

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H09-0468-22 **Applicant:** Toledo House Ltd.
Proposal: Proposed decking area & wrought iron fence & gate
Location: The Red Lion Public House 6 Spalding Road Holbeach
Terminal Date: 1st July 2022

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
29	The Historic Environment
30	Pollution

National Guidance

National Planning Policy Framework 2021

Sections 12 and 16 of the National Planning Policy Framework (2021)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0
WARD MEMBER	0	1	0	0
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This planning application is for the installation of a proposed decked seating area as well as new front wrought iron fence and gate with hedging to add privacy to the side seating area at the Red Lion Public House, 6 Spalding Road, Holbeach.

The proposed decking area would be a total of 44.52 Square Metres and constructed using timber. The decked area would feature fitted seating, as well as access steps and a wheelchair ramp, all completed in the same timber.

The wrought iron fence is proposed to be added atop the current front-elevation dwarf wall. The dwarf wall is currently 0.69m in height. It is proposed that the added wrought iron fencing would bring this up to a total height of 5ft (1.52m). The style of this fence would be a mock C19th with decorative finials and floral patterns to the base. The proposed gate, to be situated between the new fence and the modern glazed section of the host property is to be of a matching height and style to the new wrought iron fence.

Site Description

The Red Lion Public House is a grade II listed public house. Historic England describe the building like so;

"House, now public house. Mid C18, heightened in C20. Red brick with some render. Pantile roof with gable stacks. 3 storeys and attic, 3 bay front with first floor band broken by central doorway with C20 door. Doorway flanked by single sashes with upper glazing bars. 3 glazing bar sashes above. 2 gabled slate hung dormers with slate roofs and single 2 light glazing bar casements."

To the immediate east, adjacent to the proposal site is the similarly Grade II listed Department of Employment Building, 2-4 Spalding Road, which historic England describes like so;

"2 houses, now offices. c.1800. Red brick. Hipped slate roof with overhanging eaves and 2 lateral stacks. 2 storey, 6 bay front with first floor band. Each house with 4 steps leading up to central doorway with semi-circular head, painted architrave, fanlight with radiating spokes and recessed panelled door. On either side are glazing bar sashes with 6 smaller glazing bar sashes above; all with cambered heads and flush wedge painted lintels with keystones."

Other than the adjacent listed building, the wider area in general is largely characterised by residential development of C20th construction and varying styles and sizes. The opposite side of the carriageway, however, is characterised by walled parkland.

History

H09-0325-13

Change of use of former public house to 2 residential houses, including internal alterations, partial demolition of single-storey extension and demolition of extension to annexe building. Approved on 17-06-13

H09-0882-15

Extension, alterations and refurbishment. Approved on 20-01-16.

H09-0881-15

Extension, alterations and refurbishment. Approved on 20-01-16.

H09-0358-19

Extension, alterations and refurbishment. Approved on 10-06-19

Consultation Responses

Holbeach Parish Council

No Objections

CLlr Biggadike - Ward Member

A Listed building on the edge of town lovingly restored seeking appreciative customers and other support in present times of austerity to ensure the future of this historic Public House.

No objections

Planning Considerations

Heritage Impact

Whilst the site is host to a grade II listed building, none of the proposed works directly apply to listed elements of the property. The current side area which forms the proposal location is already used as an outdoor seating area for the pub and so these works do not represent a change of the use of this portion of the site. The proposed timber cladding is of an appropriate material, design and scale and is of the sort of decking area one might find utilised at similar venues in the area. Furthermore, it shall be shielded from public view by the proposed new fencing.

The wall upon which it is proposed to add a wrought iron fence is 21st century in nature and of no consequence to the character or heritage of the site. The proposed fence and gate to be added are of an appropriate material and historic design. The small size of the effected area and the lack of a negative impact presented by this proposal suggest that this application, by virtue of its lack of an impact assist in conserving the historic environment in accordance with section 16 of the NPPF (2021)

Residential Amenity

Whilst the proposal site is to the East of the host property, to the west of the the property is a residential dwelling. The creation of an enhanced outdoor seating area on the east could therefore present a noise risk to nearby residences. However, as mentioned, the seating area is situated on the opposite side of the building, the area is already used as a seating area and the Environmental Protection Officer found no reason for which to object to the proposal. Furthermore, following consultation, no local residents have objected to the proposals. Therefore, it is considered that there is no risk to residential amenity presented by this application. Because it is found that there is no risk of the creation of undue noise pollution, this application is found to be in accordance with Policy 30 of the South East Lincolnshire Local Plan (2019).

Conclusion

For the reasons listed above, this application is found to be in accordance with Policies 1, 2, 3, 29 and 30 of the SELLP as well as Sections 12 and 16 of the NPPF. Therefore, this application is recommended for approval.

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.