

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H04-1270-21 **Applicant:** JJR Property Investment

Proposal: Amendment to Unit 10 only of approved planning application H04-1189-17 and H04-1190-17 to allow for the installation of timber patio doors and the creation of a garden.

Location: Site Of Former Red Cow Hotel High Street Donington

Terminal Date: 24th February 2022

Planning Policies**South East Lincolnshire Local Plan - Adopted: March 2019**

01	Spatial Strategy
02	Development Management
03	Design of New Development
29	The Historic Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance**National Planning Policy Framework 2021**

Sections 12 and 16 of the National Planning Policy Framework (2021)

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This planning application is for the amendment of H04-1189-17, to allow for the creation of a patio door and garden to the Northern Elevation of the rearward housing conversion at the Former Red Cow Hotel, Donington.

Site Description

The Red Cow is located on High Street at the heart of Donington. The Village of Donington is well served with a range of facilities and services within close proximity to the development site. High Street comprises of a variety of different uses and local services ranging from residential to shops, food and drink, community uses, etc.

The former coaching inn is a Grade 2 Listed Building and a large prominent frontage along High Street, spanning over 33m wide. Historic England describe the building like so;

"Hotel and Assembly Room. C17, refronted and raised c.1800, altered late C19 and C20. Colourwashed and rendered brick, stucco dressings, slate roof, 2 gable and single ridge stacks. 3 storey, 7 bay front with first and second floor stucco bands. Overhanging eaves. Off-centre double panelled doors with leaded fanlight in a plain stucco pilastered surround and C20 projecting glazed hood, flanked by pairs of C20 windows. To right an open segmental carriage arch, with plain impostes and key block, beyond again a further C20 window. To first floor are 6 glazing bar sashes with to left a C19 rectangular oriel window on scrolled wrought iron brackets and hipped lead roofs. To second floor are 7 further sashes. All windows have cambered heads. To right an added tall single storey plus cellar 3 bay Assembly Room with concrete tiled roof. 3 grilled lights to cellar. Above are 3 tall glazing bar sashes with cill band, splayed brick arched heads and key blocks. In the right hand side of the carriageway is a 6 panel door leading to the Assembly Room with radiating fanlight, wood panelled reveals, fluted wooden pilasters with paterae, semi-circular head with keystone. Interior of the hotel has semi-circular niches with fluted pilasters flanking the fireplaces in both front rooms. Beam with run out stops. The Assembly Room is reached up a staircase with mahogany handrail. It has a flat segmental blank arch with fluted pilasters and roundels with matching architraves to windows and doors. Plaster cornice above suspended ceiling."

Of less visual value, but of equal significance in terms of planning consideration, is the rear of the site, which forms the proposal site for this application. The appearance and overall visual amenity to the rear is less characterful despite still being within the boundaries of the Conservation Area. Land uses to the rear consist of housing (Barnsdale Mews) and commercial units of light industrial/engineering nature.

The additional land to the rear of the Red Cow is accessed from Church Street, this entrance is shared by neighbouring businesses along with adjacent residential properties. The land is privately owned and forms part of the development site.

History

H04-0220-21 and H04-0221-21

Details of full historic building recording, materials of construction, reconstruction & renovation, materials of architectural & structural specification of former coaching inn and its rear wing, large scale constructional drawings and details of new works and renovation. Approved on 9/8/21

H04-0314-16 and H04-0315-16.

Proposed residential development (31 dwellings) and demolition of Tap Bar. Approved with conditions 7/12/16.

H04-0030-11 & H04-0031-11

Conversion of public house into bar/restaurant, dental surgery and 5 flats, including partial demolition, together with the erection of 7 dwellings to the rear. Application withdrawn.

Consultation Responses

Lincolnshire County Council Lead Local Flood and Highways Authority

No objections

Planning Considerations

Heritage Impact

The Local Planning Authority holds there to be no detrimental impact to the value or significance of the heritage asset presented by this application. The portion of the site which is to be effected by this application is a non-original modern addition, constructed as part of the ongoing development. The proposed new patio door is constructed of appropriate materials, being white painted timber in construction, with a 2-pane glass style, matching the approved window above.

The creation of a garden bears no impact upon the historic value of the site, although the proposed fence is timber and is considered to be appropriate and matching to similar developments in the area, including within the conservation area.

The site is within the conservation area for Donington. However, the site is not at all visible from the public realm, as it is effectively a backland form of development. Therefore, the CA for Donington is unaffected by this proposal.

Due, therefore, to the lack of an impact, this proposal must be said to assist in conserving the historic environment in accordance with the requirements of Section 16 of the National Planning Policy Framework (2021)

Residential Amenity

This proposal only enhances the residential amenity of this site, providing additional garden/amenity space for plot 10 of this development, without providing any sort of overlooking or overshadowing risk to the development itself or any neighbouring properties.

Vehicular Access/Parking Provision

Whilst the proposal site of the garden is within an area marked as part of the vehicular access to the remainder of the complex, this proposal would run adjacent to the accessway, still providing ample access for vehicles and pedestrians to the rear of the Red Cow building and the associated dwellings. Parking provision is not at all impacted by this proposal.

Conclusion

For the reasons listed above, this application is found to be in accordance with Policies 1, 2, 3, 29, 36 and Appendix 6 of the South East Lincolnshire Local Plan (2019) as well as Sections 12 and 16 of the National Planning Policy Framework (2021). Therefore, 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.