

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H23-1094-22 **Applicant:** Mr J Gonzalez
Proposal: Convert existing public house to dwelling and erection of new dwelling
Location: New Saracens Head Washway Road Holbeach
Terminal Date: 6th February 2023

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
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
28	The Natural Environment
29	The Historic Environment
31	Climate Change and Renewable and Low Carbon Energy
32	Community, Health and Well-being
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

National Guidance

National Planning Policy Framework (NPPF), 2021

Section 2. Achieving sustainable development.
Section 4. Decision making.
Section 5. Delivering a sufficient supply of homes.
Section 6. Building a strong competitive economy.
Section 8. Promoting healthy and safe communities.
Section 9. Promoting Sustainable transport;
Section 12. Achieving well-designed places.
Section 14. Meeting the challenge of climate change, flooding and coastal change.
Section 15. Conserving and enhancing the natural environment.
Section 16. Conserving and enhancing the historic environment.

Planning Practice Guidance (PPG)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
RESIDENTS	1	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for residential development, including the conversion of the existing public house and the erection of a two storey dwelling.

Site Description

The site (approximately 0.1ha) is located on the western side of Washway Road within Saracens Head, close to the junction with Saltney Gate. It is currently occupied by the New Saracens Head Public House, plus associated residential and outbuildings.

The Old Schoolhouse is situated to the north and bungalows to the south and west (Rosegate and No.2 The Bluebells). A commercial garage is situated to the south-east and Pipwell Manor (grade II listed) approximately 100 metres to the east on the opposite side of Washway Road.

History

H23-0530-02 - Full - Change of use from pub outbuilding to 2 bed bungalow and erection of single storey extension - Refused 27 June 2002.

H23-0646-21 - Outline - Residential development, including demolition of public house - Approved November 2021

Consultation Responses

Whaplode Parish Council

No comment.

LCC Highways/SUDs

Approve with conditions.

Historic Environment Officer

The proposed development is located in an area of archaeological interest where extensive remains

of medieval salterns have been identified. The salterns at Saracens Head were of such importance during the medieval period that the Bishop of Lincoln had to intervene in disputes between the parishes of Whaplode and Holbeach who each claimed rights to them. Previous development a short distance to the east off Roman Bank has revealed in situ hearth ovens used in medieval salt production, and there is the potential for similar remains to survive here that could be impacted by development.

Therefore, given this it is recommended that the developer should be required to commission a Scheme of Archaeological Works (on the lines of 4.8.1 in the Lincolnshire Archaeological Handbook). This should be secured by South Holland District Council's standard conditions AR01, 02 and 03.

Initially I envisage that this would involve monitoring of all groundworks, with the ability to stop and fully record archaeological features. This would include the grubbing out of existing foundations if the public house is demolished.

South Holland Drainage Board

Byelaw 3 (Surface Water)

The applicant has indicated that they intend to dispose of surface water via infiltration, however we cannot see that the viability of this proposal has been evidenced. We recommend that ground investigation is carried out to determine infiltration potential, followed by testing in line with BRE Digest 365 if onsite material is considered favourable for infiltration. If infiltration is not feasible at this site, following the drainage hierarchy we would expect the applicant to propose to discharge surface water to a watercourse. In this case, consent would be required under Byelaw 3. Please note that we recommend that any discharge is in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), therefore the Board is unlikely to grant consent for discharges in excess of greenfield rate.

Byelaw 3 (Treated Foul Water)

We note that the applicant has indicated that they wish to connect the foul water drainage to the existing system, however it is unclear what this existing system is. If the applicant proposes to discharge treated foul water to a watercourse, consent would be required under Byelaw 3.

Public

Objections and comments have been received from 2 local residents within the village, the main points are summarised:

1. The new dwelling is very close to the boundary fence of the driveway leading to the Bluebells.
2. The new dwelling is quite imposing
3. Will impact on natural light into neighbouring properties
4. There will be a loss of privacy
5. There is a motor garage opposite the site, so there will be vehicles coming and going 6 days a week and there will be a lot of noise

Planning Considerations

Policy/principle

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The site is located within the settlement boundary for Saracens Head as set out in the South East Lincolnshire Local Plan, 2019 (SELLP). Saracens Head sits within the 'Other Services and Settlements' tier of the Spatial Strategy. Policy 1 states that within the settlement boundaries of the Other Service Centres and Settlements (as shown on the Inset Maps) development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities.

SELLP Policy 32 specifically relates to community facilities. It states that the redevelopment or change of use of an existing community facility will be permitted only if an assessment has been

undertaken which has clearly shown that the facility is:

- a. surplus to requirements; or
- b. not economically viable; or
- c. unfit for purpose"

The above policies are consistent with advice within the National Planning Policy Framework, 2021. Para 84 states that planning policies and decisions should enable the retention and development of accessible local services and community facilities, including public houses. Paragraph 92 sets out that planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other. Lastly, paragraph 93 states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs; and ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community.

Under application H23-0646-21 the loss of the public house was assessed against Policy 32 of the SELLP and considered acceptable. There has been no material change in circumstances since that application that would indicate a different conclusion should be reached in terms of this application.

Layout, scale and design

To the east of the application site is Pipwell Manor a grade II listed building. The proposal is for the erection of a two storey dwelling and the conversion of a public house. Whilst the dwelling would be close to the side boundaries, overall it is not considered that a dwelling of the scale and design proposed on the application site would be unduly cramped in the context of the location of the adjacent neighbouring properties, or have a material adverse impact on the wider street scene or setting of the Listed Building.

The existing public house was probably constructed in the 19th Century, but has lost much of its original character over the years due to periodic alterations/modernisation. It is not of any significant historical or architectural merit and is not listed or within a conservation area. Its conversion would not affect the setting of Pipwell Manor (grade II listed) further to the east.

Taking the above into account, it is concluded that the layout, scale and design of the scheme accords with Policies 2, 3 and 29 of the Local Plan. Policy 2 of the Local Plan requires development proposals to take into account sustainable development considerations such as: quality of design; size, scale, layout, density, impact on character and appearance of the area; the relationship to existing development; and impact on historical buildings and heritage assets. Policy 3 requires development proposals to respect the density, scale and massing of neighbouring buildings; the landscape character of the location; and a sense of place by complementing the historic environment. Policy 29 seeks to protect heritage assets.

Amenity

It is not considered that the proposed development will have a material adverse impact on residential amenity in terms of being overbearing or creating an overlooking or loss of light impact.

The proposed new dwelling will have four first floor bedroom windows and one bathroom window facing the west toward the neighbouring property. However the opposing elevation of the neighbouring bungalow is a double garage and the side facing window is set at an angle, thus views would be oblique. Therefore, there would not be a material overlooking aspect in that direction. Based on the original plans approved for that bungalow, that window would also serve a bathroom and is therefore considered a non-habitable room for planning purposes. There would therefore be no material overbearing or loss of light impact. The path of the sun and overall separation distance is such that there would not be a material loss of light to any other windows to the neighbouring dwelling.

The separation distance from the proposed conversion building the neighbouring properties to the rear is 13m. The old use of the site was a public house. In terms of amenity, the proposed use would be less intensive and have less of an impact upon the occupiers of nearby residential property in terms of noise, general disturbance, lack of privacy, etc.

In light of the above, the proposal is considered to accord with Policies 2 and 3 of the Local Plan in respect of their provisions on residential amenity.

Highway Safety

The old access point for the public house would be split and used for both the erection of the new dwelling and the public house conversion. The Highway Authority have been consulted as part of the application process, and have confirmed there are no objections.

The proposal is therefore considered to be in accordance with Policy 2 of the Local Plan which requires it to be demonstrated that access arrangements and vehicle levels will be acceptable.

Appendix 6 of the SELLP sets out minimum vehicle parking standards for residential developments and requires that at least 2 parking spaces are provided within the curtilage for dwellings with up to 3 bedrooms. 2 parking spaces plus a garage are indicated on the block plan for the new dwelling and 3 for the building to be converted. This satisfactorily complies with the requirements of Appendix 6.

Other Material Considerations

Flood Risk - The site is located within Flood Zone 3 of the Environment Agency's Flood Maps. However, the South Holland Strategic Flood Risk Assessment (2017) indicates that the site is within an area identified of no hazard. The proposal therefore satisfies the sequential test.

The proposal therefore satisfactorily accords with Policy 4 of the SELLP and advice within the Framework of the SELLP in terms of flood risk.

Archaeology - The site is in an area of archaeological interest where extensive remains of medieval salterns have been identified. The salterns at Saracens Head were of such importance during the medieval period that the Bishop of Lincoln had to intervene in disputes between the parishes of Whaplode and Holbeach, who both claimed rights to them.

Previous development a short distance to the east off Roman Bank has revealed in situ hearth ovens used in medieval salt production, and there is the potential for similar remains to survive here that could be impacted by development.

Given the aforementioned, LLC Archaeology has recommended that the developer should be required to commission a Scheme of Archaeological Works. This can be secured by means of conditions.

Balance of Considerations

No objections are raised to the proposal in regard to principle or on character, heritage, amenity and highway safety grounds. In terms of flood risk, the site is within an area of no hazard within the South Holland Strategic Flood Risk Assessment (2017). Means of drainage can be addressed by means of a condition.

The proposal therefore satisfactorily accords with Policies 1, 2, 3, 4, 29, 30, 32 and 36 of the SELLP, 2021. There are no material considerations in this case that are of such weight as to outweigh factors in favour of the proposal.

Conclusion

The planning balance lies in favour of the proposal. It is therefore recommended that the application be approved.

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.