

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H09-0244-25 **Applicant:** N Marshall
Proposal: Conversion of existing basement to create 1 flat
Location: Westholme 32 West End Holbeach
Terminal Date: 7th May 2025

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
11 Distribution of New Housing
17 Providing a Mix of Housing
29 The Historic Environment
36 Vehicle and Cycle Parking
APPENDIX 6 Parking Standards

National Guidance

National Planning Policy Framework December 2024

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 5 - Delivering a sufficient supply of homes
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment
Section 16 - Conserving and enhancing the historic environment

National Guidance

Representations:

| | Object | Support | No Obj. | Comments |
|----------------|---------------|----------------|----------------|-----------------|
| PARISH COUNCIL | 0 | 1 | 0 | 0 |
| WARD MEMBER | 0 | 0 | 0 | 0 |

| | | | | |
|---------------------------------------|---|---|---|---|
| ENVIRONMENT AGENCY | 0 | 0 | 0 | 1 |
| HIGHWAYS & SUDS SUPPORT | 0 | 0 | 0 | 1 |
| SOUTH HOLLAND INTERNAL DRAINAGE BOARD | 0 | 0 | 0 | 1 |
| SHDC INTERNAL | 0 | 0 | 1 | 1 |
| OTHER STATUTORY BODIES | 0 | 0 | 0 | 1 |

CASE OFFICER ASSESSMENT

Proposal

The proposal seeks full planning permission for the conversion of an existing basement into a one-bedroom flat.

Site Description

The application site comprises land at Westholme, 32 West End, Holbeach. The site comprises a grade II listed building which is located within Holbeach Conservation Area. The building features four floors including the basement. The rest of the building appears to be in residential use as the planning history for the site indicates that the site has previously been granted consent to form six bedsit flats.

The site is within the settlement limits of Holbeach, as identified by the South East Lincolnshire Local Plan 2011-2036 (2019). The site is also within the Holbeach Town Centre policy area.

The site is within Flood Zone 1, as identified by the Environment Agency's flood risk maps.

Relevant Planning History

H09-0636-98: (Full Application) Change of use to house in multiple occupation (maximum of 6 bedsits) - approved 24 September 1998

H09-0703-98: (Listed Building Consent) Install handbasins, soil pipe, kitchen/bathroom (1st floor) 5 replacement windows & other work to comply with fire regs - approved 24 September 1998

H09-0739-04: (Listed Building Consent) Proposed alterations and renovation works to existing flats - approved 29 July 2004

H09-0244-25: (Full Application) Conversion of existing basement to create 1 flat - pending determination

Consultation Responses

The responses received from consultees during the consultation period are summarised below. The responses can be viewed in their entirety on the South Holland website.

South Holland Internal Drainage Board: No comments.

Holbeach Parish Council: Fully support the proposals.

Lincolnshire County Council - Historic Environment: The submitted Heritage Impact Assessment confirms the significance of this Grade II listed building, detailing its historical and architectural value, as well as the impact of the proposal on the remaining historic fabric. The proposed conversion will have a significant impact on any surviving original elements of the listed building. I recommend that if permission is granted, there be a condition for a mitigation strategy to effectively deal with this site. This will comprise a phased programme of mitigation work including, but not limited to an archaeological monitoring of the lowering of the existing basement floor and, a level 3 historic building recording of the building. This will enable the building to be recorded prior to conversion. This should be secured by South Holland District Council's standard conditions AR01, 02 and 03 and is in accordance with National Planning Policy Framework paragraphs 207 and 218 and the South East Lincolnshire Local Plan (Policy 29).

Environment Agency: The Environment Agency does not wish to make any comments on this application. It does not appear to fit any of the criteria on our consultation checklist, 'When to consult the Environment Agency'.

Lincolnshire County Council - Highways and SUDS: The proposal is for the conversion of existing basement to create 1 flat. The site is located in a central urban area where services and facilities are within a reasonable distance to be accessed via sustainable travel options such as walking, cycling and public transport. Future residents of the development will not be reliant on the private car and therefore parking is not essential for this proposal.

Environmental Protection: No comments regarding environmental protection or land contamination.

Conservation Officer: No objections. However, I echo the comments of my colleague from the LCC Historic Places team in requesting that the lowering of the basement floor is archeologically monitored. Additionally, details of the proposed windows ought to be secured by means of pre-installation condition.

Cllr S E Hutchinson: No response received.

Cllr T Carter: No response received.

Cllr N J Chapman: No response received.

Holbeach and District Civic Society: No response received.

Ecology Officer: No response received.

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, one letter of representation has been received.

Key Planning Considerations

Development Plan

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

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, December 2023 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

There are no adopted Neighbourhood Plans for the area within which the site is located.

The main issues and considerations in this case include the following:

- Principle of Development;
- Visual and Heritage Impact;
- Impact on Amenity; and
- Highway Safety and Parking.

These matters are assessed in turn below.

Principle of Development

Policy 1 of the Local Plan sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

The site is within Holbeach which is identified as a Main Service Centre. Policy 1 sets out that within Main Service Centres, development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities. It is considered that the provision of one flat would support the role of Holbeach as a service centre. As such, the proposed development would accord with the aims of Policy 1.

The site is also within Holbeach town centre policy area. Policy 25 of the Local Plan is one of the most relevant policies for town centres. It is considered that the proposal would accord with the aims of Policy 25 as the proposed conversion would not result in the loss of any retail floorspace or undermine the purpose of the town centre.

As such, the principle of development is acceptable; however, this is subject to the assessment of the proposal in terms of other material considerations and relevant policies.

Visual and Heritage Impact

Section 12 of the National Planning Policy Framework (December 2024) specifically relates to 'Achieving well-designed places' and details 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 of the NPPF, 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.

Policy 2 of the Local Plan 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.

Policy 3 of the Local Plan 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.

The site features a grade II listed building which is within Holbeach Conservation Area. Policy 29 of the Local Plan sets out that 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. Part B of the policy sets out some of the relevant considerations for assessing proposals which would affect a Conservation Area.

Section 16 of the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990 are also relevant in the determination of applications which affect designated heritage assets.

The National Planning Policy Framework (NPPF) (December 2024) expresses the importance of considering the impact of development on the significance of designated heritage assets; advising that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.

Section 16 of the National Planning Policy Framework (December 2024) states that "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".

In respect of any buildings or other land in a conservation area, special attention must be paid to the desirability of preserving or enhancing the character or appearance of that area, through Section 72 the Planning (Listed Buildings and Conservation Areas) Act 1990.

In assessing proposals of this nature, the Local Planning Authority must ensure special regard to preserving the Listed Buildings and their settings in relation to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act'). No harm should be caused with the historical assets and their surroundings requiring to be preserved or enhanced.

The only external alterations being proposed, comprise the removal of the existing timber cladding to create a bay window, at the front of the building. Other internal alterations are proposed; however, these alterations require listed building consent rather than full planning permission. The internal alterations are pending determination under application H09-0245-25.

The council's conservation officer has set out that they have no objections to the proposed physical alterations to the front of the building, provided that a condition is included to secure further details of the proposed window materials. Subject to the inclusion of such a condition, it is considered that the proposal would not cause an adverse impact on the listed building within the site or the character and appearance of the Conservation Area within which the site is located.

In terms of the visual and heritage impact, the proposal would not cause harm to the designated assets in this regard, and would therefore accord with Policies 2, 3 and 29 of the Local Plan and Sections 12 and 16 of the NPPF.

Impact on Amenity

Paragraph 135 of the NPPF states that development 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.

Policies 2 and 3 of the Local Plan set out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The proposed internal floorspace meets the nationally described space standard for a one-bedroom flat. Although, no external amenity space is proposed.

Only one window is proposed for the flat. This window is located at the front of the building and the outlook from this window is mostly blocked due to its position at the basement level. No other windows would be available and as such, most of the living space would not have sufficient natural light or natural ventilation.

Furthermore, the proposed bedroom would have no windows. It is therefore unlikely that there would be sufficient natural light within the flat, and there also would not be a decent outlook for future occupants. This would result in a poor standard of living. Due to the site's location within a

basement, there is no scope to provide additional windows.

Policy 21 of the Local Plan is also considered to be relevant in this case. Policy 21 sets out that proposals for the sub-division of dwellings will be permitted provided that criteria 1 to 8 of the policy are addressed. It is considered that the proposals would accord with Parts 1, 2, 3, 5 and 6 of the policy.

In terms of the other parts of the policy, part 4 requires that "adequate provision is made for the storage and disposal of refuse and recycling". The submitted information does not indicate where refuse storage is proposed, therefore it is unclear if this part of the policy is addressed. It is noted that a public representation received for the listed building consent application which is pending determination under application H09-0245-25 sets out concerns that rubbish is left on the pavement outside the building on a weekly basis.

Part 7 of the policy requires that "an adequate standard of residential accommodation and residential amenity is provided for future occupiers". As set out above, it is not considered that a suitable standard of residential amenity would be achieved. Therefore the proposal would not accord with part 7.

Part 8 of the policy requires that "adequate provision is made for the communal gardens and amenity areas". No external amenity space appears to be available for the proposed flat and as such, the proposal would not accord with part 8 of the policy.

Therefore, the impact of the proposed development on the amenity of future occupants would be unacceptable due to the lack of natural light provision and the lack of a suitable outlook. As such, the proposed development would be at conflict with Policies 2, 3 and 21 of the South East Lincolnshire Local Plan (2019) and Section 12 of the NPPF, specifically Paragraph 135.

Highway Safety and Parking

Paragraph 116 of the NPPF sets out 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, following mitigation.

Policy 2 of the Local Plan sets out that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation.

Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the Local Plan, in conjunction with Appendix 6, sets out minimum vehicle parking standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

No on-site parking is proposed for the proposed flat. Lincolnshire County Council's highways team have set not raised objections to the lack of parking provision in this case. The team have set out that the site is located in a central urban area where services and facilities are within a reasonable distance to be accessed via sustainable travel options such as walking, cycling and public transport. As such, the team considers that future occupants of the development would not be reliant on the private car and therefore parking is not essential for this proposal.

The proposed development would therefore be acceptable in terms of highway safety and would therefore accord with Policies 2, 3, 33 and 36 of the Local Plan, as well as Section 9 of the NPPF.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposed flat would only be provided with one window at the front of the building. It is considered that the provision of one window would not provide enough natural light and ventilation for future occupants. Furthermore, there would not be a decent outlook from the flat for future occupants as most of the window faces onto a blank elevation which appears to be less than a metre from the building. As such, the proposed development would result in a poor standard of living.

The proposed development in this instance would provide one flat, providing a very minor contribution to the supply of homes within the district. This is a minor contribution and is afforded little weight. The proposed development would provide a minor economic benefit in terms of providing employment during the construction phase of the development. Similarly, this is afforded little weight. The local planning authority is able to demonstrate a supply of deliverable sites equivalent to in excess of 5 years through the latest Housing Land Supply Assessment (6.4 years as of 31 March 2024). Therefore, full weight can be attributed to the policies in the South East Lincolnshire Local Plan 2019.

In this instance, there are material considerations that weigh against the proposal and as such, the planning balance is in favour of refusal in this instance.

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 the above considerations into account, the proposed development would result in a poor standard of living for future occupants. As such, the proposed development would conflict with Policies 2, 3 and 21 of the South East Lincolnshire Local Plan and Section 12 of the National Planning Policy Framework (December 2024).

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be refused under delegated authority.