

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H09-0346-20	Applicant:	Rugby Property Assets Ltd
Proposal:	Convert first and second floor of front building into residential and ground and first floor of rear building into residential - creating 3 one bed flats in total.		
Location:	9-11 High Street Holbeach Spalding		
Terminal Date:	24th July 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
11	Distribution of New Housing
17	Providing a Mix of Housing
26	Primary Shopping Frontages
29	The Historic Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 12 and 16 of the National Planning Policy Framework (2019)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This full planning application is for the conversion of the First and Second floors of 9-11 High Street into residential space, as well as the conversion of the ground and 1st floors of the rearward building (which is connected to the host property by means of a 1st floor 'bridge', also into residential space. Only 2 changes are proposed to the exterior of the property, those being the replacement of two south facing windows on the ground floor of the rear building with U.P.V.C units with adjusted cill height and also the creation of a new doorway on the Eastern side of the Northern elevation of the streetfront property, giving new access to the pre-existing commercial space from the rear of the building.

The space it is proposed to convert is currently either unused or used as ancillary space for the commercial unit. This proposal will not result in the loss of any existing commercial space.

Site Description

The proposal site sits within the Holbeach Conservation Area along High Street, which forms a part of the primary shopping frontage of Holbeach and is a prominent thoroughfare into the historic core of the town.

The building itself, whilst not listed is highly distinct in the immediate area due to its decorative facade which displays; feature 1st floor bay windows, side stone detailing and window cills with keystones, and a rear access archway.

To the rear of the property is an additional building, connected to the host property by means of a 1st floor walkway

History

None relevant

Consultation Responses

South Holland Environmental Protection Team

No objections

Lincolnshire County Council Lead Local Highways and Flood Authority

No objections provided that Highway Informative 08 is added to the conditions.

Planning Considerations

Principle of development

Policy 26 of the South East Lincolnshire Local Plan (2019) states that development is encouraged in A1 properties when it does not result in the loss of functional A1 frontage space and allows "... upper floors to be effectively used, including the possibility of independent use, where appropriate." This is the case in the instance of this development, it is proposed that there will be no loss of commercial space to the ground floor frontage of the property, and the unused 1st and 2nd floors will find an effective use as a residential space. In addition, whilst the proposal includes no dedicated parking, this is a town centre location, within easy reach of services and public transport; The County Council highways department have been consulted and raise no concerns over a car-less development.

For the reasons listed above, the principle of development is considered to be acceptable.

Heritage Impact

The Local Planning Authority does not consider there to be any risk presented to the significance or value of any nearby or associated heritage assets. This is because the proposal includes no amendment to external image of the property apart from the installation of two replacement uPVC windows on the southern elevation of the rear building. Whilst uPVC is generally discouraged within Conservation Area settings, because of the nature of this site, with the effected building being placed to the rear of site, this window effectively looks out onto a courtyard and as such, this change is not in any way visible from the public realm.

By bringing into use the disused space above and behind 9-11 High Street, the future of the structure is secured and whilst it is not considered to be a heritage asset, it is located in a prominent position within the conservation area, and so it is in the interests of preservation of the qualities of the area to bring this space into regular use to aid in preventing it from falling into disrepair. For the reasons listed above, it is determined that this application helps to Conserve the Historic Environment due to the lack of a visual impact upon the conservation area and also because it helps to bring a disused element of a prominent conservation area property back into use.

Design and Layout

The Local Planning Authority seeks no amendment to either the design or layout of the proposal. The design of the property is not proposed to be changed except for the above mentioned uPVC windows, which as mentioned have been deemed to be acceptable. The layout of the property is the major change, creating 3 flats and subdividing the existing single retail unit into two - no storage is proposed for the retail units as this is a speculative development and as such, storage arrangements will be left for new commercial tenants to resolve based on their own preferences. The proposed residential unit in the rearward building is accessed via the ground floor - Building Control have been consulted and have confirmed that in the case of conversions, ground floor W/C provision is not required. Considering the above, the layout is deemed to be suitable for the proposed uses.

Parking Provision

This application is for a proposed car-less development, meaning that there will be no dedicated car parking spaces. However, this proposal is brought forward as car-less because of its 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 raised no concerns over the principle of a car-less development on this site. Paragraph 106 of the National Planning Policy Framework (2019) does state that Local Planning Authorities should seek to improve the quality of Town Centre parking where possible, but as this application has no bearing or influence over any public parking zones, it has not been possible in this instance.

Conclusion

For the reasons listed above, this application is considered to be in accordance with Policies 1, 2, 3, 11, 17, 23, 29, 36 and appendix 6 of the South East Lincolnshire Local Plan (2019) in addition to Sections 12 and 16 of the National Planning Policy Framework (2019). 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.