

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H09-0185-19 **Applicant:** A P I Limited
Proposal: Renovation of The Chequers, Holbeach, including partial change of use, renovate pub/restaurant and four residential units and change of use from B and B to 11 residential units (part retrospective)
Location: The Chequers Hotel 15 High Street Holbeach
Terminal Date: 10th June 2019

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
09	Promoting a Stronger Visitor Economy
11	Distribution of New Housing
17	Providing a Mix of Housing
18	Affordable Housing
24	The Retail Hierarchy
26	Primary Shopping Frontages
29	The Historic Environment
30	Pollution
32	Community, Health and Well-being
36	Vehicle and Cycle Parking

National Guidance

National Planning Policy Framework 2019

Sections 2, 3, 4, 5, 6, 7, 8, 9, 12, 14 and 16

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	3	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1

SHDC INTERNAL	0	0	0	2
OTHER STATUTORY BODIES	0	0	2	2
RESIDENTS	1	1	0	1

CASE OFFICER ASSESSMENT

Proposal

Planning permission is sought for renovations and a partial change of use of the Chequers Hotel. Work has commenced on site.

The ground floor pub and kitchens would be retained as a pub/restaurant, along with four existing residential units. The bed and breakfast accommodation and first floor function room would be converted into 11 additional one/two bed residential units (total 15). Some external alterations are proposed, including replacement timber sash windows on the side elevation of the principle building and new uPVC fenestration on the single storey buildings at the rear. External paint has been removed on the front and side elevations and the original brickwork will remain exposed.

The applicant has indicated that the proposed vehicular access is from High Street and not Thomas de Moulton Way despite the Chequers having a right of way over the latter. Only that part of Thomas de Moulton Way within the ownership of the Chequers has been included within the site as outlined in red.

Site Description

The site is located in the centre of Holbeach and is within the Conservation Area. All Saints' Church (grade I listed) is situated opposite. A former takeaway is situated to the east of the High St entrance and a newsagents to the west. A mixture of commercial and residential are located to the north and west.

The site is presently accessed via High Street and also a private roadway (Thomas de Moulton Way) at the rear off Park Road.

History

H09-0791-13 - 7 two bedroomed cottages with parking and amenity space, Chequers Hotel - Refused 7 November 2013.

Refused on the following grounds:

- Harm the conservation area;
- Intensification of vehicular activity along private roadway and failure to clarify existing rights of access;
- No archaeological details submitted.

Consultation Responses

Holbeach Parish Council - No comments received.

Cllr F. Biggadike - Supported. These renovations will support the South Holland and Government Policy of maintaining a prosperous and healthy High Street.

Cllr T Carter - I strongly support this application.

This building is a central focus in the town, and also within the Conservation Area. It has been left to deteriorate and to now see it being developed and improved will make a positive impact on the town, in both looks and will also assist footfall.

All towns, up and down the country, now need a mix of all uses including retail, commercial, residential and experience to enable them to thrive. By adding the residential elements to this application I consider it supports the building and the bar/ restaurant to be able to be a long term viable investment to help to ensure the bar remains open for many years to come. Also positive to see that waste provisions will be provided to ensure we do not see an increase in rubbish problems and instead will be dealt with privately.

LCC Highways/SUDs - Does not wish to restrict the grant of permission.

Understand that the car park was previously open to all with accesses off High St and Thomas de Moulton Way. Consequently, the proposal will not result in an increase in use of the car park and there will be no additional detriment to the highway as a result. No accidents recorded in general location of High St.

Housing Strategy - Should the development be permitted the current policy requires 25% of the development to be provided as affordable housing to meet district wide housing needs. The affordable housing should be delivered in accordance with the affordable housing as described in Annex 2 of the National Planning Policy Framework dated February 2019, or any Planning Policy Statement, Guidance Notes or Circulars which may amend, supplement or supersede this.

The affordable contribution should be provided with a tenure split of 70% in favour of rented and 30% intermediate housing for sale dwellings, although due to the nature of this development it may be more appropriate to deliver all of the affordable housing for rent. It would be preferable for the affordable housing to be secured through a S106 agreement.

Environmental Protection - No objections.

Historic England - No observations.

LCC Education - No comments.

NHS - No request for funding

Lincolnshire Police - No objections. Recommend crime prevention measures.

Public (summarised);

Thomas de Moulton Way is little more than a pathway over which the Chequers has a right of access; Unsuitable in terms of width and construction for additional traffic created by 11 apartments - too narrow to allow two vehicles to pass with a blind bend; Has previously been used as a rat run to avoid traffic lights; Poor visibility at Park Road exit due to high sided parked vehicles; Detrimental to highway safety and safety of school children using path; What arrangements will be made concerning bins/refuse? Thomas de Moulton Way unsuitable for refuse collection and skip vehicles.

Information from Applicant (summarised):

The reason for converting the B&B into residential apartments is simply because the B&B is no longer a viable business model and will not be financially viable to upkeep in the future. By converting the building into residential units it will bring more permanent residents into the centre of Holbeach, boosting the local economy. It will also provide more safety and security to the surrounding areas by the addition of full time residents and their natural surveillance over the area, in particular the rear car park which has become a dumping ground.

The main highlight of this proposal is that the pub and its remaining feature will be fully renovated and retained, the owners intend to provide a family friendly pub and restaurant which is something that the local residents would love as well as bringing more people to the high street. Overall the proposal aims to benefit the local amenities, provide a quality service for local residents and improve the areas desire as a place to live and spend time.

Currently the building is falling into disrepair and has internal leaks and damp throughout. They have been there for some time as they have caused the floor joists and walls to become rotten and start to erode. If left vacant, this building with its significant historic background and heritage will get to the point where it needs demolishing, as opposed to renovating.

Affordable housing will affect the viability of the project which is bringing a disused historic building back into use. There will be no extensions.

Willing to allow access for staff and residents only. This is not an increase in traffic as previously the car park has been 100% open and used by the public accessing town, people visiting events at the church opposite, local residents that live near by and trades working in the local area. Our proposal will result in quite a big reduction in traffic as the flow will be controlled.

Planning Considerations

The main issues in this case are:

- Principle;
- Character/appearance including the effect of the development upon the setting of All Saints' Church, which is grade II listed;
- The likely effect upon the amenity of nearby residents;
- Highway safety;
- Other material considerations.

Principle

The site is within Holbeach Primary Shopping Area as defined in the South East Lincolnshire Local Plan, 2019. Policy 24 is therefore applicable. It indicates the following:

In the District Centre of Holbeach and the Local Centres of Crowland, Donington, Kirton, Long Sutton and Sutton Bridge, town centre uses will be permitted where they, on their own or cumulatively with other permitted development, will generate no significant harm upon the vitality and viability of that centre or any other centre within the hierarchy, particularly with regard to their role for food shopping.

Addressing the above, the ground floor bar/restaurant would be retained with the remainder changed from bed and breakfast to residential units. It is considered that such development would not harm the viability/vitality of the town centre and would essentially bring an important redundant heritage building within the town centre back into use. The site is considered to be a sustainable location for residential development.

Character/Appearance/Heritage

The main external alterations include exposing the external brickwork on the front and side elevations and replacement timber siding sash windows on the side elevation. Soffits, fascias, guttering, etc would be replaced where necessary. Replacement uPVC windows would be installed within element at the rear that is not readily open to public view. It is considered that the proposal would not harm the character/appearance of Holbeach Conservation Area or the setting of All Saints' Church (grade I listed).

Internally, there would be some sub-division of rooms such as the banqueting hall, which still retains some original features. Whilst this is regrettable, the building is not listed and such works could be undertaken as permitted development. Consequently, there is not sufficient reason to resist this part of the scheme given the overall benefits.

Amenity

Existing openings on the eastern elevation predominantly face the car park and/or commercial property. Existing development to the north and west is also predominantly commercial, but also include some rear gardens/residential curtilages associated with properties such as 2 Park Road and flats associated with the former chapel. There are existing upper windows facing north and west relating to the bed and breakfast accommodation. They would now be associated with the residential element of the scheme. It is considered that the amenity of neighbouring residents would not be affected to a significantly greater degree than at present in terms of overlooking, lack of privacy, overbearing effect, overshadowing, etc.

The overall nature of the use would not significantly alter, other than substituting the bed and breakfast element with residential. The private roadway and car park are presently used by customers and staff of The Chequers, as well as the general public. This would not really alter. It is considered that the amenity of existing residents, including those living along Thomas de Moulton Way, would not be harmed to a significantly greater degree than at present in terms of noise and disturbance.

Highway Safety

The site can presently be accessed via High Street and Thomas de Moulton Way (private roadway) by customers and staff of The Chequers, as well as the general public. There has been some opposition of use of Thomas de Moulton Way to access the site. Although a section of it has been excluded from the site it is understood that The Chequers has a right of way over it.

It is considered unreasonable to restrict access to the car park solely from High Street, especially since this access is rather narrow with restricted visibility at the entrance. It is considered that the scheme would not result in significantly more traffic movement to and from the site. The County Highways Authority does not wish to restrict the grant of permission on highway safety grounds.

Other Material Considerations

Affordable Housing - Housing Strategy has requested an affordable housing contribution. However, the scheme is not significantly increasing the number of units upon the site, other than an alteration from bed and breakfast accommodation to residential. Moreover, the applicant has indicated an affordable housing contribution would make the scheme financially unviable. Given the priority of bringing a very prominent and important heritage building with the centre of Holbeach back into use it is considered in this particular case that an affordable housing contribution should not be insisted upon.

Flood Risk - The site is with Flood Zone 1 as defined within the Environment Agency Flood Maps and within an area of no hazard within the SHDC Strategic Flood Risk Assessment. The proposal therefore passes the sequential test in terms of flood risk.

Conclusion

The ground floor bar/restaurant would be retained with the remainder of the building changed from bed and breakfast to residential units. It is considered that such development would not harm the viability/vitality of the town centre and would essentially bring an important redundant heritage building within the town centre back into use. The site is considered to be a sustainable location for residential development.

The proposal would not harm the character/appearance or setting of setting of All Saints' Church (grade I listed). The amenity of nearby residents would not be affected to a significantly greater degree than at present. LCC Highways raises no objections on highway safety grounds.

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 to grant permission 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 to grant permission 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 to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Recommendation - Grant permission under delegated powers.