

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H16-0481-21 **Applicant:** Thorne Court Ltd.

Proposal: Alterations & extension to existing cafe including change of use from office, conversion of first floor cafe/office to two bedroom apartment and provision of bin store/ cycle storage area.

Location: 6 Station Approach Spalding

Terminal Date: 30th June 2021

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
25	Supporting the Vitality and Viability of Boston and Spalding Town Centres
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 5, 12 and 14 of the National Planning Policy Framework (2021)

Representations:

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full application at 6 Station Approach, Spalding for alterations and an extension to an existing cafe including change of use from office, conversion of first floor cafe/office to two bedroom apartment and provision of bin store/ cycle storage area.

The proposal seeks to provide a store, cafe extension, unisex / disabled wc and a 2200 litre capacity bin store at ground floor level. At first floor level two bedrooms, a bathroom and a combined lounge / kitchen area would be provided. The windows in the bedroom and lounge on the west elevation will be reduced in size. Windows will be provided in the first floor eastern elevation serving the corridor, and two in the lounge / kitchen area. Facing brickwork and tiles is to match that of the existing dwelling.

SITE DESCRIPTION

The site is within the defined settlement limits of the largest town in the district and the surrounding area is characterised by buildings of varying ages, uses and designs. The site is in Flood Zone 3 and not subject to increase flood hazard or depth on the 1% 2115 South Holland Strategic Flood Risk Mapping.

HISTORY

H16-0643-97

Full - Change of use to (A3) - (Food and Drink) - Non-determined - 12 December 1997.

H16-0305-06

Full - Change of use to health and beauty salon - Approved - 21 April 2006.

H16-0921-17

Full - Change of use from A1 retail to A3 Cafeteria/Diner (retrospective) - Approved - 09 November 2017.

CONSULTATION RESPONSES

LCC - County Highways & SUDS Officer

No objections.

"The proposal is for alterations and extension to the existing cafe including change of use from office to a two bedroom apartment and provision of bin store and cycle storage and it does not have an impact on the Public Highway or Surface Water Flood Risk."

"The site is located in a central urban area where services and facilities are within a reasonable distance to be accessed via sustainable travel options such as walking, cycling and public transport. Future residents of the development will not be reliant on the private car and therefore parking is not essential for this proposal."

SHDC - Environmental Protection

No objection.

Member of the public

Requests the installation of four swift bricks.

PLANNING CONSIDERATIONS

Assessment against SELLP Policy 2 - Development Management

This proposal is assessed against SELLP Policy 2 titled - Development Management. This policy states:

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:

1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets;
9. impact on the potential loss of sand and gravel mineral resources."

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

1. The size of the building is not being altered, however, the cafe is expanding into the adjacent empty office space at ground and first floor level. The internal layout is altered, and new and altered windows will be provided at first floor level. However, this is not considered to materially impact the character and appearance of the surrounding area.
2. The design of the building is to match that of the existing materials and the orientation has not been altered.
3. Materials of construction are to match that of the existing building and would be conditioned as such.
4. The proposal is not served by a vehicular access and there is not considered to be an increase in vehicular traffic as a result of the alterations as the site is solely accessed by pedestrian means.
5. The proposal is not considered to impact existing community services and infrastructure.
6. There is not considered to be an impact on neighbouring land uses from noise, odour or disturbance. No new windows are to be created facing residential rooms on the eastern elevation and the windows facing the Station Gates Convenience Store offer views that are already available from existing windows or the adjacent highway.
7. The site is in Flood Zone 3 and not subject to increase flood hazard or depth on the 1% 2115 South Holland Strategic Flood Risk Mapping. The residential accommodation is solely at first floor level and will not be impacted by any flood event.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

This proposal is assessed against SELLP Policy 3 titled - Design of New Development. This policy states:

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. 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.

Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:

1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
2. distinguishing between private and public space;
3. the landscape character of the location;

4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;
5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;
8. crime prevention and community safety;
9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;
10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);
13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;
14. the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;
15. the appropriate use or reuse of historic buildings.

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

1. A sense of place is not considered to be materially altered as a result of the proposal. There are a number of first floor residences in the vicinity to the south and east, whilst the cafe expansion will help to support the future of the existing cafe business at ground floor level. A request has been made by a member of the public to install four swift bricks in the building, however, this usually only considered to apply in the instance of new or extended buildings, not with existing buildings subject to minor alterations.

5. A 2200 litre bin storage area is being provided to the northern section of the application site and there is provision for cycle parking in the area to the east of the building in the rear courtyard. There is no vehicular parking provision on site. This is not considered to be a material concern as the residential occupant has good access to public transport from the nearby bus and train stations.

11. There is not considered to be an impact on neighbouring land uses from noise, odour or disturbance. No new windows are to be created facing residential rooms on the eastern elevation and the windows facing the Station Gates Convenience Store offer views that are already available from existing windows or the adjacent highway.

12. The site is in Flood Zone 3 and not subject to increase flood hazard or depth on the 1% 2115 South Holland Strategic Flood Risk Mapping. The residential accommodation is solely at first floor level and will not be impacted by any flood event.

This application accords with SELLP Policy 3.

Assessment against SELLP Policy 25 - Supporting the Vitality and Viability of Boston and Spalding Town Centres

This proposal is assessed against SELLP Policy 25 titled - Supporting the Vitality and Viability of Boston and Spalding Town Centres. This policy states:

Boston and Spalding town centres will continue to be the primary destinations for retail, entertainment, markets and events while their rich environmental qualities can be promoted, enhanced and appreciated.

The Councils will promote appropriate opportunities to support and extend the offer of the town centres as destinations through the following:

1. Supporting the redevelopment of land within the town centre boundary that can provide for retail and other town centre uses in accordance with the sequential test;
2. Enhancing existing sites and ensuring changes to premises have regard to the significance of heritage assets and the special interests of the Conservation Areas and their settings;
3. Enhancing the public realm through improvements to public spaces, accessibility and signage;
4. Promoting town centre events;
5. Providing interpretation and promotional information;

6. Supporting proposals that seek to maintain the viability and attractiveness of the weekly markets;
7. Encouraging opportunities to support temporary uses in vacant premises in the primary shopping areas.

The Councils in conjunction with other partners will develop partnership working to ensure the vitality and viability of the Boston and Spalding town centres. A review of The Town Centres and Retail Capacity Study will be commenced within one year of the adoption of the Local Plan to review retail capacity, town centre boundaries, primary shopping frontages etc. This will lead to a review of the Retail section of the Plan and will advise the most appropriate actions for the partnership to take, e.g. masterplans, site specific development briefs, town centre boundary reviews etc.

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

1. This proposal will help support the redevelopment of the adjacent office space that can provide for a Class E use at ground level in accordance with the sequential test.
2. The proposal is not within Spalding Conservation Area or near to any heritage assets. The works do not materially alter the external design of the building.
3. The public realm is not altered by this proposal as all works are on or within the existing building.
4. The proposal will not impact the promotion of town centre events.
5. The proposal will not impact interpretation and promotional information.
6. The proposal is considered to enhance the viability of weekly markets by allowing visitors to eat and drink nearby.
7. The proposal is not for a temporary use.

This application accords with SELLP Policy 25.

PLANNING BALANCE

It is considered that the proposed cafe extension and first floor residential accommodation can be provided on site without materially impacting the character and amenity of the surrounding area.

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.