

Officers Report

Planning Application No: WL/2025/01017

PROPOSAL: Planning application for change of use of part of first floor from commercial (Use Class E) to residential (Use Class C3a) to form 2no. additional flats, with new external stairs and external alterations to first and ground floor.

LOCATION: 5 OXFORD STREET MARKET RASEN LN8 3AL

WARD: Market Rasen (Cllr S Bunney, Cllr E L Bennett & Cllr M K Westley - Ward Members)

APPLICANT NAME: Willows Dental

TARGET DECISION DATE: 12/12/2025

DEVELOPMENT TYPE: Minor - all others

CASE OFFICER: Richard Green

RECOMMENDED DECISION: Grant with conditions attached.

The application is referred to the planning committee for determination in line with the constitution as the proposal is considered to be a departure from Policy S49: Parking Standards of the Central Lincolnshire Local Plan 2023.

Description: The site is located within the developed footprint of Market Rasen within the designated town centre (albeit, outside the primary shopping area).

The site comprises a two storey building on the corner of Willingham Road and Oxford Street, with a commercial unit on the ground floor and part commercial and residential uses (No.1 Flat) on the first floor. There are ground floor doors off the aforementioned roads to access the commercial unit as well as rear access via a yard which is accessed between No.15A Oxford Street and No.1 'The Old Brewery' Oxford Street.

There are residential properties to the north on the other side of Willingham Road and a mix of commercial and residential properties to the west on the other side of Oxford Street. To the east are residential properties and to the south there are a mix of residential and commercial properties. Within the rear courtyard to the south which is accessed off Oxford Street are mainly residential properties with additional entrances to commercial properties.

The application seeks permission to change the use of part of the first floor from commercial (Use Class E) to residential (Use Class C3a) to form 2no. additional flats, with a new external staircase proposed within the rear yard and other external alterations to the first and ground floors. This will result in a total of 3no. 1-bedroom flats at first floor, all accessed via shared stairs, from the rear of the building.

The ground floor will remain in commercial use (Use Class E) as a dental surgery (Class E(e)), it was previously an electrical goods shop (Class E(a)).

Each of the flats will have one bedroom, a living/kitchen area and a shower room/bathroom (including the existing flat) providing 45 sq metres of living space for two of the flats and 42 square metres for the third flat . All the rooms will have openings to enable the provision of natural light apart from the proposed shower rooms/bathrooms. Two existing car parking spaces within the rear courtyard will be utilised.

Departure Procedure: The application has been advertised as a departure from the local plan in line with Section 15 (2) of the TCPA Development Management Procedure Order 2015[1] a site notice was displayed on 17/11 /2025 and a notice has been placed in the local newspaper on 22/10/2025. The advertisement of the departure therefore meets the provisions of Section 15 of the DMPO.

[1] <https://www.legislation.gov.uk/uksi/2015/595/article/15>

Relevant history:

137100 - Planning application for change of use of vacant retail premises and existing flat, with partial demolition including alterations and extension to form 6no. dwellings. Granted 09/02/2018.

Representations:

Chairman/Ward member(s): No representations received to date.

Town Council: No representations received to date.

Local residents: No representations received to date.

LCC Highways and Lead Local Flood Authority: The site is located in a central urban area where services and facilities are within a reasonable distance to be accessed via sustainable travel options such as walking, cycling and public transport. The proposal will not have an unacceptable impact on the public highway.

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Archaeology: No representations received to date.

Relevant Planning Policies:

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2023).

Development Plan:

The following policies are particularly relevant:

Central Lincolnshire Local Plan adopted 2023 (CLLP):

Policy S1: The Spatial Strategy and Settlement Hierarchy

Policy S2: Growth Levels and Distribution

Policy S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns

Policy S6: Design Principles for Efficient Buildings

Policy S13: Reducing Energy Consumption in Existing Buildings

Policy S20: Resilient and Adaptable Design

Policy S21: Flood Risk and Water Resources

Policy S23: Meeting Accommodation Needs

Policy S35: Network and Hierarchy of Centres

Policy S39: Market Rasen and Caistor Town Centres

Policy S47: Accessibility and Transport

Policy S49: Parking Provision

Policy S56: Development on Land Affected by Contamination

Policy S53: Design and Amenity

<https://www.n-kesteven.gov.uk/central-lincolnshire>

Neighbourhood Plan:

No plan currently being prepared.

National policy & guidance (Material Consideration)

- **National Planning Policy Framework (NPPF)**

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in December 2024.

[National Planning Policy Framework](#)

- **National Planning Practice Guidance**

<https://www.gov.uk/government/collections/planning-practice-guidance>

- **National Design Guide (2019)**

<https://www.gov.uk/government/publications/national-design-guide>

- **National Design Code (2021)**

<https://www.gov.uk/government/publications/national-model-design-code>

Main Issues:

- Principle of Development
- Residential Amenity

- Visual Impact
- Highways and Parking
- Other Matters

Assessment:

Principle of Development

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

It is proposed to change the use of part of the first floor from commercial (Use Class E) to residential (Use Class C3a) to form 2no. additional flats (3no. in total), with a new external staircase proposed within the rear yard and other external alterations to the first and ground floors. The ground floor will remain in commercial use (Use Class E), currently a dentists surgery. The first floor is currently given over to a commercial use (associated with the ground floor commercial use) and 1no. flat.

The site is located within the defined town centre of Market Rasen and the ground floor will remain a commercial (Class E) use/retain an active frontage which accords with Policy S35 of the Central Lincolnshire Local Plan (CLLP).

The proposal to create 2No. additional first floor flats in addition to an existing flat and an area of commercial use associated with the ground floor commercial use is also supported in principle as detailed below.

Market Rasen is designated as a Market Town within Policy S1 of the CLLP. Policy S1 states that: *'To maintain and enhance their roles as market towns, Caistor and Market Rasen will be the focus for significant, but proportionate, growth in housing, employment, retail and wider service provision. This growth will primarily be through sites allocated in this Local Plan and any applicable neighbourhood plan. In addition to sites being allocated in the Local Plan or a neighbourhood plan, development proposals in accordance with Policy S3 and other relevant development plan policies will be viewed positively.'*

Policy S3 of the CLLP relates to new housing in the Main Towns of Central Lincolnshire and states that: Within the developed footprint of the Lincoln Urban Area and Main Towns and Market Towns, development proposals at appropriate locations not specifically identified as an allocation or an area for change in this plan will be supported in principle.

Paragraph 90 of the NPPF is supportive of residential development within Town Centre locations as it is recognised that such development often plays an important role in ensuring the vitality of such centres.

Policy S39 of the Central Lincolnshire Local Plan states that *'Proposals for residential or commercial development above town centre uses will be supported providing that the proposed use would not be likely to introduce conflict with existing uses and provided adequate off-street parking can be provided.'*

Overall, the site is located within the developed footprint of Market Rasen, being within the town centre. The proposal will maintain a retail use on its ground floor level fronting Willingham Road and Oxford Street and is not expected to conflict with existing uses, as explored below.

The residential development element of the proposal is supported by the development plan and the NPPF as this would complement the existing uses ensuring the continued vitality of the town centre. In principle it is considered that the proposal accords to policies S1, S3, S35 and S39 of the CLLP.

Residential Amenity

National and Local planning policy supports bringing back to use vacant and underused upper floors in town centres for residential uses in order to contribute to the vitality and viability of the town centre.

Policy S53 of the CLLP requires that development proposals do not have an unacceptable impact on residential amenity. This includes considerations such as compatibility with neighbouring land uses, noise, vibration, odour, and the creation of safe environments amongst other things.

No external alterations are proposed to the north and west elevations fronting Willingham Road and Oxford Street respectively apart from replacement doors and windows.

On the east elevation within the rear courtyard a new external staircase is proposed with a first floor door which will be located between two existing elements of the building and will be largely screened. From the top of the proposed staircase a view of the side elevation of No.2A Willingham Road will be gained which is largely blank in this location at first floor level apart from one small first floor window to a bathroom which will be located approximately 10.5 metres away from the top of the proposed external staircase. An existing first floor door on the eastern gable end of the building opposite No.2A Willingham Road will be blocked up as well as one existing first floor window on the southern elevation of the main range of the building.

Finally, two first floor windows and a ground floor window will be blocked up in the north elevation of a rear off shoot, one new ground floor door will be made in this elevation of the rear off shoot and one ground floor opening in the south elevation of the rear off shoot will be blocked up.

Each of the flats will have one bedroom, a living/kitchen area and a shower room/bathroom (including the existing flat). All the rooms will have adequate openings to enable the provision of natural light apart from the proposed shower rooms/bathrooms.

The following details for each of the flats and relevant national space standards are stated below:

Flat 1: 45 sqm

Flat 2: 45 sqm

Flat 3: 42 sqm

National space standards 1 bed 1 person = 37 sqm

National space standards 1 bed 2 persons = 50 sqm

The agent for the application has clarified that the flats will be one bed, one person flats and will have adequate internal storage within the nationally described space standard. However, if the flats were 2 person flats then they would be slightly below the space standard of 50 square metres. However, the nationally described space standards are not binding but should be used as an indicator to ensure that an adequate level of amenity can be achieved, and to ensure compliance with policy S53(8)(a) which requires developers to:

(8)(a) Provide homes with good quality internal environments with adequate space for users and good access to private, shared or public spaces;

It is considered that the flats would be on the smaller side if they were to be used by 2-persons but it is considered that the flats are located in a highly sustainable town centre location and would not result in a substandard level of space to the significant detriment of the amenities of the future occupants.

The lack of outside amenity space is noted; however this is not an unusual situation for town centre flats/dwellings, other grassed amenity areas are available within the Market Rasen in close proximity to the proposal, most notably Market Rasen Park off Jameson Bridge Street located approximately 130 metres to the north.

The development would therefore not be expected to have an unacceptable harmful impact on the living conditions of the future occupiers and is acceptable with regard to the impact on existing neighbouring uses and would accord with Policy S53 and the provisions of the NPPF, particularly paragraph 130(f).

Visual Impact

Local Plan Policy S53 states that all development *'must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all.'* Development must *'relate well to the site, its local and wider context and existing characteristics including the retention of existing natural and historic features wherever possible and including appropriate landscape and boundary treatments to ensure that the development can be satisfactorily assimilated into the surrounding area'.*

It further states that development should *'contribute positively to the sense of place, reflecting and enhancing existing character and distinctiveness'*, and should *'be appropriate for its context and its future use in terms of its building types, street layout, development block type and size, siting, height, scale, massing, form, rhythm, plot widths, gaps between buildings, and the ratio of developed to undeveloped space both within a plot and within a scheme.'* In addition, development must *'achieve a density not only appropriate for its context but also taking into account its accessibility.'*

The proposed external alterations on the north and west elevations fronting Willingham Road and Oxford Street are limited to replacement doors and windows. The main external alterations including a new external staircase and changes to windows and doors are mainly located within the rear courtyard.

The building is rendered in an off white colour or has painted brickwork to match on its northern and eastern elevations and within the rear courtyard the building has either brickwork or painted brickwork. All the proposed blocked external openings will be infilled in brickwork or rendered to match the building.

It is therefore considered that the proposal will not harm the character and appearance of the street-scene and with the proposal complying with the NPPF and Policy S53 of the Central Lincolnshire Local Plan.

Highways and Parking

No objection has been received from the Local Highway Authority relating to the proposed development.

Policy S39 of the CLLP requires *'Proposals for residential or commercial development above town centre uses will be supported providing... adequate off-street parking can be provided.'*

Appendix 2 of the CLLP which is referred to in Policy S49 states that 1 bed dwellings in market towns should provide 1 parking space per dwelling, plus visitor spaces. The proposal will retain two existing car parking spaces located to the rear of the building. There would therefore be a shortfall of 1 on-site parking space for residents (plus no visitor space provision).

With consideration to the town centre location with close walking proximity to numerous facilities/services and siting close to public transport links, including a train station and bus routes, it is considered that the undersupply of 1 car parking space could be accepted in this case.

The NPPF requires local planning authorities to recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.

Whilst the undersupply of on site car parking attaches some negative weight, there still is some on site provision and it is considered that the benefits of providing residential development to support town centre viability may justify a departure from the Local Plan parking policy.

Other matters:

Contamination:

The site is located within a contaminated land buffer zone. However, development is proposed for a change of use at first floor level.

Household waste

Bins for the existing and proposed flats will be kept in the rear courtyard which is screened by the surrounding development and a fence around the proposed bin store.

Foul and Surface Water Disposal

The proposal will connect into the existing system.

Comments on energy efficiency and biodiversity net gain policies:

The application being a change of use application (and the proposed external staircase is located on an existing sealed surface) is exempt from biodiversity net gain.

An energy statement is not required for a change of use application such as this proposal. However, Policy S13 encourages the improvement of energy efficiency as stated below:

'For all development proposals which involve the change of use or redevelopment of a building, or an extension to an existing building, the applicant is encouraged to consider all opportunities to improve the energy efficiency of that building (including the original building, if it is being extended).'

Therefore, if it is minded to grant permission an informative will be added to the decision notice encouraging the applicant to use PAS 2035:2019 Specifications and Guidance (or any superseding guidance) for this proposal.

Conclusion and reasons for decision:

The decision has been considered against Policy S1: The Spatial Strategy and Settlement Hierarchy, S2: Growth Levels and Distribution, S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns, S6: Design Principles for Efficient Buildings, S13: Reducing Energy Consumption in Existing Buildings, S20: Resilient and Adaptable Design, S21: Flood Risk and Water Resources, S23: Meeting Accommodation Needs, S35: Network and Hierarchy of Centres, S39: Market Rasen and Caistor Town Centres, S47: Accessibility and Transport, S49: Parking Provision, S56: Development on Land Affected by Contamination and S53: Design and Amenity of the Central Lincolnshire Local Plan and guidance contained in the National Planning Policy Framework, National Planning Practice Guidance, National Design Guide and National Model Design Code has also been taken into consideration.

The proposal is supported in principle as it would complement the existing uses within the designated town centre of Market Rasen ensuring the continued vitality of the town centre. The proposal will also not have a harmful impact on the living conditions of neighbouring occupiers/dwellings or be harmful to the visual amenity of the street scene, nor would it have a detrimental impact on the highway network.

RECOMMENDATION- Grant planning permission with the following conditions:

Conditions stating the time by which the development must be commenced:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

Conditions which apply or require matters to be agreed before the development commenced:

None.

Conditions which apply or are to be observed during the course of the development:

2. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings and documents: 762.04D dated 23/09/2025, 762.13A dated 23/09/2025, 762.14A dated 23/09/2025, 762.11A dated 23/09/2025 and 762.01B (Red Line) dated 23/09/2025. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and Policy S53 of the Central Lincolnshire Local.

Conditions which apply or relate to matters which are to be observed following completion of the development:

None.

Notes to the Applicant

Reducing Energy Consumption in Existing Buildings

Policy S13 of the Central Lincolnshire Local Plan encourages the improvement of energy efficiency as stated below:

'For all development proposals which involve the change of use or redevelopment of a building, or an extension to an existing building, the applicant is encouraged to consider all opportunities to improve the energy efficiency of that building (including the original building, if it is being extended).'

The applicant is therefore encouraged to use PAS 2035:2019 Specifications and Guidance (or any superseding guidance) for this proposal. Please see the link below:

<https://knowledge.bsigroup.com/products/retrofitting-dwellings-for-improved-energy-efficiency-specification-and-guidance-1/standard>

Human Rights Implications:

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

Legal Implications:

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report.