The Dispenser Unit facia should include reflective material that allows the user to see encroaching persons from behind. Clearly marked or indicated privacy zone should be included; this could be by way of a visibly marked zone or change of pavement surface."

Members of the public - 3 - Objections

Increase in traffic.

Car park is in a poor and dangerous state - This is a matter which does not carry material planning weight.
Lack of marked parking bays - This is a matter which does not carry material planning weight.
Parking on the road impacting highway safety - This is a matter which does not carry material planning weight.
Double yellow lines should be painted on Knight Street - This is a matter which does not carry material planning weight.
Childcare nursery to rear of the site generates traffic - This is a matter which does not carry material planning weight
People will walk outside residential properties to get to the machine - This is a matter which does not carry material planning weight.

The dispenser should be located in the other bay window - This is a matter which does not carry material planning weight.
The car park should be operate a one way entry / exit system - This is a matter which does not carry material planning weight.
The architectural history of adjacent properties is incorrect - This is a matter which does not carry material planning weight.

PLANNING CONSIDERATIONS

Principle of development

The proposal is for pharmaceutical purposes in a building with an established pharmacy. The principle of development in this location is considered to be acceptable.

Assessment against SELLP Policy 2 - Development Management

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

1. The size, scale and layout of the dispenser is appropriate for the site. No trees will be removed to facilitate this proposal. There is not considered to be material impact on the character and appearance of the area from the works.

2. The design and orientation of the dispenser is in keeping with other units in the area.

3. The majority of the dispenser machine is within the pharmacy unit, with the exterior of the dispenser surrounded by blue coated composite board. The unit will be internally lit with a touchscreen to pick up medication.

4. The existing access is not being altered and the unit is not considered to lead to an increase in traffic. Indeed, traffic and parking provision is likely to be eased by the offer of longer pick up times.

5. The capacity of existing community services and infrastructure is not impacted by the proposal.

6. There is not considered to be a noise, odour or disturbance impact from the proposal. Visually the unit will not present an intrusive feature. The unit is not externally illuminated and due to the distance to nearby properties will not present an overly intrusive lighting feature.

7. The site is in Environment Agency Flood Zone 3. The dispenser is in a Low Hazard flood area and the external area not subject to increased flood hazard, with a maximum predicted flood depth of 0.25 metres on the 2115 South Holland Strategic Flood Risk Mapping. As the proposal is not for habitable rooms there is not a requirement to raise finished floor levels in this location.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

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

1. A sense of place is not considered to be impacted by the proposal. The size, scale and layout of the dispenser is appropriate for the site. No trees will be removed to facilitate this proposal. There is not considered to be material impact on the character and appearance of the area from the works.

4. The site is easily accessible by public transport, pedestrian routes and via bicycle method.

5. Bin and cycle storage is not impact by the proposal. The layout of car parking is not altered. The existing access is not being altered and the unit is not considered to lead to an increase in traffic. Indeed, traffic and parking provision is likely to be eased by the offer of longer pick up times.

8. The site benefits from natural surveillance. Lincolnshire Police recommend that the site is covered by closed circuit television cameras to aid crime prevention and detection.

11. There is not considered to be a noise, odour or disturbance impact from the proposal. Visually the unit will not present an intrusive feature. The unit is not externally illuminated and due to the distance to nearby properties will not present an overly intrusive lighting feature.

12. The site is in Environment Agency Flood Zone 3. The dispenser is in a Low Hazard flood area and the external area not subject to increased flood hazard, with a maximum predicted flood depth of 0.25 metres on the 2115 South Holland Strategic Flood Risk Mapping. As the proposal is not for habitable rooms there is not a requirement to raise finished floor levels in this location.

This application accords with SELLP Policy 3.

Assessment against SELLP Policy 29 - The Historic Environment - Conservation Areas

When assessed against the relevant criteria the following can be observed.

1. The proposal retains buildings/groups of buildings, existing street patterns, historic building lines and ground surfaces.

2. By retaining the existing bay window within the design the plans seek to retain architectural details that contribute to the character and appearance of the area.

3. No incompatible architectural feature require removal.

4. The proposal seeks to retain and reinforce local distinctiveness with reference to height, massing, scale, form, materials and plot widths of the existing built environment.

5. There is not considered to be an impact on the townscape, roofscape, skyline and landscape.

6. No trees are to be removed as part of the proposal.

The application accords with SELLP Policy 29.

PLANNING BALANCE

It is considered that by virtue of the design and siting there is not a material impact on the character and amenity of the building or the surrounding Pinchbeck Conservation Area. This application is considered to accord with Policies 1, 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019, as well as Sections 12 and 16 of the National Planning Policy Framework, 2021.

CONCLUSION

This 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.