

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H16-1207-19 **Applicant:** Mr D Jackson

Proposal: Change of use of half of Unit 1 from storage (B8) to microbrewery (B2) and drinking establishment (A4)

Location: Welland House Unit 1 Cradge Bank Spalding

Terminal Date: 7th April 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
07	Improving South East Lincolnshire's Employment Land Portfolio
09	Promoting a Stronger Visitor Economy

National Guidance

National Planning Policy Framework 2019

Sections 6 and 12 of the National Planning Policy Framework

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

CASE OFFICER ASSESSMENT

Proposal

This full planning application is for the change of use of the Northern half of Welland House, Unit 1, Cradge Bank from B8 to mixed use B2 and A4. The Southern Half of the building shall remain in its

current B8 use.

The proposed mixed use B2/A4 is to allow the creation of a microbrewery which also allows tasting sessions by appointment and invite only on an infrequent basis. The main function of the site will be as an operational brewery.

Site Description

The site is a small industrial/commercial site, associated with a large mid-C20th property. The adjacent commercial building is currently used as a vehicle rust-removal workshop. The proposal site itself is currently used solely for commercial storage. The area is characterised mainly by open agricultural land, the only exception to this in reasonable visual range being the Welland House site itself.

The proposal site is a standard commercial / light industrial unit and is not of any architectural merit or significance.

History

None relevant

Consultation Responses

South Holland District Council Environmental Health

No objections, but the applicant is reminded that they will need to contact the South Holland District Council Licensing Authority in order to obtain a premises licence to serve alcohol on site.

Lincolnshire County Council Lead Local Highway and Flood Authority (SuDS)

No objections.

Planning Considerations

Principle of Development

The partial change of use from B8 to mixed B2/A4 does not fall foul of any Policies of the South East Lincolnshire Local Plan (2019). The main use of the site is proposed to be the B2 (General Industrial) use which is a use suited to the proposal site. The ancillary use of A4 is to be strictly limited and by appointment/invite only and whilst an main A4 use would not strictly comply with Policies 7 and/or 9 of the South East Lincolnshire Local Plan (2019) in that it is neither associated to an existing tourist site and does nothing to minimise use of vehicles, on the balance of probabilities, it is deemed that because the A4 use is only minor and ancillary and because the main B2 use is fully acceptable in policy, that the principle of development is acceptable in this case.

The visitor economy

Whilst this site is not currently associated to an existing rural attraction or farm enterprise, the proposed A4 use of the site is purely ancillary to the main proposed B2 use and it is proposed that the site will only be used for invite-only tours/events where the brewery's alcoholic products will be served on an infrequent basis of less than once per month. As a result, the Local Planning Authority deems that this proposal presents minimal risk as a low density and frequency site of interest/attraction.

Improving S E Lincolnshire's Employment Land Portfolio

The proposed development will cause the creation of a new business outside of the settlement boundary. Whilst the proposals do not include opportunities to reduce the use of vehicles and the applicant has not presented evidence of the need for business in the area, the rural nature of the site makes the inclusion of measures to reduce vehicle use are likely to be ineffective and difficult to implement and the identified need for a business location is displayed by the historic and continued use of the site as a commercial unit.

Conclusion

For the reasons listed above, this application is found to be in accordance with policies 1, 2, 3, 7 and 9 of the South East Lincolnshire Local Plan (2019), as well as Section 6 and 12 of the National Planning Policy Framework. The recommendation, therefore, is to APPROVE.

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.