

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H18-0586-25 **Applicant:** API Ltd

Proposal: Change of use from hotel Class C1 to residential Class C3 including the creating of 15 residential units - Approved under H18-0463-24.
Amendment to window locations to suit revised 2nd floor layout

Location: Bridge Hotel 4 Bridge Road Sutton Bridge

Terminal Date: 17th July 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework December 2024

Section 96A of the Town & Country Planning Act 1990 (as amended).

Representations:

	Object	Support	No Obj.	Comments
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CASE OFFICER ASSESSMENT

Proposal

This is an application made under Section 96A of the Town & Country Planning Act 1990 (as amended). Planning permission was achieved for:

Change of use from hotel Class C1 to residential Class C3 including the creating of 15 residential units - Approved under H18-0463-24.

This amendment seeks to make changes to the window locations to allow for windows to habitable rooms at 2nd floor level. The amendment would result in approved drawing 723-05- A- Proposed Elevations, 723-05-B - Proposed Elevations being superseded by 723-18 Detailed Elevations.

Having reviewed the proposed plans, it is evident that more changes are proposed and these are discussed within the assessment section of this report.

Site Description

The application site relates to the Bridge Inn Hotel which is a vacant building last used in 2008. It has recently benefitted from planning permission for the change of use from hotel Class C1 to residential Class C3, including the creating of 15 residential units. This permission, following officer

site visits, appears to have been begun and so is extant.

The application site is located within Flood Zone 3 in accordance with EA Mapping systems and shown on the 2115 hazard maps to be in an area with a danger for most.

The application site is within the town centre boundary for Sutton Bridge, as well as within the primary shopping area. The building is a large redbrick former hotel, with parking located to the rear. Whilst many of the openings are boarded up, it remains clear that they were sash openings with cill and lintel detailing. The building is built across 4 floors which includes the basement. The side of the property is along West Bank whilst the rear faces Wharf Street.

A Grade II listed building is located to the west

History

H18-0240-25 - Change of use from hotel Class C1 to residential Class C3 including the creating of 15 residential units - Approved under H18-0463-24. Remove Condition 5 to allow basement level to be used as habitable accommodation. Refused

H18-0463-24 - Change of use from hotel Class C1 to residential Class C3 including the creating of 15 residential units. Approved 28-01-25

H18-1234-16 - Redevelopment of site to provide 21 one-bed flats, parking and infrastructure. Non determination 12-09-17

Consultation Responses

None carried out

Scope of Assessment for Non-material amendments

As an NMA is not an application for planning permission, section 38(6) of the Planning and Compulsory Purchase Act 2004 does not apply.

The local planning authority must have regard to the effect of the change, together with any previous changes made under section 96A. They must also take into account any representations made by anyone notified, provided they are received within 14 days of notification. As this is not an application for planning permission.

Planning Considerations

South Holland District Council Local Planning Authority sets out criteria for non-materials amendments. This is set out on the council webpages. It states:

Non-material amendment criteria

Each application will be considered on its merits. The proposed change may be a non-material amendment if:

1. There would be no change to the application site boundary and the proposal would be located within it (red line boundary)
2. The amendment would not conflict with development plan policies or other Government guidance
3. There would be no conflict with any conditions on the planning permission
4. The proposal would not make worse any concerns raised by third parties when the original planning permission was considered
5. The approved footprint/siting of the building will not be moved in any direction by more than 1 metre
6. The proposal would not result in an extension to development already approved
7. The height/volume of the building or extension would not be increased or significantly reduced
8. The amendments must not result in a fundamental change in the design of the building
9. The change does not amount to new works or elements which have not been considered by any environmental statement submitted with the original application
10. Amendments to windows/doors/openings must not have any overlooking impact on neighbouring properties
11. There would be no change to the description of development in respect of number of proposed

units

These criteria are designed to prevent amendments being accepted that would have a harmful impact. If the above cannot be met:

- a Section 73 application or
- a new full application may be required.

Assessment

The proposed plan show a number of changes, when reviewed against the approved plans that not described within the application form, these include:

- The shape of the floor plan does not correlate to that approved
- Unit 15 is now extended to 188.8m² (previously 39m)
- There appear to be a raising of ridge height on west elevation
- The north elevation appears to have changes to the roof structure
- Fenestration changes on east elevation including 1st and 2nd floors
- Increase in height of turret shown on the South Elevation

This list may not be exhaustive.

It is considered that some of these changes on their own, such as the increase in height to the turret and increase in height to the north and west elevations would in themselves represent a material change over what has been approved on site. However, these in addition to the other number of changes to floor plans, fenestration, removal of chimney, additional built form, would accumulatively result in these changes being considered as material.

Therefore, these changes should be proposed under an application type that is more appropriate and not a non-material amendment.

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

Having regard to the effect of the change, together with previous changes made under section 96A it is considered that the proposals would have a material effect upon planning permission H18-0463-24.

This application is therefore refused.