DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0579-19**	**Applicant:**	**Triton Property Fund**
Proposal:	Proposed external alterations to Fens Centre and provision of car parking		
Location:	Fens Centre Springfields Outlet Shopping & Festival Gardens Camel Gate		
Terminal Date:	2nd August 2019		

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
09	Promoting a Stronger Visitor Economy
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Section 12 - Achieving well-designed places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for proposed external alterations to Fens Centre and provision of car parking at Springfields Outlet Shopping and Festival Gardens, Spalding.

The proposal is for an additional dormer window on the eastern elevation of the Fens Centre building to provide improved natural lighting to the first floor office space. This would result in the provision of additional floor space measuring 11m2 which would be created across an existing void in the north east corner of the building.

Vehicular access to the site would be via an existing access from Camel Gate and a total of 4 car parking spaces are proposed to the west of the Fens Centre for employees.

The proposed external works to the Fens Centre building would support the relocation of Springfields Horticultural Society (SHS) to existing offices within the Fens Centre building and would enable the continued management of the Festival Gardens by SHS. The total floorspace that would be occupied by SHS would be 100m2 and 4 employees would be relocated to the site. The relocation of SHS to existing offices within the Fens Centre would also facilitate the wider reconfiguration of the Springfields complex in order to support the delivery of the allocation for 3,700m2 of comparison retail floorspace at Springfields, in accordance with the adopted South East Lincolnshire Local Plan (2019).

Site Description

The application site comprises the Fen Centre building at the rear of the wider Springfields complex and its access off Camel Gate. The Springfields Events and Conference Centre is to the north. To the south and east are the Festival Gardens and the Outlet Centre.

The existing Fens Centre comprises offices on the first floor and to the rear of the ground floor, with the remainder of the ground floor occupied by uses associated with the wider Springfields complex. The office element of the Fens Centre building is currently unoccupied.

History

H16-1067-03 - Erection of building to form Fenlands Discovery Centre and two associated offices (approved October 2003)

Consultation Responses

LCC Highways/SUDS - Does not wish to restrict the grant of permission.

Planning Considerations

Principle

The site is located outside of any settlement boundary as set out in the South East Lincolnshire Local Plan (2019) and is therefore classed as being in the countryside. However, the site falls within the area defined as Springfields Shopping and Festival Gardens in the Local Plan. Policy 9 of the Local Plan states that "development within the Springfields Shopping and Festival Gardens, as defined on the Policies Map, will be supported in principle for:
1. facilities directly related to the functioning of the shopping centre, consistent with Policies 24 and 27;
2. development at the Events and Conference Centre that seeks to improve the range of services available; or
3. proposals which would enhance the scale, quality and biodiversity value of the Festival Gardens.
Other ancillary development linked to the above uses will also be supported."

Given that the relocation of SHS will help to facilitate the wider reconfiguration of the Springfields complex in order to support the delivery of the retail allocation, the proposal for additional office floor space within the Fens Centre building is considered to be an acceptable form of ancillary development linked to the functioning of the shopping centre.

Policy 7 of the Local Plan relates to employment proposals and states that new employment development outside of allocated employment sites will be supported provided that the proposal involves the re-use of previously-developed land or the conversion/re-use of redundant buildings. Given that the site is brownfield, the proposal is considered to accord with Policy 7.

Furthermore, given that the Fens Centre building already accommodates office space it is

considered that the proposed alterations are acceptable.

Impact on character and appearance

The proposed external alterations (dormer on eastern elevation) are minor and there are already two dormers on this elevation. It is therefore considered to be acceptable in terms of appearance.

Highways/Parking

LCC Highways have no objections to the proposal and the provision of 4 new parking spaces would be in accordance with the parking standards set out in the Appendix 6 of the Local Plan which requires 1 car parking space per 30m2 of B1 floorspace. The 200m2 threshold beyond which cycle parking provision is required is not reached.

Conclusion

Taking the above into account, the proposal is considered to be in accordance with Policies 2, 3, 7, 9 and 36 of the South East Lincolnshire Local Plan (2019) as well as Section 12 of the National Planning Policy Framework (2019).

The recommendation is therefore for a delegated 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 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.