

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H09-0063-26 **Applicant:** Mr & Mrs Tatum
Proposal: Proposed Repairs & Alterations to Listed Building
Location: 3 Chancery Lane Holbeach Spalding
Terminal Date: 6th April 2026

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

National Guidance

National Planning Policy Framework December 2024

Section 12 - Achieving well-designed places
Section 16 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	2

CASE OFFICER ASSESSMENT

Description of Proposal

This is a listed building consent application for alterations and repairs at 3 Chancery Lane,

Holbeach. The list of works proposed is as follows:

- To repair, splice and repaint existing timber sash window frames to the principal elevation and to replace existing single glazed windowpanes with heritage style double glazing
- Remove existing roof tiles (including late 20th century concrete interlocking roof tiles) and replace with slate roof tiles
- Replace rainwater goods with aluminium
- Replace existing aluminium framed windows to side and rear elevations with like-for-like aluminium framed units
- Rake out existing cement mortar from masonry and repoint with natural hydraulic lime mortar
- Removal of existing concrete hardstanding from the driveway and replacement with gravel
- Re-positioning of existing side fence & gate, to be between 0.65 and 1.4m further back from the road
- Removal of an existing internal stud wall and the erection of a new internal stud wall

The proposal initially involved the replacement of rainwater goods with UPVC; however, following the comments of the Conservation Officer, these were changed to aluminium.

Site Description

The site is within the settlement boundaries of Holbeach, as outlined within the South East Lincolnshire Local Plan, 2019. The site is located centrally within the town, within the Holbeach Conservation Area. The area is characterised primarily by 19th century medium density housing.

3 Chancery Lane is a Grade II listed dwelling, and is a pair with the adjoining 1 Chancery Lane. The Historic England entry for the two dwellings is as follows:

"2 cottages. 1854, C20. Red brick. Hipped concrete tiled roof with 2 lateral stacks. 2 storeys, 4 bay front with corner pilaster strips. Central 2 bays project slightly and are topped with pediment containing moulded oval plaque inscribed: 'JST 1854'. Central pair of semi-circular headed doorways with moulded imposts and keystones; No.1 to the left with a C20 glazed door' No.3 to the right with door with recessed panels; and both with fanlights with radiating spokes. Beyond to the left is a single plain sash. Beyond to the right is a single glazing bar sash. Above to the left are 2 plain sashes. Above to the right are 2 glazing bar sashes."

Relevant History

H09-0062-26 - Full - Proposed Repairs & Alterations to Listed Building - Ongoing.

Adjoining Sites

H09-0249-24 - Full - Replacement of roof covering with slate, repointing of external walls and repairs to existing timber windows - Approved 28/05/24.

H09-0244-24 - LB - Replacement of roof covering with slate, repointing of external walls and repairs to existing timber windows - Approved 28/05/24.

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:

Historic England

Historic England provides advice when our engagement can add most value. In this case we are not offering advice

Historic Environment Officer

Thank you for consulting us on this. Having reviewed the application documents and the updated available Historic Environment information for this application, the proposal is unlikely to have an impact on significant archaeological remains. Consequently, no further archaeological input is necessary for this application. It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request. Finally, as the proposal involves external works at MLI94442 1 and 3 Chancery Lane, Holbeach (Grade II listed), the South Holland District Council Conservation

Officer should be consulted prior to determination, given the potential for direct impacts on the significance of the listed building and indirect impacts on the character and appearance of the DLI10603 Holbeach Conservation Area

Conservation Officer

I am writing to confirm that I'm satisfied with all proposals included within both applications, apart from the proposed installation of PVC rainwater goods. UPVC is not an appropriate form of material for any aspect of a Grade II listed building, and as such does not 'match existing' as the plans suggest. The applicant has proposed to use powder coated aluminium RWGs on the lean-to. The application should be amended to replicate the use of metal RWGs throughout, and if the applicant is not open to amendment, the application should be refused on grounds of unjustified harm to an LB by means of installation of a thoroughly modern and inappropriate form of material onto a designated heritage asset.

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 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving listed buildings, their setting, or any features of special architectural or historic interest which they possess.

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, 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Layout, Design, Scale and Consideration of the Character of the Area and Heritage Considerations

Policy Context - Design

Section 12 of the National Planning Policy Framework (December 2024), "Achieving well-designed places", states that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the National Planning Policy Framework (December 2024), states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality, to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing. Developments should create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations.

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 - Listed Building

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving listed buildings, their setting, or any features of special architectural or historic interest which they possess.

Paragraph 213 of the NPPF outlines that "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 other words, should a proposal result in harm to an asset, this should be weighed against the public benefits arising from the proposal. Paragraph 215 expands upon this, stating that "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

The above assessment of harm should be informed by the submission of an appropriate Heritage Impact Assessment (HIA). On this point, Paragraph 207 of the NPPF outlines that in "determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary".

Policy 29 of the SELLP outlines that all proposals shall conserve and enhance the character and appearance of designated heritage assets. Section A of Policy 29 outlines criteria which applications relating to listed buildings should conform to. These are as follows:

- "1. Proposals to change the use of a Listed Building or to alter or extend such a building will be granted where the Local Planning Authority is satisfied that the proposal is in the interest of the building's preservation and does not involve activities or alterations prejudicial to the special architectural or historic interest of the Listed Building or its setting.
2. Proposals involving the demolition of Listed Buildings will not be permitted, unless in an exceptional case, or wholly exceptional case (depending on their grade) where a clear and convincing justification is made in line with national policy.
3. Proposals that affect the setting of a Listed Building will be supported where they preserve or better reveal the significance of the Listed Building."

Assessment

Several elements are proposed, each with their own impact upon the significance of the building.

Starting with the works to the windows of the principal elevation, it is considered that the proposed alterations would not harm the importance of the asset or character of the area. The repairs to the frames are a small enhancement, retaining an existing important feature and vernacular materials. Whilst double glazed windows would ordinarily be unacceptable in this setting, the heritage model of double glazing would prevent significant bulk or the distorting of historic proportions. On this basis, the changes to the windows of the principal elevation, when taken in isolation, are not considered to constitute harm to the building.

Likewise, the replacement of tiles with slates can be seen as a betterment. The existing tiles are anachronistic, being an inappropriate 20th century addition which detracts from the appearance of the building. These tiles have been removed on the adjoining property (see H09-0249-24 and H09-0244-24), creating an awkward dichotomy between the two units. On this basis, the removal of the tiles and their replacement with natural slate can be considered as a betterment, which enhances the appearance of the listed building.

It is proposed that appropriate aluminium rainwater goods would be used. These are considered appropriate given the nature of the asset. This aligns with the comments of the Conservation Officer.

The replacement of aluminium windows with like-for-like models is considered to be acceptable on balance. Importantly, like-for-like changes do not necessarily require consent. In any event, these windows are located on side and rear elevations, where visibility from the public realm is low. As such, the appreciation of the asset would not be significantly impacted. Moreover, as the features are already in place, the proposed alterations cannot be seen as a harmful factor. The change would therefore maintain the appearance of the building, in line with the requirements of Policy 29.

The repointing of the brickwork can be seen as an enhancement. The existing mortar is inappropriate for the materials used throughout the site, and is detrimental to the appearance of the building. The use of traditional lime mortar would enhance both the appearance and longevity of the building.

The alterations to the driveway and gate are again not considered to harm the appearance of the dwelling. The repositioning of the fence is minor and can be considered a natural factor. The change would not impact the appreciation of the building or negatively impact the setting in any form. The existing concrete driveway offers no positive contribution to the appearance of the area or the asset. It is of no visual or historic merit. Gravel would be an equally appropriate material. As such, these elements are considered to be a neutral factor.

The internal alterations are not considered to impact the historic asset significantly. The existing wall to be removed is a stud wall, meaning it could feasibly be removed without harming the asset. Likewise, the new stud wall could be constructed without harming the integrity of the building. The existing internal layout is not considered to be significant to the historic importance of the building. On this basis, this is also considered to be a neutral factor.

Taken cumulatively and as individual elements, the proposal would not harm the listed building. All works proposed can be broadly summarised as repairs, which will help ensure the longevity of the asset. Therefore, the requirements of Policies 2, 3 and 29 of the SELLP and Sections 12 and 16 of the NPPF have been met.

Planning Balance

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving listed buildings, their setting, or any features of special architectural or historic interest which they possess.

The proposal is considered to represent appropriate development and there would no harm to the heritage asset.

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 2, 3, and 29 of the SELLP, as well as Sections 12 and 16 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.