

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0684-25 **Applicant:** Spalding Gentlemens Society
Proposal: Demolition of rear flat roof extension including making good existing building
Location: Spalding Gentlemens Society 9a Broad Street Spalding
Terminal Date: 24th October 2025

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
- 29 The Historic Environment

National Guidance

National Planning Policy Framework December 2024

- Section 12 - Achieving well designed places
- Section 16 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SPALDING & DISTRICT CIVIC SOCIETY	0	0	1	0
SHDC INTERNAL	0	0	2	1

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application seeking permission for the demolition of a rear flat roof extension including making good the existing building as well as plethora of other internal and external alterations at Spalding Gentleman's Society, 9a Broad Street, Spalding.

Site Description

The Spalding Gentleman's Society, 9a Bond Street is one of Spalding's most historic and significant heritage structures. It is listed at a grade II level and makes extensive use of exemplar architecture from the turn of the 20th century. Historic England describes the building like so:

"Dated 1910. Architect, J B Corby and Sons. 2 storeys in red brick with ashlar dressings and hipped Welsh slate roof. Gabled centre section breaks forward. 1 window of 16 lights, mullion and transom, beneath rectangular dripmould with shield with coat of arms above. Also 3 labels with legends 'Literature' 'Art' and 'Science'. 2 plaques with monograms to sides and centre plaque with frieze of figures above door. Moulded string between storeys. The ground floor of this centre section has 2 windows of 4 lights under rectangular dripmoulds. Doorway in stone with carved spandrels and panelled door with mask in rectangular fanlight. The side sections have one 4-light window to each storey to the left, and 1 window of 2 lights to each storey to the right. 2 labels dated 1710 and 1910 respectively. Nos 8, 9 and the Museum of the Spalding Gentlemen's Society form a group"

Not included in the above listing was/is the 1960 rear extension to the museum, constructed using a completely mismatching, grey brick, utilising a near-brutalist style which is at unquestionable odds with the design of the remainder of the property. It is neither sympathetic to the original property, nor a particularly good example of its own architectural style.

The site is situated in a relatively central location within the Spalding Conservation Area (SCA). Numbers 8 and 9 Broad Street, as well as the Constitutional Club (and associated wall) and the Methodist Church on the opposite side of the road to the site are all similarly Grade II listed and within visual range, making this site an area of substantial concentration of characterful assets and therefore contribution to the conservation area. The immediate setting can be characterised as being mainly consisting of C19th and beyond architecture, comprising a mix of commercial, ecumenical and residential uses.

History

H16-0219-09 - Proposed railings and gates - Approved

H16-0220-09 - Proposed railings and gates - Approved

H16-0459-09 - Details of sample of hoop railing and stanchion supports (Conditions 2 and 3 of H16/0220/09) - Approved

H16-0460-09 - Details of sample of hoop railing and stanchion supports (Conditions 2 and 3 of H16/0219/09) - Approved

H16-0090-16 - Proposed mounted cast metal plaque - Approved

H16-0698-21 - Remove leaded light windows to front and side elevation to repair, clean etc and enlarge internal door opening to allow wheelchair access and make good - Approved

H16-0932-22 - Demolition of rear flat roof extension including making good existing building - Approved

H16-0933-22 - Demolition of rear flat roof extension including making good existing building - Approved

H16-0283-24 - Erection of external security camera - Retrospective - Currently Undecided

H16-0563-24 - Remove leaded light windows to front and side elevation to repair and enlarge internal door opening to allow wheelchair access - Approved

H16-0252-25 - Details of photographic building recording & written scheme of archaeological investigation (Conditions 3 & 4 of H16-0933-22) - Approved

H16-0255-25 - Details of photographic building recording & written scheme of archaeological investigation (Conditions 3 & 4 of H16-0932-22) - Approved

Consultation Responses

Spalding & District Civic Society

It is therefore considered to be in the best interests of the listed property to permit these relatively minor and insubstantial alterations.

Lincolnshire County Council Historic Places Team

Thank you for consulting us on this application.

It is noted that the applicant has provided an assessment of the archaeological or heritage potential of the site, as outlined in the NPPF (paragraph 207).

The proposed site is located within an area of high archaeological potential, particularly relating to the medieval and post-medieval periods. According to the Historic Environment Record (HER), the site falls within Monument Record MLI23602, which pertains to the Medieval Settlement of Spalding. It is also situated within Monument Record MLI23604, associated with the Post-Medieval Settlement of Spalding.

The proposed development comprises 'Demolition of rear flat roof extension including making good existing building'. The submitted heritage, design and Access Statement section 3.12 includes states "The structural engineer's preliminary underpinning and piling proposals are included within this application, which will require development following completion of borehole and ground investigation trials. The structural engineers final design to include any associated Builders Works in Connection, will be forwarded to the Conservation Officer for information." The proposed development groundworks and any temporary works associated with the development will have a significant impact on any surviving archaeological remains, resulting in total or partial loss, if present.

As mentioned above, there is potential for development on this site to have an impact on buried remains that should be recorded prior to their destruction - NPPF (paragraph 218). We recommend that if permission is granted, there be an archaeological condition for a mitigation strategy to effectively deal with this site.

This will comprise a phased programme of archaeological mitigation work including but not limited to a continuous archaeological monitoring (watching brief) to enable any remaining archaeology which currently survives on this site to be properly recorded prior to its alteration or destruction.

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).

With respect to the attached archaeological conditions, please contact the Historic Places team at Lincolnshire County Council, Lancaster House, 36 Orchard Street, Lincoln, LN1 1YL, 07386 656079, email ruben.lopez@lincolnshire.gov.uk to discuss the requirements and request preparation of a brief for the works.

It is recommended the resulting mitigation strategy and Written Schemes of Investigation are approved by the LCC Historic Environment Officer prior to formal submission to the Local Planning Authority. Ten days' notice is required before commencement of any archaeological works.

Finally, considering the proposal is for a development within the Spalding Conservation Area, the SHDC Conservation officer must be consulted before a decision is made.

Lincolnshire County Council Highways

No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Comments:

The proposal is for the demolition of rear flat roof extension including making good existing building. The proposal does not impact the public highway as all works are internal to the site and therefore I had no concerns to raise with the application.

South Holland District Council Conservation Officer

I have examined the details provided.

I am not satisfied that the supplied stair detail would be sufficient to allay my concerns here. It is noted that the application in question can be considered a betterment in the sense that it includes the removal - wholesale - of the later extension that can be considered to be heavily inappropriate, visually, to the setting of the site, as well as obviously structurally harmful. However, given the listed status of the site, and the particular importance of this site, it still remains the case that such works should be carried out in a manner which is respectful of the character of the building.

The proposed staircase appears to be quite non-descript and therefore commercial/utilitarian in nature. With non-decorative, standard box-section railings and a basic mop stick style handrail and coated footboards. It is appreciated that in function, this is a utilitarian aspect that would serve a functional purpose and as such, a degree of pragmatism is to be expected, however, this elevation, via the demolition of the extension would become effectively the primary rear elevation of the site, prominently visible from what would become a rear courtyard. This effect is considered in conjunction with the proposed blocking-in of the extant interior window openings.

Read in conjunction, the application is effectively seeking the demolition of the mid century extension - which is most strongly supported - but to reveal a blank, slab-sided elevation formed of the original building with no discernible attractive features retained, and a commercial-style fire exit staircase and blocked-in windows. I would suggest at a minimum, blanked niches could be incorporated - although my heavy preference would be for the reincorporation of functional windows and reveals such that use of these openings for windows would be easily possible in the future. the proposed staircase rethought and presented at condition stage to offer a much more sympathetic approach.

Without these steps, the risk is that this scheme could be considered significantly more harmful and, in effect, worse than the consented 2022 permission.

If all of these aspects are addressed or incorporated, I will be happy for the proposal to be approved.

Comments After Amendment and Discussion with Agent

Satisfied with this (Amended Plans etc). Please proceed to a decision with conditions as discussed.

South Holland District Council Environmental Protection

No comments regarding land contamination.

Public Representation

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have

been received.

Key Planning Considerations

The main issues and considerations in this case are (but are not limited to):

- Principle of Development and Sustainability
- Layout, Design and Impact on the Character of the Area
- Impact on Neighbouring Residents/Land Users/Land Uses
- Highway Safety and Parking
- Flooding Risk Considerations and Drainage
- Biodiversity

Evaluation

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.

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms 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 (updated December 2024) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Planning Considerations

Principle of Development and Sustainability

The South East Lincolnshire Local Plan (2019) sets out the settlement hierarchy in respect of delivering sustainable development that meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local housing need, whilst making more sustainable use of land and to minimise the loss of high-quality agricultural land by developing in sustainable locations and at appropriate densities.

Policy 1 of the South East Lincolnshire Local Plan (2019) sets out a spatial strategy for delivering sustainable development across South East Lincolnshire to 2036. Policy 1 (Spatial Strategy) expresses this sustainable framework of settlements, ranking the settlements deemed to be most sustainable in descending order.

The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy in respect of sustainable development are areas of limited development opportunity including 'Minor Service Centres', with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

The application site in this instance is within the settlement of Spalding, a 'Sub-Regional Service Centre', as detailed by Policy 1. As such, with the proposal being located within a settlement boundary, it is considered to be in a sustainable location and the principle is acceptable.

Notwithstanding this, in context of the proposal before us, the principle of development within this location is considered to be established in any event due to it being run as the Spalding Gentleman's Society for an extended period of time with these proposed works purely seeking to demolish and make good the rear extension as well other internal and external changes to preserve and enhance the asset for the public benefit.

As such, the proposal is considered to be acceptable with the requirements of the South East Lincolnshire Local Plan (2019) when viewed in principle. This is subject to the assessment against site specific criteria; including (but are not limited to) the impact of the proposal on the character or appearance of the area, heritage impact, impact on the residential amenities of neighbouring occupiers, and impact on highway safety, which are discussed in turn as follows.

Layout, Design and Consideration of the Character and Appearance of the Area

Section 12 of the National Planning Policy Framework (December 2024) specifically relates to 'Achieving well-designed places' and details that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the National Planning Policy Framework (December 2024), states that new development should function well and add to the overall quality of the area (beyond the short term and over the lifetime of the development) and should be visually attractive as a result of good architecture, layout and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing.

Development proposals should also ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations.

Likewise, Policy 2 of the South East Lincolnshire Local Plan (2019) outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework (December 2024), in that it requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the National Planning Policy Framework (December 2024) and require that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

The demolition of the rear extension would have no significant impact upon the building when viewing it from the street scene along Broad Street as it would be purely to the rear of the site. Whilst it would have an impact on the appearance of the building itself, it would have no material bearing on the wider area. Furthermore, the removal of this rear flat roof extension would actually improve the visual appeal of the building in this instance, making it more attractive and suitable within the setting, the making good of this would also tie it in better. Another big change externally is the replacement fire escape stair case. It is important to note that the existing stair case is not of a particularly good or exceptional design and is fairly standard for this form of development, therefore, whilst the proposal is not of one much better than this, it is considered to be acceptable because of this.

All other internal and external changes have been discussed below, these are also not considered to cause any impact on the street scene or locality or cause any impact from a character perspective in this regard. The majority of the works proposed within this scheme would not be readily visible and would therefore limit any potential concerns that could be raised. The works respect the existing character of the building and would seek an overall improvement particularly to the removal of the rear extension and its overall functionality through the internal alterations.

Taking account of the design, scale and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (December 2024).

Heritage and Conservation

Policy 29 of the SELLP, alongside Section 16 of the NPPF, relates to the preservation of the historic environment. Both outline that all applications within the Conservation Area or which effect heritage assets, such as listed buildings, should preserve or enhance these assets.

Section 16 of the NPPF 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".

Paragraph 213 of the NPPF outlines that "any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification." In other words, should a proposal result in harm to an asset, this should be weighed against the public benefits arising from the proposal. Paragraph 215 expands upon this, stating that "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

The above assessment of harm should be informed by the submission of an appropriate Heritage Impact Assessment (HIA). On this point, Paragraph 207 of the NPPF outlines that in "determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary".

Policy 29 of the SELLP outlines that all proposals shall conserve and enhance the character and appearance of designated heritage assets. Section A of Policy 29 outlines criteria which applications relating to listed buildings should conform to. These are as follows:

- "1. Proposals to change the use of a Listed Building or to alter or extend such a building will be granted where the Local Planning Authority is satisfied that the proposal is in the interest of the building's preservation and does not involve activities or alterations prejudicial to the special architectural or historic interest of the Listed Building or its setting.
2. Proposals involving the demolition of Listed Buildings will not be permitted, unless in an exceptional case, or wholly exceptional case (depending on their grade) where a clear and convincing justification is made in line with national policy
3. Proposals that affect the setting of a Listed Building will be supported where they preserve or better reveal the significance of the Listed Building."

Historic England were consulted on this application and raised no objection, nor wished to provide any detailed comments. They stated that they '*provide advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application*'. Ultimately, it was suggested that the LPA seek the views of the Conservation Officer and archaeological advisers, in this case LCC Historic Places.

Whilst no objections were raised by LCC Historic Places, a detailed comment was submitted with the recommendation to include a list of conditions. This was due to the site being located within an area of high archaeological potential in relation to the medieval and post-medieval periods, the HER sets out the site details within Monument Record MLI23602 which pertains to the Medieval Settlement of Spalding. It is also situated within Monument Record MLI23604, associated with the Post-Medieval Settlement of Spalding. Should permission be granted, conditions should be attached for a mitigation strategy to effectively deal with this site comprising a phased programme of archaeological mitigation work with a continuous monitoring to enable any remaining archaeology to be recorded.

It is considered that the submitted HIA and plans sufficiently explore the significance of the asset and the impact upon the historic environment. As such, the requirements of Paragraph 207 have been met.

In relation to the relevant sections of Policy 29 which have been discussed above, the proposal can be assessed in some way that echoes the previous report and approval. The Local Planning

Authority, with support from the Conservation Officer, is fully supportive of the principle to demolish the rear flat roof extension due to the harm it currently creates and that it should improve the aesthetic of the listed asset as a whole.

Regarding the second point of this policy, given the fact that the property is Grade II listed, only an exceptional case is required to justify the partial demolition of this listed building. Whilst detailed structural plans and documents were provided under the previous application, these have not been submitted in this instance; in any case, the same justification can be made through various photos which show the cracks plus the information in relation to the necessary underpinning works etc. Furthermore, these works were approved before under an extant permission which currently remains in time. The LPA therefore consider the justification to be clear and convincing and in line with National Policy. the Local Planning Authority considers that in this circumstance a wholly exceptional case has effectively been made.

Finally, the LPA also have no concerns with point three in relation to the impact of the proposal upon the significance of the Listed Building. It is considered that the removal of the extension would appear more acceptable and better suited due to it being inappropriate in its own right currently. This would contribute to preserving the asset and would reveal the significance of the asset also as the removal will reveal the original scale and massing of the historic building. As such, the proposed demolition and making good are considered to be wholly acceptable.

It is important to note and discuss that the proposal does include some other internal and external alterations.

There would be a change of brick piers to steel frame with 'Maples Gallery' alongside the introduction of an Air Source Heat Pump and omission of PV Cells. There will also be introduction and replacement of an external fire escape staircase to the rear elevation, this has been discussed already in the report with the potential issues and justification being raised. To accommodate this, there would also be a change to the ground floor rear double doors and new fire escape doors at the first floor. There would be the infilling of some historic openings as well new internal lime plaster lining. The side gallery floor and buttress wall would also be demolished as well as a demolition of non-original infill glazed roof and flat roof over Side Gallery whilst there would be the addition of roof tile vents to the roofscape following new insulation being fitted to the ceiling. Moving on from this, there would be some rearranging to the Accessible WC for improved head room. A new loft access hatch would be installed within the Lecture Room and all fascias, soffits and rainwater goods would be replaced on a like for like basis.

Externally, the Strong Room extension and Cadas Room would also be demolished whilst the door for the Strong Room is to remain in-situ with the opening being blocked up. A dividing gate/walls in the side passage is to be removed whilst a new 1.8m high boundary wall is proposed. Asbestos floor tiles and doors are also to be removed as well as some radiators and pipework. Finally, there would be door/window, repair, apply blackout film to glazing and internally construct partition over surround retain and all single-glazed windows would become secondary glazed.

These internal alterations are considered to be relatively minor and thus acceptable with no concerns being raised by any relevant consultee consulted on this application. It is therefore considered to be in the best interests of the listed property to permit these relatively minor and insubstantial alterations.

The proposal also makes reference to the need to underpin the building to ensure its safety and that it would remain in place for the rest of its existence. During the officers site visit, a large crack on the first floor was pointed out, if the underpinning works are not carried out, this will continue to be worsened and could eventually lead to the actual loss of the listed asset itself. This is something the LPA would wish to avoid and therefore deem the underpinning works to be acceptable in this instance.

Impact on Residential Amenity/ Land Users

Paragraph 135 of the National Planning Policy Framework (December 2024) states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

Directly north/north east of the site there are multiple residential properties set along New Road. These properties should be unaffected by the works in relation to any material overlooking or overshadowing concerns. As the proposal mostly seeks to demolish existing sections of the building this would potentially reduce any existing harm. No new window openings are proposed and thus these sites would not lose any material privacy.

Naturally, there would be an increase in noise pollution throughout the timeframe in which the works are being carried out, however, these should be completed in a relatively short time frame and thus would not result in any significant material harm to all extant residential sites.

As detailed above, the scale and design of the proposal is considered to be such that there would be no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the provisions of the Section 12 of the National Planning Policy Framework (December 2024), and Policies 2 and 3 of the South East Lincolnshire Local Plan (2019).

Flood Risk and Drainage

Section 14 of the National Planning Policy Framework (December 2024) explains that "Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere".

This goes on to state, within Paragraph 172, that all plans "should apply a sequential, risk-based approach to the location of development - taking into account all sources of flood risk and the current and future impacts of climate change - so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: a) applying the sequential test and then, if necessary, the exception test as set out below".

It is important to note that whilst minor developments must meet the requirements for site-specific flood risk assessments, they should not be subject to the sequential test, nor the exception test, as outlined in Paragraph 176 and to be read in conjunction with footnote 62.

The site lies within Flood Zones 3 of the Environment Agency's Flood Maps. These have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences.

The South East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how flood risk has been considered in shaping the proposals of the Local Plan; including the spatial strategy and the assessment of housing and employment sites. Policy 4 of the South East Lincolnshire Local Plan (2019) is clear in that "Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted" in instances where specific criteria is met.

It is worth noting that large parts of the district of South Holland lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the South East Lincolnshire Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test.

Despite the property being within Flood Zone 3, it is within an area of no hazard within the SFRA and therefore there is a low actual risk of flooding to the site. The accompanying Flood Risk Assessment has identified that the proposal involves no change to the extent of impermeable surface area with no new vulnerable use being introduced. It is important to note that the site is not habitable in any capacity and would be used as a museum meaning people would not be living here. All works would ensure that the rear wall of the LB is repaired with breathable materials and sufficient moisture protection. As part of the underpinning works a new ground floor slab is required,

therefore, minimal level changes are proposed to the finished ground floor. The site is also connected to the existing drainage whilst there are adequate safe access and egress.

The proposal should not cause any harm from a flood risk perspective and there would not be any significant harm raised and it would not materially increase the flood risk for the site and surrounding area in a harmful way.

Overall, when considering the development on balance, it is considered that given the mitigation measures detailed and recommended by condition, the proposal accords with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan (2019) and the intentions of the National Planning Policy Framework (December 2024) in this regard.

Highway Safety and Parking

Section 9 of the National Planning Policy Framework (December 2024) specifically relates to 'Promoting sustainable transport'. Paragraph 116 of the National Planning Policy Framework (December 2024) advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

The proposal would have no impact on parking for the site as visitors would mostly have to use on street parking in any case with all works being to the rear of the site or internal alterations only. Furthermore, Lincolnshire County Council Highways have raised no objections from a highway safety perspective stating that '*the proposal does not impact the public highway as all works are internal to the site*'.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3 and 36 the South East Lincolnshire Local Plan (2019), and Section 9 of the National Planning Policy Framework (December 2024).

Biodiversity Net Gain

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) requires developers to deliver a minimum of 10% Biodiversity Net Gain using standardized biodiversity units measured by statutory biodiversity metrics. This is often referred to as the mandatory requirements for Biodiversity Net Gain.

"Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits".

The biodiversity gain condition is a pre-commencement condition. This relates to a condition that seeks, once planning permission has been granted, a Biodiversity Gain Plan that must be submitted and approved by the planning authority before commencement of the development, alongside the need to submit a Habitat Management and Monitoring Plan.

The effect of Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition". The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan, or
- (c) the development is exempt from the biodiversity gain condition.

For applications that are submitted prior to the introduction of this requirement, the development would exempt from the mandatory 10% requirement and as such, the Biodiversity Gain Condition would not apply. However, this application was submitted following the introduction of this legislation. As such, unless comprising development that is exempt from this mandatory Biodiversity Net Gain (10%), a condition would be required, as mandatorily set.

When taking the above into account, the development in this instance is exempt from the statutory 10% Biodiversity Net Gain requirements. As the works are mostly internal plus the demolition of some sections (rear extension and fire escape stairs etc) there would be no impact on any habitats. The proposal therefore falls under the de minimis exemption in this regard as per the BNG Exemption Statement provided within this application.

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 proposal represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents. The works would integrate well and see an overall improvement to the historic asset from both a design and functionality perspective which both in turn provide public benefits.

It would conform with the South East Lincolnshire Local Plan (2019) and the provisions of the National Planning Policy Framework (December 2024) as well as the Planning (Listed Buildings and Conservation Areas Act) 1990 when viewed as a whole.

In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

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 be in accordance with Policies 1, 2, 3, 4, and 29 of the South East Lincolnshire Local Plan (2019), along with the identified sections contained within the National Planning Policy Framework (NPPF) (December 2024) and the Planning (Listed Buildings and Conservation Areas Act) 1990. There 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.