

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H09-0467-19 **Applicant:** Mr J Sandford

Proposal: Conversion of first and second floors into self-contained apartments including alterations and rear extension plus re-building of rear ground floor toilet block - approved under H09-0875-16. Modification of Condition 2 to allow amendments to previously approved plans, modification of Conditions 3 and 6 relating to occupation of apartments and window frames and details of Condition 8 relating to large scale drawings.

Location: Bell Inn 21 High Street Holbeach

Terminal Date: 2nd July 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
07	Improving South East Lincolnshire's Employment Land Portfolio
09	Promoting a Stronger Visitor Economy
11	Distribution of New Housing
17	Providing a Mix of Housing
29	The Historic Environment
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	1	0	0
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Planning permission was granted in November 2016 to convert the first and second floors into self-contained apartments, including alterations and a rear extension, plus re-building of a rear ground floor toilet block. The ground floor is a restaurant (Class A3).

This application is for a modification of Condition 2 to allow amendments to the previously approved plans, modification of Conditions 3 and 6 relating to occupation of apartments and window frames and details of Condition 8 relating to large scale drawings. A proposed rear extension has been omitted and an existing toilet block at the rear would now be renovated.

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 takeaway is situated to the west of the site and a bank to the east.

Site History

H09-0875-16 - Full - Conversion of first and second floors into self-contained apartments, including alterations and rear extension plus re-building of rear ground floor toilet block - Granted 28 November 2016.

Representations

P. Foyster (Holbeach Parish Council Planning Committee Chairman) - No objections in principle.

Cllr F Biggadike - Important that this unoccupied building in the High Street is brought back into life.

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;
- Amenity;
- 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 would be used as a restaurant with the remainder self contained apartments. It is considered that such development would not harm the viability/vitality of the town centre and would essentially bring a prominent redundant heritage building within the town centre back into use. The site is considered to be a sustainable location for residential development.

Character/appearance

The proposed external alterations include new timber sash windows on the eastern elevation of the principal building and new uPVC windows on the rear elevation and also the rear toilet block. The uPVC windows would not be readily open to public view. A rear flat roof extension has now been omitted. Internal alterations are also proposed. The proposed alterations are considered to be acceptable and would not harm the external character/appearance of the building or Holbeach Conservation Area. The setting of All Saints' Church (grade I listed) would not be harmed.

Amenity

The apartments are considered acceptable in terms of size and would offer a satisfactory level of amenity for future occupiers. A condition should be imposed to ensure that they remain linked to the restaurant.

Highway Safety

Although there is no parking provision for this application, the site is within the town centre of Holbeach, where there is sufficient facility for visitors to the proposed restaurant to park their vehicles and where there is access to shops and places of work. There are public transport options for the proposed flats, to be suitable for those without a motor vehicle. The County Highways Authority has previously raised no objections on highway safety grounds.

Flood Risk

This is an existing building, and was previously trading as a public house/inn. The proposed change of use would not be expected to increase flood risk for users, residents or neighbouring properties.

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.