



**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**

## Planning Committee

5 August 2020



### S20/0446

Proposal: Change of use of two ground floor rooms within existing garden centre to form a Veterinary Practice (Class D1)

Location: Belton Garden Centre Grantham Road Belton NG32 2LN

Applicant: Mr S E Baker, Orchard House 8 Princes Street Metheringham Lincoln

Agent: Mr Neil Reynolds XL Architects LLP Salters Barn Middle Street Potterhanworth Lincoln

Application Type: Full

Reason for Referral to Committee: Request by Cllr Ian Stokes on highway safety matters

Key Issues: Principle of the development  
Impact on the character of the area  
Highway Safety

Technical Documents: N/A

#### Report Author

Mrs Miranda Beavers, Development Management Planner



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**Corporate Priority:**

**Growth**

**Decision type:**

**Regulatory**

**Wards:**

**Peascliffe & Ridgeway**

**Reviewed by:**

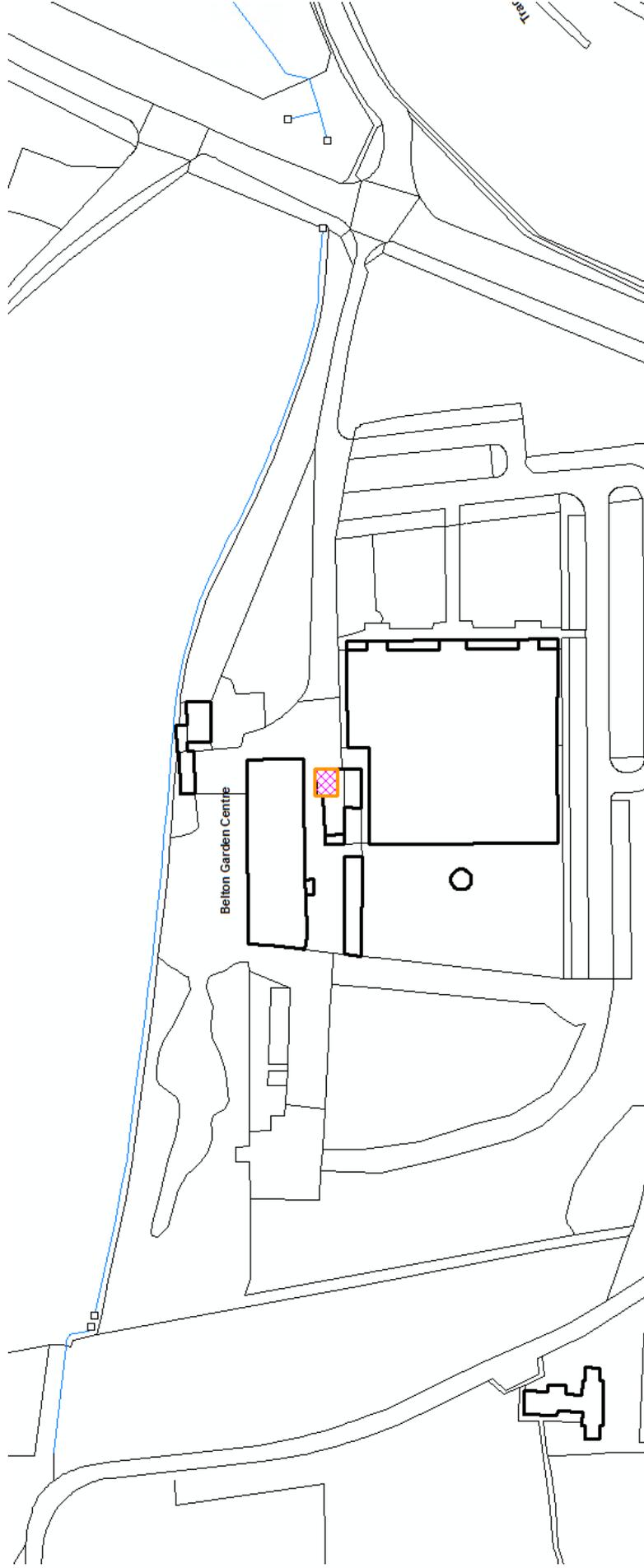
Reddy Nallamilli Principal Planning Officer

20 July 2020

#### Recommendation (s) to the decision maker (s)

That the application is: - Approved conditionally

S20/0446 Belton Garden Centre, Grantham Road, Belton, NG32 2LN



**Key**



**Application  
Boundary**



## **1 Description of Site**

- 1.1 The application property is situated within the curtilage of the garden centre. The property is a two-storey building screened by existing landscaping and buildings. The application building is an older structure which sit between the more modern main garden centre building and the coffee shop. The existing 2 rooms that are the subject of this application are currently vacant and are not currently used as part of the garden centre. The garden centre is adjacent to Belton House, a grade I listed building and the associated park and gardens. The site has a large car park with 200 spaces, reserved for use entirely to patrons to the garden centre.

## **2 Description of proposal**

- 2.1 Applicants seek to convert two vacant rooms within an ancillary void building within the garden centre to form a veterinary practice. The proposal does not require any external alterations to the building and the internal layout will be altered to provide a waiting room and consultation room. No animals will be kept on the premises overnight. It is proposed to operate the business 6 days per week, Monday - Saturday, 8.00 – 1700 hrs. It is proposed that the clients of the veterinary practice will use the current car parking facilities.

## **3 Relevant History**

- 3.1 No relevant planning history

## **4 Policy Considerations**

### **SKDC Local Plan 2011 - 2036**

- 4.1 Policy SD1 - The Principles of Sustainable Development in South Kesteven  
4.2 Policy DE1 - Promoting Good Quality Design  
4.3 Policy E5 - Expansion of Existing Businesses  
4.4 Policy E7 - Rural Economy

### **National Planning Policy Framework (NPPF)**

- 4.5 NPPF9 - Promoting Sustainable Transport  
4.6 NPPF12 – Achieving well designed places  
4.7 NPPF16 – Conserving and enhancing the historic environment

## **5 Representations Received**

### **Environmental Protection Services (SKDC)**

- 5.1 No comments to make.

### **5.2 Parish Council**

- 5.3 Belton and Manthorpe Parish Council consider the current access/egress is inadequate now for the volume of visitors and the location of the entrance is hazardous, due to the proximity of the Belton village south western approach with all its National Trust traffic and the Belton Woods Hotel entrance, plus being on a curved section of road to the north east, even with the new 50mph speed restriction.

- 5.4 A recent new 50mph speed limit was granted, because an accident cluster site was identified at this location, by the Lincolnshire Road Safety Partnership, and Lincolnshire County Council, agreed with the Parish Council submissions, that decreasing the speed limit here would help to reduce the number of accidents and injuries at this location. The reduced speed limit has only been in operation for a short period of time, so it has not, yet, been possible to evaluate the result of this reduced speed limit.
- 5.5 The proposed change of use would have an increased usage of this entrance, the entrance/exit at this location is not adequate to safely take these additional vehicles.
- 5.6 Believe the owners of the Garden Centre will never contemplate making any alterations to the site entrance until they have a plan rejected and consideration should be given as a priority to making access to the Garden Centre safer.
- 5.7 The Local Councillors have witnessed many large vehicles having to stand on the brakes because someone looking for the Garden Centre entrance cannot see it until they are virtually on it. Would like to see as a minimum, the driveway entrance widened and a small slip road installed to allow vehicles coming from the south west to decelerate off the main road, vehicles coming from the north do have a small area to wait in before turning and although not ideal it does work. The Belton and Manthorpe Parish Council would oppose any further development, until the junction of Belton Woods Hotel/Belton Garden Centre /Belton village is sorted, either by a roundabout (or an agreement for a shared entrance, by those properties.
- 5.8 **LCC Highways & SuDS Support**
- 5.9 Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed change of use would not have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the highway network. The building proposed to be used for the Veterinary Practice is existing so there would be no increased surface water flood risk. Accordingly, the Authority finds the proposed change of use is acceptable and does not wish to object to this planning application.

## **6 Representations as a Result of Publicity**

- 6.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and no individual letters of representation have been received.

## **7 Evaluation**

### **Principle of the use**

- 7.1 Policy SD1 (The Principles of Sustainable Development) of the South Kesteven Local Plan (SKLP) states that "development proposals in South Kesteven will be expected to minimise the impact on climate change and contribute towards creating a strong, stable and more diverse economy. Amongst other criteria it goes to say that development proposals shall consider how they can proactively encourage, as appropriate:

g. the use of previously developed land, conversions or the redevelopment of vacant or unutilised land or buildings within settlements;

7.2 Policy E7 (Rural Economy) of the SKDLP states that proposal for the following types of small business scheme will be supported, provided that is demonstrated that the business will help to support, or regenerate the rural economy:

Farming; Forestry; Equine; Rural enterprise; Sport and Recreation; and Tourism

7.3 Proposals must demonstrate that they meet all of the following criteria:

a) be of a scale appropriate to the rural location;

b) be for a use(s) which is(are) appropriate or necessary in a rural location, providing local employment opportunities which make a positive contribution to supporting the rural economy;

c) the use / development respects the character and appearance of the local landscape, having particular regard to the Landscape Character Assessment, and will not negatively impact on existing neighbouring uses through noise, traffic, light and pollution impacts; and

d) avoid harm to areas, features or species which are important for wildlife, biodiversity, natural, cultural or historic assets, including their wider settings.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') requires the Local Planning Authority to pay special regard to the desirability of preserving listed buildings and their setting. In this context, the objective of preservation is to cause no harm, and is a matter of paramount concern in the planning process. The importance of considering the impact of new development on the significance of designated heritage assets, furthermore, is expressed in section 12 of the National Planning Policy Framework (NPPF). The NPPF advises that the significance of designated heritage assets can be harmed or lost through alterations or development within their setting. Such harm or loss to significance requires clear and convincing justification. The NPPF also makes it clear that protecting and enhancing the historic environment is sustainable development. Local Planning Authorities should also look for opportunities to better reveal the significance of heritage assets when considering development in conservation areas.

7.4 The proposal is for the change of use of two unused rooms within an existing garden centre site, this will result in the re-use of a redundant part of the site for a small rural diversification business. It is considered that although the proposed use is not associated with the existing operation it will not detract from the existing use and no objection is raised in terms of principle.

7.5 **Impact of the use on the character of the area**

The NPPF states that good design is a key aspect of sustainable development and new development should be visually attractive as a result of good architecture and appropriate landscaping. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life and can include replacing poor design with better design and widening the choice of high quality homes.

7.6 Policy DE1 of the SKLP provides that to ensure high quality design is achieved throughout the District, all developments will be expected to make a positive contribution to the local distinctiveness, vernacular and character of the area. Proposal should reinforce local identity and not have adverse impact on the streetscene, settlement pattern or the landscape. Proposals should be of appropriate scale.

7.7 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') is relevant and is outlined above. When considering the impact of a proposed development on the significance of a designated heritage asset, great 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 harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. In this instance, the proposal will lead to less than substantial harm to the setting and significance of a designated heritage asset, this harm has also been weighed against the public benefits of the proposal. No external alterations are proposed and the proposal is physically substantially remote from Belton House and as such is not considered to have an impact upon this heritage asset and also complies with Policy EN6 of the SKLP.

7.8 The building is located to the site of an established large garden centre and it is heavily screened by landscaping on the boundaries and by the physical presence of existing garden centre buildings. The garden centre is adjacent to the grounds of historic Belton House parks and gardens. Having regard to the above it is considered that the proposal is a justified rural diversification project and will enable Belton Garden Centre to continue to operate efficiently and not impact on the character of the area. As such no objections are raised in terms of visual amenity and there would be no harm to the adjacent heritage assets.

#### **Impact on the neighbouring properties**

7.9 Policy DE1 of the SKLP (Promoting Good Quality Design) provides that development proposals will be expected to ensure there is no adverse impact on the amenity of neighbouring users in terms of noise, light pollution, loss of privacy and loss of light and have regard to features that minimise crime and the fear of crime.

7.10 The proposal is located within an existing garden centre within a relatively remote location. As such there are no neighbouring properties considered to be affected by this proposal. The proposal would provide additional facilities, at a small scale and should not therefore lead to a more intensive use of the site. As such the proposal is considered to not have a negative impact on amenity and complies with the above policies and guidance.

#### **Highway issues**

7.11 The Belton and Manthorpe Parish Council has been expressed that the proposed development could exacerbate existing highway safety problems at the access and egress to the site and have objected to the proposal on these grounds. They have suggested that the access should be widened/improved. Access to the site would continue to be through the existing access to the garden centre and existing car parking facilities would be available to the clients of the veterinary practice. In response to these concerns, further meetings/discussions have taken place with the Highway Authority, they do not wish to alter their recommendation and maintain they view of **no objection**. The revised NPPF advises that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The proposed veterinary practice would have 1 vet working each day with appointments every 20

minutes, 1 per hour, which equates to 3 cars entering the site per hour. It is a new business enterprise which should be supported.

- 7.12 Government advice is that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In assessing specific applications for development, it recognises that maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network. Safe and suitable access to the site should be provided for all users and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 7.13 In assessing this proposal, the Highway Authority has commented that these numbers generated by the proposed use are not in the 'severe residual cumulative transportation impact' range. Furthermore, they have commented that they do not support the widening of the access. From their inspection of the site, there did not appear to be any over-running of the edges that would indicate that the radii are too small. This a modest scale development and it is not considered a planning obligation to undertake highway improvement works would meet all three tests of paragraph 56 of the NPPF. The Lincolnshire Road Safety Partnership were asked to provide some commentary on the nature, scale and cause of the reported collisions on this section of the A607. Whilst there is a cluster in this area, these involve vehicles turning at the village junction and the Hotel access and not actually at the Garden Centre access.
- 7.14 The Highway Authority have drawn to my attention that there is **no robust evidence** to support the assertions made by the Parish Council. Planning policies seek to support an appropriate mix of uses. Having given due regard to the appropriate local and national planning policy guidance it has been concluded that the proposed change of use would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the highway network to withhold planning permission. The building proposed to be used for the Veterinary Practice is existing there would also be no increased surface water flood risk. Accordingly, the proposed change of use is acceptable on its own individual merits.

## **8 Crime and Disorder**

- 8.1 It is considered that the proposal would not result in any significant crime and disorder implications.

## **9 Human Rights Implications**

- 9.1 Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation. It is considered that no relevant Article of that act will be breached.

## **10 Conclusion**

- 10.1 Overall, it is concluded that the principle of the development is considered to be acceptable. It has been demonstrated that its use is justified and that the use of a redundant buildings in this location is such that it would not result in development that is out of keeping with its location or impact upon the adjacent Belton House, its park,

gardens or setting. As such is complies with Policies DE1, SD1 and E7 and EN6 of the Local Plan, and key principles of the NPPF.

RECOMMENDATION: that the development is Approved subject to the following conditions:

### **Time Limit for Commencement**

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

### **Approved Plans**

- 2 The works hereby consented shall be carried out in accordance with the following list of approved plans:
  - i. Drawing No.SX1123/10 P1, Layouts and Elevations, received 11 May 2020
  - ii. Site Plan, received 16 March 2020Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt.

### **Ongoing Conditions**

- 3 The premises shall not be [used for the purposes authorised by this permission/open for customers] other than between the following hours:  
08:00hrs -18:00hrs Monday to Sunday  
unless otherwise agreed in writing by the Local Planning Authority.

Reason: Operation of the use outside these hours would result in unacceptable levels of noise nuisance to local residents, contrary to Policies EN4 and DE1 of the South Kesteven Local Plan.

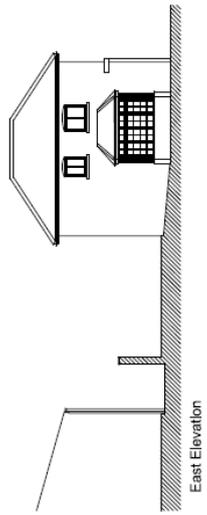
- 4 This permission shall only be used as a Veterinary Surgery Practice with ancillary goods/services as set out within D1 and for no other purpose as defined in the Schedule to the Town and Country Planning (Use Classes) Order 1997 (as amended), or in provision equivalent to that Class in any statutory instrument revoking and re-enacting that order with or without modification.

Reason: To define the permission.

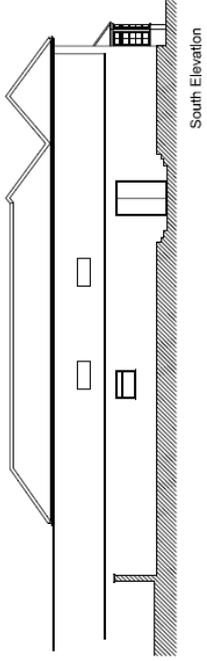
**Financial Implications reviewed by: Not applicable**

**Legal Implications reviewed by: Not applicable**

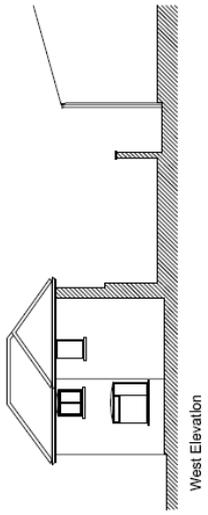
**CLIENT:**  
 The Council of Leicestershire, Leicestershire, Le. & Rutland  
 100 High Street, Leicester, Leicestershire, LE1 7RU  
 Attention: Planning Department, Leicestershire & Rutland Council



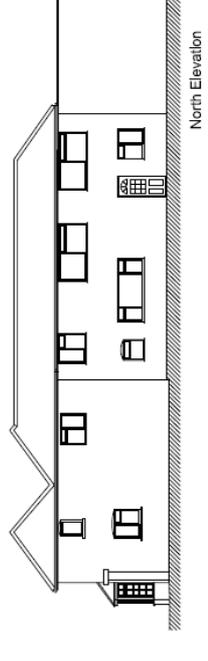
East Elevation



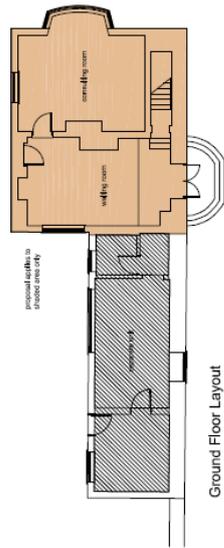
South Elevation



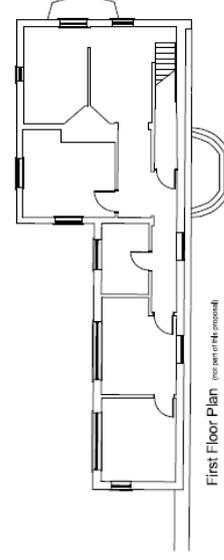
West Elevation



North Elevation



Ground Floor Layout



First Floor Plan (not part of this proposal)

**XL Architects LLP**  
 Architects  
 100 High Street, Leicester, Leicestershire, LE1 7RU  
 01533 422222  
 www.xlarchitects.co.uk

**ORCHARD HOUSE**  
 VETERINARY SURGERY

**Change of use to ground floor area of existing building**  
 Belton Garden Centre  
 Belton, Grantham

**LAYOUTS & ELEVATIONS**

March 2020 1:100 @ A2

Project No: **XL1123/10** P1