

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H09-0753-25 **Applicant:** Mr A Ali
Proposal: Details of proposed bollards (Condition 3 of H09-0590-24)
Location: Jewson Ltd Boston Road South Holbeach
Terminal Date: 3rd October 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

- 01 Spatial Strategy
- 02 Development Management
- 03 Design of New Development

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This application seeks to discharge condition 3 of permission H09-0590-24.

Permission H09-0590-24 granted consent for the change of use of the site from retail (Use Class E) to a hand car wash (sui generis). Alterations were also proposed to the elevations of the building within the site.

Site Description

The site comprises a single storey building and an associated yard area on land to the east of Boston Road in Holbeach. The site was previously occupied by Jewsons and was therefore a retail unit.

The site is located within the settlement boundary of Holbeach as identified within the South East Lincolnshire Local Plan (2019). The site is also within the Holbeach Town Centre policy area, as identified by Policy 24 and the accompanying policies map. Holbeach Conservation Area is located to the south of the site.

Relevant Planning History

H09-0051-86: (Advertisement) Fascia sign - approved 06 March 1986

H09-0590-24: (Full Application) Change of use from Retail (Class E) to (Sui Generis) Hand Car Wash with elevation alterations to existing building - approved 27 January 2025

Consultation Responses

Lincolnshire County Council - Highways and SUDS: The details submitted to discharge condition 3 attached to H09-0590-24 are acceptable in accordance with approved drawing 4665-F01-A dated Feb 25.

Key Planning Considerations

Condition 3 reads as follows:

"Prior to the first use of the development hereby permitted, details of the proposed bollards as shown on approved plan 4665-F01 shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the proposed height and appearance of the bollards. The bollards shall thereafter be installed in accordance with the approved details prior to the first use of the development.

Reason: In the interests of the visual amenity and highway safety.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019."

The condition was not discharged prior to the first use of the site as a car wash facility. Notwithstanding this, the submitted details are acceptable to discharge the condition as Lincolnshire County Council's Highways Team have confirmed that the proposed bollards would be suitable. Four bollards are proposed to be located along the site frontage and the submitted details accord with the approved details from the permission H09-0590-24. Specification details are provided for the proposed bollards, which are proposed to measure 91cm in height. The bollards will need to be installed as soon as possible following the discharge of the condition.

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

The details address the requirements of condition 3 of permission H09-0590-24.

Recommendation

Discharge condition 3.