

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H14-0736-20 **Applicant:** Mr M Oluwatosin
Proposal: Conversion of shop premises into 1 three bed house and 1 four bed house
Location: 46 Knight Street Pinchbeck Spalding
Terminal Date: 11th December 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
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	1	0	0	0
WARD MEMBER	1	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	1	0
RESIDENTS	1	0	0	2

Route for determination of application	Delegated	X	Committee	
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CASE OFFICER ASSESSMENT

Proposal

This full planning application is for the change of use of 46 Knight Street (Holmalea Bakery), Pinchbeck into 2 dwellings; 1 three bedroom house and 1 four bedroom house. This is conversion from the current use which is as a bakery in the ground floor C20th extension and 4 bedroom house in the main, C19th portion of the site. Therefore, this proposal will lead to a real-terms bedroom increase of 3.

The 4 bedroom unit would compose of the ground floor extension to the East side of the plot and the two storey element of the main building, East from the front, East bay of the original, main structure. The three bedroom unit would comprise of the rest of the structure west of the above mentioned bay.

Internal alterations are not strictly covered by this application, but alterations are required to fit out the two proposed properties, this includes the creation of a 2nd stairway from the ground floor to first floor in the two storey element of the proposed 4 bedroom dwelling. No external alterations are proposed apart from the re-roofing of the rear extension portion of the building, from a corrugated roof to a standard flat roof.

Site Description

The proposal site is currently a bakery site, with a 4 bedroom house attached. The property itself is a late C19th villa style property with dual bay windows at ground floor level with central entrance door. To the Eastern end of the building is a late C20th single storey extension which acts as the shopping frontage area. This building, whilst a well preserved example of the contemporary vernacular, is of no great architectural value or merit and contributes very little to the overall Conservation Area. The proposal site is situated within the Pinchbeck Conservation Area, along the Western edge. This portion of the Conservation is not particularly characterful, but does feature the main shopping area of the Village, making it significant. Whilst not many of the properties in the immediate area are of great significance or value, as a collective body of development, it is indicative mostly of the C20th development of Pinchbeck. Furthermore, the Grade II listed Graft House and associated wall and storage building, is within close visual range of the proposed site.

History

None relevant.

Consultation Responses

Local Resident objections

Resident objections have been received on behalf of 2 nearby properties. These objections can be summarised as follows;

- The proposed development has no off road parking. Knight Street is already busy from a parking and traffic perspective. This development would exacerbate these issues.
- This proposal could lead to residents parking in the nearby community hub/library car park.
- The proposal has the appearance of a HMO development rather than properties for families.

Comments of Local Residents

Some local residents have commented on this application without objecting to the proposal. This resident requested that the planning authority require the applicant to install swift bricks as part of conditions to any approval. The commenter cites section 40 of the NERC Act of 2006, as well as the

NPPF, which both state that planning authorities should incorporate opportunities to improve/conserv biodiversity where possible . Furthermore, the commenter includes a quote from DEFRA which claims that planning authorities should encourage the use of swift bricks where possible within developments and also cites policy 28 of the SELLP (2019) which mentions the need to preserve the provision for nesting bird - particularly swifts- habitats.

Cllr Sneath - Local Ward Member

Splitting the property into two units without specific parking provision will increase the strain on Knight Street from a parking and traffic capacity perspective. With HMO potential for these properties it could lead to several vehicles used for the single site, exacerbating this issue. This could lead to residents parking in the community hub car park which is not acceptable. If parking could be provided to the rear, this would be far more satisfactory.

Cllr Avery - Local Ward Member

Has concerns with parking provision on the site. The local highways authority should take into account that the adjacent car park is not a part of this development, meaning all parking will be streetside and not within private spaces. Given the scale of the development, Knight Street is not an appropriate location.

Pinchbeck Parish Council

Objects on the grounds of the following;

-7x Bedrooms could result in 14 vehicles all parked on the roadside and adjacent to the community hub, which could cause major congestion and also a significant risk to road safety. The adjacent parking area is not that of the proposal site and residential parking must not be permitted in that area.

Lincolnshire County Council Lead Local Flood and Highways Authority

No objections

The proposed change of use is effectively the conversion of the existing shop premises in to a three bedroom dwelling as the four bedroom dwelling already exists, albeit some material changes in the layout .Therefore, the change of use would not be expected to have a detrimental impact in road safety, traffic or highway terms as their would be betterment in terms of parking provision for residential rather than a business.

South Holland District Council Environmental Protection Officer

No objections

Planning Considerations

Principle of development

The proposal site sits within the defined settlement boundary for Pinchbeck and whilst the property is currently a shopping frontage site, this location does not sit within any defined primary shopping frontages. Finally, the flood risk assessment which has been submitted alongside this application finds no cause for concern regarding the flood risk, citing that the probability of flooding at this site is exceptionally low at only 1% annually. The proposal passed the sequential test and therefore, the recommendation of the assessor is that this proposal, including ground floor residential space is acceptable from a flood risk perspective. Due to the above, the principle of development is considered to be acceptable.

Parking Provision

This proposal is set forth as a car-less development, or a development with no allocated parking. The Lincolnshire County Council Highways Authority have been consulted on this application and have found no cause to object to this proposal. Furthermore, the Highways Authority have actually posited that such a development would lead to a decrease in the amount of roadside parking usage when compared to the extant commercial use of the site which would see customers coming and

going at all times of the working day. The nature of the site is such that parking provision would not be possible under any circumstances whilst retaining the extant structure and so roadside parking is already a reality of this site. For these reasons, and because the site is within a village centre location with easy pedestrian access to shops, services, public transport, entertainment and leisure facilities as well as employment opportunities, it is deemed that a development without parking provision of this nature is acceptable in this location.

Heritage Impact

The Local Planning Authority does not consider there to be a risk presented to the value or significance of any designated or non-designated heritage asset in the form of the Pinchbeck conservation area (of which this site is a part) or the nearby Grade II listed Graft House. This is because the proposed development does not come with any adjustments to the appearance of the property as appreciated from the public realm. The visage of the property will not be changed by this proposal. Whilst the site is close to the Grade II listed graft house, it is not visible in the same views of or from the house. Due to the neutral impact of this proposal, it is considered that this application helps to conserve the Historic Environment in line with Section 16 of the National Planning Policy Framework (2019).

Objections Received

The Local Planning Authority has received a significant number of objections to this application from local residents, Ward Members and the Parish Council. The overwhelming majority of these objections are based upon concerns regarding the potential parking and traffic implications of such a development, arguing that Knight Street does not have the capacity to hold the potential vehicle capacity of this proposed development, which would lead to a 7 bedroom (overall) development on site without any parking provision. It is also argued that this could also lead to misuse of the adjacent parking site which is actually for community, not residential, use.

The Local Planning Authority does note these concerns, however, this development is put forward as a vehicle-less development, and due to its proximity to the village centre including amenities such as shops, services, public transport, as well as employment opportunities all within easy walking or cycling distance, the Local Highways have commented on this application submitting no objections to such a proposal, further citing that it is predicted that the reduction in business traffic with the real-terms increase of only 3 bedrooms on the site would actually result in a betterment of traffic and parking conditions in the area.

Rear, private land parking would have, of course, been preferable, however, the C20th extension on site blocks the former rear accessway and the side driveway is not owned by this property, instead being the property of number 44. This means that rear access is not currently possible for vehicles.

Some objection had been raised with regards to the proposed use of the property, claiming that these proposals appear more similar to HMO's. Whilst the Local Planning Authority understands that change from C3 to C4 use is possible without planning controls. In this circumstance, the applicant has applied specifically for C3 dwelling use and the likelihood of this proposal becoming a HMO in the future is not grounds enough alone to refuse the application.

Resident Comments

Whilst the planning authority notes the comments of the local resident with regards to the swift boxes, however, the policies and standards cited mostly pertain to new development and/or development which is foreseen to have a significant effect upon biodiversity in any given area. Seeing as this application is purely for a change of use to a building with a small scale re-roofing element included, it is considered that this proposal would have no impact upon biodiversity in the area and therefore, it would be inappropriate to require the applicant to go to the additional cost of obtaining and installing swift bricks.

Planning Balance

This application is submitted without the benefit of the provision for any parking and furthermore will result in the loss of a shopping frontage property in Pinchbeck village. However, the Highways Authority have been consulted and raised no concern. In fact, the Highways Authority deems that this proposal would be of net benefit to the roadside parking situation due to the removal of

commercial traffic from the site. Furthermore, this site, whilst a shopping frontage, is not in the primary shopping area of the village and is therefore not protected against change of use.

Conclusion

For the reasons listed above, this application is deemed to be in accordance with Policies 1, 2, 3, 4, 11, 17, 29, 36 and Appendix 6 of the South East Lincolnshire Local Plan (2019) as well as 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.