DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-0245-25**	**Applicant:**	**N Marshall**
Proposal:	Proposed alterations to building frontage to remove the existing timber to create a bay window, proposed lowering of the basement level and other internal alterations		
Location:	Westholme 32 West End Holbeach		
Terminal Date:	6th May 2025		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
29	The Historic Environment

National Guidance

National Planning Policy Framework December 2024

National Planning Policy Framework (December 2024)

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 12 - Achieving well-designed places
Section 16 - Conserving and enhancing the historic environment

National Guidance

Planning (Listed Buildings and Conservation Areas Act) 1990

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

The proposal seeks listed building consent for the following:

-Alterations to the building frontage to remove the existing timber and create a bay window;
-Proposed lowering of the basement level;
-Other internal alterations including the installation of internal walls and doors.

Initially, the description of development was for the "conversion of an existing basement into one flat". As listed building consent is not required for a change of use, it was considered appropriate to update the description of development to refer only to the physical works. These matters are to be addressed within the corresponding Full Planning Application.

Site Description

The application site comprises land at Conversion of existing basement to create 1 flat. The site comprises grade II listed building, which feature four floors including the basement. The site is also within Holbeach Conservation Area.

The site is within the settlement limits of Holbeach and 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.

Cllr N J Chapman: From what I can see from the front of the building, the basement seems to have only one partially obstructed window in the living room/kitchen. If this is the case then I feel that this is not a suitable area for living accommodation. Also the lack of ventilation would be a prime area for black mould to thrive

Holbeach Parish Council: Fully support the proposals.

Historic England: Part of the application seeks to demolish an existing staircase to the basement and to lower the basement floor level. The submitted heritage statement does not outline the significance of fabric to be affected or the impact of proposals. The application also seeks to install new windows to the faÃ?§ade, however proposed window specifications are not provided. Without sufficient information about the above elements, the proposal has the potential to cause harm to the significance of the listed building. It is recommended that further information is provided to your

Conservation Officer to enable them to make an informed decision, such as; a Heritage Impact Statement outlining the impact of proposed works on historic fabric, information about the proposed methodology for lowering the basement floor level, information about the existing staircase to the basement, and details of the proposed windows to be installed to faÃ?§ade. Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 207, 208, 212, 214, 215 of the NPPF. In determining this application you should bear in mind the statutory duty of section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Lincolnshire County Council - Historic Environment Team: 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).

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.

Joint Committee of the National Amenity Societies: No response received.

Cllr S E Hutchinson: No response received.

Cllr T Carter: No response received.

Holbeach and District Civic Society: 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. The representation sets out that rubbish is regularly left outside the building on the pavement with food waste spilling out.

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 (the Local Plan), 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.

Section 16(2) of the Planning (Listed Buildings and Conservation Areas Act) 1990, concerns whether to grant listed building consent for any works and requires special regard to be had to the desirability of preserving the building or its setting or any features of special or architectural interest

which is possesses.

Heritage Impact

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.

Furthermore, 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".

Policy 29 of the Local Plan sets out that that to respect the historic legacy, varied character and appearance of South East Lincolnshire's historic environment, development proposals are required to conserve and enhance the character and appearance of designated and non-designated heritage assets.

The application is accompanied by a Design and Access Statement which incorporates a Heritage Impact Statement. This addresses the requirements of the NPPF for applications to be accompanied by a proportionate assessment which sets out the significant of heritage assets (Paragraphs 207 to 210).

Most of the proposed alterations would be internal. The only external change is the proposed alteration to the building frontage. Currently there is a window opening; however, this does not contain any glazing or a window frame. The proposal seeks to remove some of the existing timber cladding and install a window.

The council's conservation officer has not set out any objections to the proposed development. The officer has however requested that further details of the proposed windows are secured through a condition. With the inclusion of this condition, it is considered that the proposal would not cause harm to the listed building and the Conservation Area.

As such, the proposal would accord with Policy 29 of the Local Plan and section 16 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 physical alterations to the building would not cause harm to the historic value or architectural integrity of the listed building. This is subject to conditions that have been agreed with the applicant's agent to secure further details regarding the proposed materials and an archaeological assessment of the site.

The proposal therefore accords with the South East Lincolnshire Local Plan (2019), the provisions of the National Planning Policy Framework (December 2024) when viewed as a whole and Section 16 of the Planning (Listed Buildings and Conservation Areas Act) 1990.

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 proposal is considered to accord with Policy 29 of the Local Plan, section 16 of the NPPF and the Planning (Listed Buildings and Conservation Areas Act) 1990. The are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

Recommendation

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