DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-0245-22**	**Applicant:**	**Mr J Sandford**
Proposal:	Change of Use and renovation of 'The Old Bakery' to form a 2 bed residential unit		
Location:	Rear Of 5 High Street Holbeach Spalding		
Terminal Date:	2nd May 2022		

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
29	The Historic Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 2. Achieving sustainable development.
Section 4. Decision making.
Section 5. Delivering a sufficient supply of homes.
Section 7. Ensuring the vitality of town centres.
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.

Representations:

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

HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

Full planning application is sought for a change of use and renovation of 'The Old Bakery' to form a 2 bed residential unit.

Site Description

The site is located to the rear of nos. 5/7 High St and is occupied by 19th century buildings that are presently vacant but were formerly a bakery. It sits within Holbeach Town Centre and also the Conservation Area, but is outside the Primary Shopping Area.

Retail premises are situated along the High Street frontage. The building to the south has previously had permission for conversion to residential (ref. H09-1033-17). Flats and retail premises are situated to the north/north-west off Park Road. Nos. 9-11 High Street have consent for use of the first and second floors as flats (ref. H09-0346-20).

History

H09-1033-17 - Full - Proposed change of use of building to rear of no. 7 High Street, Holbeach from Retail (A1) to Residential (C3) - Granted 18 December 2017.

Consultation Responses

Holbeach Parish Council

No objections.

Lincolnshire County Council Lead Local Highways and Flood Authority

Does not wish to restrict the grant of permission.

South Holland Internal Drainage Board

No comments.

South Holland Environmental Protection Team

No objections

Public

No comments received.

Planning Considerations

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 relevant development plan in this case is the South East Lincolnshire Local Plan (SELLP), 2019. Policy 24 states that in the district centres, including Holbeach, town centre uses will be permitted where they, on their own or cumulatively with other permitted development, will generate no significant harm upon the vitality and viability of that centre or any other centre within the hierarchy. The building in question was formerly a bakery but has been vacant for a significant length of time. The proposal would bring it back into active use and contribute to the vitality of the town centre.

Policy 1 of the SELLP indicates that within the settlement boundaries of the Main Service Centres, including Holbeach, 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. The proposal is considered to be satisfactory in this respect.

For the reasons listed above, no objections are raised in principle.

Character/Appearance and Heritage Impact

Policies 2 and 3 of the SELLP 2019 amongst other matters seek to ensure that development respects the character and appearance of the area and the relationship to existing development and land uses. They are consistent with advice within the National Planning Policy Framework (NPPF), 2021. Paragraph 130 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting.

Policy 2 of the South East Lincolnshire Local Plan (SELLP), 2019 also states that sustainable development considerations should be met in relation to such matters as impact on the character and appearance of an area and historical buildings and heritage assets. Policy 29 indicates that proposals should enhance or reinforce the character and appearance of a conservation area and not harm the setting of a heritage asset. Paragraph 199 of the Framework, 2021 states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

The proposal is a means of retaining existing 19th Century buildings on site and bringing them back into active use. They are a non-designated heritage asset with few periodic alterations. They would be sympathetically converted, including the installation of timber windows and a slate roof. The design has been heavily influenced by the existing building and its remaining character. The two main features of the old bakery are the main oven (internal) and its brick chimney both of which are being retained., No significant demolition is proposed. The most intrusive structural work is widening one door opening (internally) and the addition of 2 new windows. It is determined that this application helps to conserve and enhance the historic environment because it helps to bring a disused element of an important conservation area property back into use.

The proposal satisfactorily complies with Policies and 29 of the SELLP in this respect.

Amenity

Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) set out residential amenity and the relationship to existing development and land uses as main considerations when making planning decisions. They are consistent with advice within the National Planning Policy Framework (2021). Paragraph 130, amongst other matters, seeks places with a high standard of amenity for existing and future users.

Retail premises are situated along the High Street frontage. The building to the south has previously had permission for conversion to residential (ref. H09-1033-17). Flats and retail premises are situated to the north/north-west off Park Road. Nos. 9-11 High Street have consent for use of the first and second floors as flats (ref. H09-0346-20).

First floor bedroom windows are situated on the northern and western elevations facing a communal area associated with flats to the north-west and a garden area associated with this proposal. It is considered that the amenity of nearby residents/occupiers would not be materially harmed in terms of overlooking, lack of privacy, noise and disturbance, etc.

In terms of the amenity of future occupiers, a small triangular area at the rear is available for use as a garden, storage of refuse, etc.

The proposal satisfactorily complies with Policies 2, 3 and 30 of the SELLP in this respect.

Highway Safety/Parking Provision

Policies 2 and 3 of the SELLP indicate that sustainable development considerations should be met in terms of access and vehicle generation levels and layout of car parking. Policy 36 and Appendix 6 set out the minimum standards for parking provision based upon the use class. Two spaces for dwellings with 3 or less bedrooms should be provided within the curtilage. Three spaces for dwellings with 4 or more bedrooms should be provided within the curtilage.

An area is available for the parking of two vehicles off Park Road. In any case the site is in a town centre location, with shops, services and access to public transport all within easy walking or cycling distance. Holbeach town centre also features significant amounts of both free, and paid parking. The Lincolnshire County Council has been consulted and raises no objections.

The proposal satisfactorily complies with Policies 2, 3 and 36 of the SELLP in terms of highway safety/parking requirements.

Flood Risk/Drainage

Policy 4 of the SELLP is concerned with flood risk management and states, inter alia, that new development within Flood Zones 2 and 3 should pass the sequential test and be accompanied by a site specific flood risk assessment which should propose appropriate flood resistance and resilience measures to ensure the development maintains an appropriate level of safety for its lifetime. The development should also incorporate the use of Sustainable Drainage Systems (SuDS) and demonstrate that adequate foul water treatment and disposal already exists or can be provided in time to serve the development.

The site is within Flood Zone 1 within the Environment Agency Maps and an area of no hazard within the South East Lincolnshire Strategic Flood Risk Assessment. There are no significant flood risk issues in this case.

In terms of drainage foul and surface water would be disposed of via the mains sewer, as at present.

Planning Balance

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 proposal would provide additional residential accommodation within the town and bring a non-designated heritage asset back into active use. It would not harm the viability/vitality of the town centre, nor the character/appearance of Holbeach Conservation Area. There are no objections on amenity, highway safety grounds or flood risk. The proposal therefore satisfactorily complies with Policies 1, 2, 3, 4, 29, 30 and 36 of the South East Lincolnshire Local Plan (SELLP), 2019, plus advice within the National Planning Policy Framework (NPFF), 2021.

Conclusion

The planning balance lies in favour of the proposal. 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.