DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0775-26**	**Applicant:**	**S Abdullah**
Proposal:	Proposed two-storey rear and side extension to existing shop, providing additional retail floorspace, delivery/store area, first-floor storage/staff facilities and separate access to the existing flat		
Location:	The Corner Shop 4 Winsover Road Spalding		
Terminal Date:	5th November 2026		

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
24	The Retail Hierarchy
27	Additional Retail Provision
29	The Historic Environment
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework August 2026

Section 4 - Achieving sustainable development
Section 7 - Building a strong, effective economy
Section 8 - Ensuring the vitality of town centres
Section 14 - Achieving well-designed places
Section 15 - Promoting sustainable transport
Section 17 - Pollution, public protection and security
Section 18 - Managing flood risk and coastal change
Section 20 - Conserving and enhancing the historic environment

Representations:

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

SPALDING & DISTRICT CIVIC SOCIETY	0	0	0	1
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	0	3

CASE OFFICER ASSESSMENT

Description of Proposal

This is a full planning application for a two-storey rear and side extension to an existing shop, to provide additional retail floorspace, a delivery/store area, a first-floor storage and staff facilities area, and a separate access to the existing flat, at 4 Winsover Road, Spalding. The extension would measure approximately 18.5m (length) by 6.9m at its widest. It would feature a flat roof, set at 6m, which is approximately 0.3m lower than the host. All materials would match the host building.

Site Description

The site is within the town centre boundary of Spalding, as outlined within the South East Lincolnshire Local Plan, 2019. The site is towards the centre of the town, located between the Sheep Market and the train station. 4 Winsover Road is a corner plot, occupied by a ground floor retail use with a flat above. The original building is a noticeable, three-storey structure, formally used as pub. A more recent flat roof rear extension is present, which this proposal would extend.

Relevant History

H16-0513-16 - Full - Change existing window opening to a fixed glazed screen (retrospective) - Approved 11-08-16

H16-1250-16 - Full - Alterations and extensions to outbuildings to form fruit shop and internal conversion of corridor space in existing general food shop to extend retail space - Approved 01-02-17

H16-0234-17 - S73 - Alterations and extensions to outbuildings to form Fruit Shop and internal conversion of corridor space in existing general Food Shop to extend retail space - approved under H16-1250-16 - Modification of Condition 2 to allow amendments to previously approved plans - Approved 21-04-17

H16-0410-19 - S73 - Alterations and extensions to outbuildings to form fruit shop and internal conversion of corridor space in existing general food shop to extend retail space - Approved Under H16-1250-16 - Modification of Condition 2 to allow amendments to previously approved plans - Approved 10-06-19

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Spalding and District Civic Society

We have no objection in principle to the proposal. However ,we feel that the elevation that faces the road could be made more attractive. We would suggest that all of the windows are of the same design to match the existing with a large lower pane and smaller upper fixed panes with reconstructed stone sills. Also , the shop windows which are not needed for display should be the

same width as the windows above. The elevation is very stark, and we think that the whole of the extension should have a hipped slate roof to mirror it's main three storey building on the corner. The reasons for these alterations are because the building is in a very prominent position

Ecologist

Thank you for consulting us on this application. We have reviewed the proposals and have no ecological concerns to raise at this time; therefore, we have no objections.

Conservation Officer

The proposal site occupies a prominent position on the edge of the Conservation Area and would be visible in views into it. In addition, the building lies within a key view towards the Grade II listed Railway Station. It is therefore important that the development does not detract from these views or draw undue attention to itself.
It is noted that the proposed extension remains subservient in height to the existing building. However, consideration should be given to whether it could be set back slightly further from the road, thereby reducing its prominence within the street scene and in views towards the railway station.
The proposed signage should also be looked at. It currently appears to sit between the windows, whereas the existing signage is positioned higher on the building. Raising the new signage to align more closely with the existing arrangement would result in a more coherent appearance and reduce visual clutter on the elevation.
Clarification is also requested regarding the proposed material for the new fascia board. The following conditions are recommended:
1. A brick sample panel showing the proposed brick, mortar and bond
2. Submission and approval of all external windows and doors, including materials, elevation, head details, cills, and confirmation of whether the units are to be recessed or flush with the external wall face.
These details are necessary to ensure that the development responds appropriately to the Conservation Area and the setting of the Grade II listed Railway Station

Historic Environment Officer

The proposed development is situated within an area of archaeological potential as recorded in the HER (Historic Environment Record). Several archaeological assets are recorded in the vicinity of the proposal, including the Priory of St Mary, Spalding (MLI22355), the site of the Pinfold at The Gore (MLI23229), the Medieval Settlement of Spalding (MLI23602), the Settlement of Spalding (MLI23603), and the Post-Medieval Settlement of Spalding (MLI23604). The presence and proximity of these recorded heritage assets indicate potential for associated buried archaeological remains, particularly relating to the medieval and post-medieval development of Spalding, to extend into and survive within the proposed development site
The proposed development comprises 'Proposed two-storey rear and side extension to existing shop, providing additional retail floorspace, delivery/store area, first-floor storage/staff facilities and separate access to the existing flat.'. The proposed development groundworks and any temporary works associated with the development (including landscaping, drainage/services connections and BNG planting) will have a significant impact on any surviving archaeological remains, resulting in total or partial loss, if present. As mentioned above, there is potential for development on this site to have an impact on buried remains that should be recorded prior to their destruction in accordance with Policies HE10 and HE11 of the NPPF. There is archaeological potential, and we do not possess evidence that previous limited development activity truncated possible present heritage assets. The presence of existing hardcore and previous ground disturbance should not be taken as evidence that archaeological remains are absent or have been comprehensively truncated.
We recommend that if permission is granted, there be an archaeological condition for a mitigation strategy to effectively deal with this site. This will initially comprise but may not be limited to a continuous archaeological monitoring (watching brief) of the site during all groundworks. This will enable any remaining archaeology which currently survives on this site to be properly assessed and recorded prior to their alteration or destruction. This should be secured by South Holland District Council's standard conditions AR01, 02 and 03. This is in accordance with Policies HE5 and HE10 of the National Planning Policy Framework and Policy 29 of the South East Lincolnshire Local Plan.

Environmental Protection

No comments regarding land contamination

Highway and Lead Local Flood Authority

Initial Comments, dated 07/09/26

The applicant states that deliveries will be relocated from the Winsover Road frontage to the proposed rear delivery/store area. However, insufficient information has been provided to demonstrate how delivery vehicles will access, manoeuvre within, and depart from the site. In particular, no swept path analysis or vehicle tracking drawings have been submitted to demonstrate that the stated Transit/Luton-sized delivery vehicles can safely enter and leave the site without conflict with other highway users or damage to adjacent highway infrastructure. From the information submitted, it is unclear how delivery vehicles would gain access to the rear servicing area without traversing the existing highway verge. Should the proposal require vehicles to cross the public highway verge, the formation or alteration of a vehicular crossing would require the prior approval of the Highway Authority under Section 184 of the Highways Act 1980. The applicant should therefore clearly identify the proposed route for delivery vehicles and demonstrate that any necessary access arrangements are achievable. The Local Highway Authority therefore requests the submission of swept path analysis and vehicle tracking information for the largest vehicle expected to serve the site, together with details of the proposed access arrangement, to demonstrate that deliveries can be undertaken safely and conveniently without resulting in an unacceptable impact on highway safety or the operation of the public highway

Revised comments, received following amendments, dated 29/10/26

This proposal is for a two-storey rear and side extension to the existing shop, providing additional retail floorspace, a delivery/store area, first-floor storage and staff facilities, and separate access to the existing flat. The site has an established retail use, and the proposal is not expected to result in a material increase in vehicle movements when compared with the existing use. The amended Design and Access Statement confirms that deliveries will continue to take place from the Winsover Road frontage, with no change to the existing delivery frequency or vehicle size. The Highway Authority has assessed the proposal on the basis that all deliveries and servicing will take place from Winsover Road and that Swan Street will not be used by delivery or servicing vehicles. On this basis, the proposal would not result in an unacceptable impact on highway safety or a severe residual cumulative impact on the highway network. It would therefore not be possible to substantiate an objection on highway grounds, in accordance with the National Planning Policy Framework

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Key Planning Considerations

Evaluation

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, 2026 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Principle of Development

Principle of Development - Spatial Strategy and Achieving Sustainable Development

Policy 1 of the SELLP sets out the settlement hierarchy in respect of delivering sustainable

development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

The site is within the settlement of Spalding which is classed as a sub-regional centre within Policy 1. As such development will be permitted that supports Spalding's role as a service centre, helps sustain existing facilities or helps meet the service needs of other local communities.

Policy S3(1) of the NPPF states:
"Decisions on development proposals should apply a presumption in favour of sustainable development. This means:
a. Policy S4 in this Framework should be applied when considering development proposals within settlements;
b. Outside settlements, policy S5 should be applied"
As previously outlined, the site is within a defined settlement limit, and therefore, Policy S4 is relevant. This states:
"Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework."

Policy S4(2) outlines circumstances where the benefits of approving a development are likely to be substantially outweighed by adverse effects. This includes, but is not limited to, development on allocated land for purposes other than those allocated, the loss of cemetery land, loss of land used for flood risk management, or failure to comply with a policy which explicitly states development should be refused in specific circumstances.

Policy Context - The Retail Hierarchy

For proposals concerning new retail or town centre uses, Policy 1 is supported by Policy 24. This Policy defines a retail hierarchy, with sub-regional centres at the top. In this context, Policy 24 states:
"The town centres of Boston and Spalding (as defined by the Town Centre Boundaries) will be the locational focus for the development of town centre uses; planning permission will be granted for retail, food and drink outlets, financial and professional services, leisure and tourist-related uses (Classes A1-A5, B1, D1 and D2) and residential development. The provision of markets and other appropriate initiatives that would enhance the vitality and viability of Boston and Spalding town centres will be supported."

Several of the uses referenced within Policy 24 now fall within the broad Class E Use Class, which was introduced in the 2020 amendments to the Use Class Order. That being said, the broad uses referenced by name (rather than the outdated classes) would still broadly be what are considered to be town centre uses. This conclusion is supported by the definition of "main town centre uses" contained within Annex B of the NPPF, which is broadly consistent with the definition in Policy 24. The NPPF definition states:
"Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); banks; professional services; offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities)."

Policy 24 goes on to state:
"New development within the Sub-Regional, District and Local Centres will be expected to:
1. be physically integrated and have good pedestrian and cycle links, with the rest of the centre;
2. generate a reasonable level of footfall and be open to the public;
3. contribute to an appropriate balance of uses;
4. achieve an acceptable level of amenity, including provision of refuse and recycling facilities; and

5. achieve an acceptable level of highway access, parking and servicing."

Policy Context - Additional Retail Provision

Policy 27 concerns applications to provide additional retail space. Part B concerns "convenience goods space" such as this corner shop. Policy 27 states:
"There is expected to be a quantitative need for an additional 3,365 sqm (net) floor space by 2031. Such provision should be provided as small-scale units of up to 500 sqm (net) either within a new Local Centre to serve a Sustainable Urban Extension or to provide for an underserved area. Extensions which would take existing shops in these locations up to these sizes to improve their viability will be permitted."

As previously stated, the SELLP was written prior to the introduction of the 2020 amendments to the Use Class Order. Therefore, the distinction between specific uses may be less applicable now, and the policy's weighting augmented accordingly.

Policy Context - Supporting the Vitality and Viability of Spalding Town Centre

Policy 25 outlines a broad aim to maintain the vitality of the sub-regional centre's centres. As this site is within the town centre, this policy is relevant here.

Policy 25 outlines seven broad methods of achieving this aim. These are not criteria to meet, as with a conventional policy, but are broad considerations for town centre applications which may carry weight in their favour.

Relevant here is point 1, which outlines that the LPA will support the town centre by "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".

Similarly, Policy TC2 of the NPPF states:
"In considering proposals for development in town centres, substantial weight should be given to the benefits of:
a. Supporting the overall vitality and viability of the centre, including where this can be achieved through the diversification of uses, intensification and provision of residential accommodation (provided this would not conflict with policies in the development plan for specific locations); and
b. Improving or retaining access to local shops and other facilities which provide day-to-day services for the local community."

Assessment

The proposal relates to the development of convenience goods space within Spalding Town Centre. Policy 27B explicitly directs the development of new convenience goods space to underserved area, which this location is evidently not due to the proximity to two supermarkets, or sustainable urban expansions, which again is not relevant here. The proposal is therefore contrary to Policy 27.

That being said, as previously stated, Policy 27 was constructed prior to the changes to the Use Classes Order under the 2020 amendment. The provisions of Class E of the Use Class Order, 1987, and Town and Country Planning Act, 1990, would enable a convenience goods unit to convert to a comparison goods unit without necessarily requiring the consent of the Planning Authority. Accordingly, the proposal should be assessed as a broad retail/ Class E use, rather than a convenience or comparison goods space. Accordingly, only very limited weight should be attached to the conflict with Policy 27.

Turning to Policy 24 of the SELLP, and the five criteria previously listed, the following is considered:

1.The use is well integrated into the town centre. It is along a main thoroughfare from the train and bus stations into town. It also displays good connectivity with the wider Winsover Road, which is an arterial road to the wider settlement. Point 1 has been met.
2.The submitted Design and Access Statement estimates an existing footfall of 40 per day, rising to 70 after the extensions. The Council have no evidence to question these figures. In any event, as a retail use within the defined town centre, a reasonable level of footfall can be expected.
3.As a retail use, the proposal would provide an appropriate town centre use (as defined in Policy 24 and Annex B of the NPPF) and contribute to an appropriate mix of uses as a result. Broad Class E categorisation enables flexibility and market adaptations which naturally aid with balancing of

uses.
4.Refuse and recycling will remain unchanged. The impact on residential amenity, discussed later in this report, is anticipated to be low. The amenity of the flat's existing occupants is not anticipated to be significant.
5.As a town centre location, accessibility is high.

Turning to Policy 25, the proposal would provide additional retail space within the town centre, in accordance with the sequential test, thereby garnering weight in favour under Policy 25. Similarly, weight is given in favour of the proposal under TC2 of the NPPF, as the proposal would support the vitality of the town centre, and intensify an exiting use. It would also improve a shop which can meet day-to-day needs.

Finally, as the proposal is within the defined town centre of Spalding, Policy S4 of the NPPF is clear that the proposal should be approved, unless the harm of doing so substantially outweigh the benefits. This is discussed in greater detail below; however, in short, it is not considered that any policy conflicts outweigh the benefits.

Therefore, the proposal is considered to be in accordance with Policies 1, 24, and 25 of the SELLP, as well as Policies S4 and TC2 of the NPPF. The principle of development on this site is considered acceptable subject to other material considerations being met.

Layout, Design, Scale and Consideration of the Character of the Area and the Historic Environment

Policy Context - Character and Design

Section 14 of the NPPF, "Achieving well-designed places", outlines that planning decisions and policies should "promote high quality, healthy, inclusive and sustainable places".

Paragraph 1 of DP3 outlines that "development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets".

In order to create well-designed places, Paragraph 2 outlines that proposals should reflect seven key principles, as appropriate to the nature of the development and its location. These are: liveability, climate, nature, movement, built form, public space, and identity.

Paragraph 3 of DP3 is explicit that proposals which conflict with paragraph 1, the relevant aspects of paragraph 2 of DP3, or relevant development plan policies and guidance, should be refused. Conversely, substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.

Likewise, Policy 2 of the SELLP outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 of the SELLP requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the NPPF and require that 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. Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design, and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

Policy Context - The Historic Environment

The property is not recognised as a designated heritage asset. It is not within the Conservation Area either. However, it is within 50m of the Spalding Conservation, and there is a clear line of site to the Grade II listed Spalding Train Station. On that basis, the effects on the historic environment must be considered.

In assessing proposals of this nature, the Local Planning Authority must ensure special regard to

preserving the Listed Buildings and their settings in relation to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act'). No harm should be caused with the historical assets and their surroundings requiring to be preserved or enhanced.

The NPPF expresses the importance of considering the impact of development on the significance of designated heritage assets; advising that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.

Policy HE6 of Section 20 of the NPPF states that "When considering the potential effect of a development proposal on the significance of a designated heritage asset, substantial weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential effect amounts to a positive effect, harm, substantial harm, or total loss of its significance".

The above assessment of impact should be informed by the submission of an appropriate Heritage Impact Assessment (HIA). On this point, Policy HE5(1) of the NPPF outlines that " proposals affecting heritage assets should be accompanied by an assessment of the significance of the assets affected (including any contribution made by their setting) and of the potential effect of the proposal on their significance. The level of detail should be proportionate to the assets' importance and no more than is necessary to understand the potential effect of the proposal on their significance." HE5(2) outlines that this assessment should identify whether the proposal would have a positive effect, no effect or harm to the asset, and the degree of harm caused.

The aforementioned harm can be divided into harm, substantial harm, or total loss. HE6(4) outlines that in such circumstances the harm must be weighed against any public benefits of the proposal, with the extent of benefits required to outweigh harm being determined, in part, by the extent of harm.

Policy HE9(1) of the NPPF states: "Development proposals within or affecting the significance of conservation areas should:
a. Retain and conserve buildings and other features which make a positive contribution to the character or appearance of the conservation area where possible; and
b. Consider the area's special architectural or historic interest (as identified as part of the designation of the conservation area) in the design of development"

Policy 29 (The Historic Environment) states amongst other matters that the distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced, in keeping with the policies in the NPPF. Development proposals will be expected to conserve and enhance the character and appearance of designated and non-designated heritage assets. Policy 29 is broken into five interrelated sections, with parts A, and B relevant here.

Policy 29A, relating to listed buildings, states: "Proposals that affect the setting of a Listed Building will be supported where they preserve or better reveal the significance of the Listed Building."

Policy 29B, relating to conservation areas, states: "Proposals within, affecting the setting of, or affecting views into or out of, a Conservation Area should preserve (and enhance or reinforce, as appropriate) features that contribute positively to the area's character, appearance and setting. Proposals should:
1. Retain buildings/groups of buildings, existing street patterns, historic building lines and ground surfaces;
2. Retain architectural details that contribute to the character and appearance of the area;
3. Where relevant and practical, remove features which are incompatible with the Conservation Area;
4. Retain and reinforce local distinctiveness with reference to height, massing, scale, form, materials and plot widths of the existing built environment;
5. Assess, and mitigate against, any negative impact the proposal might have on the townscape, roofscape, skyline and landscape;"

To this end, all proposals impact listed buildings or the conservation area should preserve or enhance their settings.

Assessment

The proposed extension is large and bulky. The design is utilitarian and of no significant merit. It is within a highly prominent location, with good visibility from both approaches. The extension of the built form would further enclose the street, reducing the openness of the area somewhat.

That being said, DP3 of the NPPF is clear that developments should be responsive to their environment. The proposal does achieve this, echoing the existing development on the site and the units on the opposite side of the street. The scale is commensurate to the plot, and consistent with the wider built form in the area. The plot opposite, which this proposal largely mimics, measures approximately 7m, providing a consistency in scale and form which would help to naturalise the proposed development.

Furthermore, the reduction in roof height compared to the existing unit would create a degree of subservience, which helps to reduce the impacts of development and aids in the integration of the design. The use of materials to match the host further integrates the design.

Fundamentally, an extension of this nature and scale would be consistent with the character and appearance of the area. The Civic Society have queried whether a more elaborate design may be more appropriate. However, given the context of the surrounding area, and the plans to retain the existing flat roof element, a less stark development may be more incongruous.

It is proposed that materials and window designs to match the host would be used. This would ensure a continuity in design which would help to integrate the extension into the host. Given that the bricks and windows currently in situ are not uncommon in the area, their appropriation here would not be incongruous.

Whilst lines of site to the Conservation Area and Grade II listed buildings are present, the impact on these assets would be negligible. This is due in part to the distance to these assets, and the visual barriers between the two. The acceptability of the design would also mitigate any harmful impacts. Moving the building further back, as per the comments of the Conservation Officer, may make a more stepped frontage, which would be more out of keeping with the designs in the area. The effect would therefore be neutral, as per Policy HE5 of the NPPF.

Taking account of the design, scale, and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with Policies 2, 3 and 29 of the SELLP and Sections 14 and 20 of the NPPF.

Impacts Upon Resident Amenity

DP3 of the NPPF outlines that development should create places that are safe, inclusive, and accessible and which promote health and well-being, with a focus on promoting liveability.

Likewise, Policy P3(1) outlines that development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site. This point is expanded upon in P3(2) which states all development proposals should "provide healthy living conditions for occupiers and users in terms of adequate access to light and avoiding exposure to levels of air, noise, artificial light or other sources of pollution which could have an unacceptable adverse effect on health and the quality of life ".

No additional plant or machinery is proposed, preventing additional noise pollution. The intensification of the use may give rise to additional noise and disturbance; however, this would not be overly significant or above what can be reasonably expected within a town centre. No changes to the hours of operation are proposed.

Some overshadowing may occur. However, this would appear to largely fall on public areas, thereby preventing harm, or a service yard, where the impacts would not be significantly felt.

As detailed above, the scale and design of the proposal is considered to have no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with Sections 14 and 17 of the NPPF and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.

Highway Safety and Parking

Section 15 of the NPPF is titled 'Promoting sustainable transport'. Within this, Policy TR6(4) advises that "development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion."

Policy TR3 of the NPPF outlines that development should be located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure. The policy outlines a series of principles to achieve these aims, with the expectation that all proposals should, so far is relevant, conform to them. Policy TR3(2) is explicit that "The Connectivity Tool should be used alongside other relevant quantitative or qualitative evidence in assessing the connectivity of particular locations proposed for development."

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal. Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the SELLP, in conjunction with Appendix 6, sets out minimum vehicle parking standards. As a town centre unit, adequate parking is present within the wider area.

Concerns were raised regarding the proposed access and delivery arrangements. However, an amendment has been received outlining that the existing delivery arrangements would instead be retained. Given that this would represent a continuation of existing arrangements, and in light of the comments from the Highway Authority, this is considered to be acceptable. Whilst more deliveries may occur due to the increase in store size, this is not considered to be overly detrimental to highway safety.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3, 33 and 36 of the SELLP, as well as Section 15 of the NPPF.

Flooding Considerations

Section 18 of the NPPF relates to "Managing flood risk and coastal change". It requires a sequential approach to flood risk, in accordance with the decision making policies contained within this section. Policy F7 is clear that "development proposals should not present a risk from flooding to potential occupiers, users, or visitors, and should not increase flood risk elsewhere."

Policy F5(1) outlines that:
"The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Where the test applies, development proposals should not be located in areas at risk of flooding where alternative sites, appropriate for the development, are reasonably available in areas with a lower risk of flooding. The area to which the test is applied should not be greater than the anticipated catchment of the development in terms of its likely occupiers or users."

Paragraph 3 expands on this, stating that :
"The strategic flood risk assessment covering the area of the proposed development and the Flood Map for Planning should provide the evidential basis for applying the sequential test."

The site lies within Flood Zone 3 of the Environment Agency's Flood Maps. These have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences.

The South-East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how

flood risk has been considered in shaping the proposals of the Local Plan, including the spatial strategy and the assessment of housing and employment sites. Policy 4 of the SELLP is clear in that "Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted" in instances where specific criteria is met.

As explicitly stated within Policy F5(3), the SFRA should be used in conjunction within the Environment Agency's maps to assess the sequential test. Within the SFRA the site is outside of any identified hazard area.

Policy F5(2) states:
"The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, other than for - Small non-residential extensions (with a footprint of less than 250m2)"

The proposal represents an extension of less than 250sqm. Whilst there are residential elements, the proposal is not a residential extension, and therefore would be no additional residential floor space created, only a new access to the flat. The requirements of Policy F5(2) have been met and the proposal does require an assessment against the sequential test.

Policy F6 of the NPPF states:
"The exception test does not need to be applied: a. To those forms of development, or in those circumstances, where the sequential test is not required, as set out in policy F5;"

Therefore, there is no need to apply the exceptions test also.

In any event, the provisions of Policy F7 of the NPPF are relevant here regardless of the above.
Policy F7 states:
"F7: Ensuring development is safe from flooding
1. Development proposals should not present a risk from flooding to potential occupiers, users, or visitors, and should not increase flood risk elsewhere.
2. Where development is proposed in a location known to be at risk from any form of flooding, now or in the future, it should be refused unless:
a. Within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons which justify a different arrangement;
b. The development will be safe throughout its lifetime taking account of the vulnerability of its users;
c. Any residual risk can be safely managed, and safe access and escape routes are included where appropriate, as part of an agreed emergency plan;
d. The development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment; and
e. It can be demonstrated that flood risk will not be increased elsewhere"

Assessing the proposal against the above, and in light of the no hazard classification in the SFRA, it is considered that the proposal would be safe for its lifetime, without increasing the risk of flooding elsewhere. As a result, the proposal would meet the requirements of F7.

Overall, when considering the development on balance, it is considered, given the mitigation measures detailed and recommended by condition, that the proposal accords with Policies 2, 3 and 4 of the SELLP and the intentions of the NPPF with regards to flood risk.

Biodiversity Net Gain

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) requires developers to deliver a minimum of 10% Biodiversity Net Gain using standardized biodiversity units measured by statutory biodiversity metrics. This is often referred to as the mandatory requirements for Biodiversity Net Gain.

"Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits".

The biodiversity gain condition is a pre-commencement condition. This relates to a condition that seeks, once planning permission has been granted, a Biodiversity Gain Plan that must be submitted and approved by the planning authority before commencement of the development, alongside the need to submit a Habitat Management and Monitoring Plan.

The effect of Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition". The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:
(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan, or
(c) the development is exempt from the biodiversity gain condition.

The application site is less than 0.2ha, and so is exempt from the need for BNG.

Economic Sustainability

Policy E2(1) of the NPPF states: "To support business growth, substantial weight should be given to: a. The economic benefits of proposals for commercial development which allow businesses to invest, expand and/or adapt; especially where this would support the economic vision and strategy for the area".

Weight is given in favour of the proposal as a result.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposal represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking, whilst conforming with the SELLP and the provisions of the NPPF when viewed as a whole. Substantial weight is given in favour of the proposal, seeing as it would support the growth of a town centre business.

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.

Conclusion

Taking these factors into consideration, the proposal is considered to comply with Policies 1, 2,3, 4, 24, 29, 33, and 36 of the SELLP, as well as Sections 4, 7, 8, 14, 15, 17, 18, and 20 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.