

## DECISION DELEGATED TO DEVELOPMENT MANAGER

**Application No:** H09-0315-20      **Applicant:** Mr M Forward  
**Proposal:** Erection of 4 bed house with associated parking  
**Location:** Adj. The Crown Public House 5 West End Holbeach  
**Terminal Date:** 18th June 2020

### 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 |
| 26         | Primary Shopping Frontages  |
| 29         | The Historic Environment    |
| 30         | Pollution                   |
| 36         | Vehicle and Cycle Parking   |
| APPENDIX 6 | Parking Standards           |

#### National Guidance

#### National Planning Policy Framework 2019

Sections 2, 3, 4, 5, 7, 11, 12, 14 and 16

### Representations:

|                                                  | Object | Support | No Obj. | Comments |
|--------------------------------------------------|--------|---------|---------|----------|
| PARISH COUNCIL                                   | 0      | 0       | 0       | 0        |
| WARD MEMBER                                      | 0      | 1       | 0       | 0        |
| HIGHWAYS & SUDS<br>SUPPORT                       | 0      | 0       | 0       | 1        |
| IAN MARSHMAN,<br>HISTORIC<br>ENVIRONMENT OFFICER | 0      | 0       | 0       | 1        |
| SOUTH HOLLAND<br>INTERNAL DRAINAGE               | 0      | 0       | 0       | 1        |

|                        |   |   |   |   |
|------------------------|---|---|---|---|
| BOARD                  |   |   |   |   |
| SHDC INTERNAL          | 0 | 0 | 0 | 1 |
| OTHER STATUTORY BODIES | 0 | 0 | 0 | 1 |

## **CASE OFFICER ASSESSMENT**

### **Proposal**

Full planning permission is sought for a two and a half storey 4 bed house. It is understood that it would be occupied by the current manager of The Crown Hotel.

### **Site Description**

The site is currently part of the car park associated with the Crown Hotel, which is grade II listed. Two pairs of semi-detached houses have recently been constructed to the west. Residential development is located to the south off Back Lane. Commercial properties are situated opposite.

### **Relevant Site History**

H09-0445-16 - Full - Pair of semi-detached dwellings on part of The Crown Hotel car park (site to west) - Granted 26 July 2016.

### **Consultation Responses**

#### Holbeach Parish Council

No response

#### Cllr F. Biggadike

Supported.

#### LCC Highways

Does not wish to restrict the grant of permission.

#### South Holland Internal Drainage Board

Request drainage strategy.

#### Environmental Protection

Request contaminated land note.

#### LCC Archaeology

Request conditions

### **Planning Considerations**

The main issues are:

- Policy/principle;
- Character and appearance, including the effect of the development upon the

character/appearance of Holbeach Conservation Area and the setting of The Crown Hotel;

- The likely affect upon the amenity of nearby residents;
- Highway safety;
- Other material considerations, including flood risk.

### Policy/principle

In accordance with Section 38(6) of the Town and Country Planning Act, as amended by the 2004 Act, the determination must be made in accordance with the development plan, unless material considerations indicate otherwise.

The site is inside Holbeach Settlement Limit as defined in the South East Lincolnshire Local Plan (SELLP), 2019. It is also within the defined town centre and primary shopping area.

Policy 1 indicates that within the settlement boundaries of the Main Service Centres, including Holbeach, 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. The proposal is in accordance with this policy.

Policy 26 indicates that ground floor A1 units in the primary shopping frontages should be retained predominantly for retail use unless it can be demonstrated that the loss of an A1 unit would make a positive contribution to the vitality and viability of the frontage, not undermine the retail function of the frontage and allow upper floors to be effectively used. In this case the site is presently car park associated with The Crown Hotel. It would not involve the loss of a retail unit. The proposal is therefore acceptable in this respect.

### Character/appearance

The site is located in Holbeach Conservation Area and is in close proximity to listed buildings, including The Crown Hotel immediately to the east and 22 West End to the north-west on the opposite side of West End. Coubro Chambers is located further to the west and is a building of local heritage interest (ie, a non-designated heritage asset).

The proposed development reflects traditional vernacular, having the appearance of a 19th century dwelling. It is of similar appearance to the pair of dwellings recently allowed immediately to the west (ref. H09-0445-16) and is considered to be an acceptable transition between the latter and the Crown Hotel (grade II listed), which is more imposing. Although the proposal would obscure part of the gable end of The Crown Hotel it would not detract from the setting of the building, which is in an urban environment and has its principle elevation facing West End. Its western elevation, with the exception of a couple of small windows, is largely blank and of less significance. It is considered that the proposal would preserve the character and appearance of the Conservation Area and not be prejudicial to the setting of The Crown Hotel. This is subject to conditions relating to architectural detailing, etc.

The proposal is in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 in this respect.

### Amenity

The site is in close proximity to the Crown Hotel, which operates as a public house, including late evening activity. However, the site is close to the town centre where ambient noise levels are relatively high due to traffic noise and general activity within the town centre, including late evenings. The development has its main openings at the front and rear, including bedrooms. Only a ground floor WC and secondary kitchen/dining room window face the public house. The eastern boundary should be de-lined by a 1.8 metre high brick wall to offer protection to future residents from noise and general activity associated with the public house. A wall is proposed as opposed to fencing because it is a more effective acoustic barrier and would also be more in character with The Crown Hotel given listed building status. Subject to the aforementioned it is considered that the amenity of occupiers of existing property and also the new development would not be materially harmed in terms of overlooking, lack of privacy, overshadowing, noise and disturbance, etc.

The proposal is in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 in terms of amenity.

## Highway safety

2 parking spaces have been provided at the rear of the dwelling off Back Lane, plus three spaces serving The Crown Hotel. This falls below the parking standards within the South East Lincolnshire Local Plan, 2019. However, Policy 36 stresses that exceptionally the relevant standards can be reduced should a high quality design be submitted and the long-term impacts upon environmental quality, safety and amenity will not be compromised.

In this case the proposed development would integrate well within its environment and would result in the removal of a rather unsightly car park. Moreover, the premises are in close proximity to the centre of Holbeach where you would expect walking to be the main mode of transport and are on a public transport route. Moreover, the County Highways Authority does not wish to restrict the grant of permission on highway safety grounds.

Although there is some conflict with Policy 36 of the South East Lincolnshire Local Plan, 2019, it is not considered to be sufficient to justify refusal of the given other material considerations in favour of the scheme.

## Flood Risk

The site is within Flood Zone 1 (Low Risk) on the Environment Agency Maps and within an area of "No Hazard" within the South East Lincolnshire Strategic Flood Risk Assessment. The proposal therefore satisfies the sequential test.

## Archaeology

Holbeach is mentioned in Domesday and the church is first recorded in 1177. The site lies in the heart of this medieval settlement and will probably have been in continuous use since this time. Map evidence shows that there were buildings all along the frontage on West End in the last two hundred years. Evaluation at the Old Rectory, a short distance behind this site revealed evidence of land drainage just a short distance from what was thought to be the Saxon coastline. Given this information LCC Archaeology recommend an archaeological scheme of works condition.

## **Conclusion**

The proposal is in accordance with policies 1, 2, 3, 4, 26, 29 and 30 of the south East Lincolnshire Local Plan, 2019. Although there is some conflict with Policy 36 LCC Highways has raised no objections on highway safety grounds and this matter is outweighed by other material considerations in favour of the scheme.

## **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.