

Officers Report

Planning Application No: WL/2026/00430

PROPOSAL: Planning application for the change of use of cafe to 5no. apartments, including external alterations

LOCATION: 16-18 OXFORD STREET, MARKET RASEN, LN8 3AL

WARD: MARKET RASEN

TARGET DECISION DATE: 08/07/2026

CASE OFFICER: Owen Toop

Recommended Decision: Grant Approval with Conditions

Planning Committee

The application is brought to the attention of the Planning Committee due to it being a Departure from the Central Lincolnshire Local Plan (Adopted 2023), as it would not meet the parking standards under Appendix 2 (page 212).

Site Description and Proposal:

The application site is terraced property located close at Oxford Street in Market Rasen. The property is located on the west side of the street and further to west is a railway track. The north and south are adjacent residential properties. Opposite the property and to the east is Oxford Court, a residential street.

The site is in close proximity to the Market Rasen town centre, but it is located outside of its boundary.

The ground floor of the property was last used as a café, including a kitchen and dining areas. Upstairs is former residential accommodation associated with the café.

The application seeks planning permission for the change of use of cafe to 5no. apartments and includes a number of external alterations.

Originally, the scheme included the addition of front and rear dormers forming second floor accommodation within the roofspace. As part of the application process and in response to visual design concerns, the dormers and their associated bedrooms have been removed. Given the changes reduced the scheme, it was not considered a requirement to reconsult consultees and neighbours.

Relevant Planning History:

Reference	Proposal	Decision
WL/2026/00160	Prior approval change of use from commercial, business and service to 5no. apartments.	Prior Approval refused 02/04/2026

Relevant Planning Constraints

Prioritised Contaminated Land.
Railway Line to the west of the site.

Representations

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

Market Rasen Parish Council: No representations received to date.

Highway and Lead Local Flood Authority: No objections.

Local residents: No representations received to date.

Network Rail: No objections with Informative comments.

LCC Archaeology: No archaeological input required.

Date Checked: 20.08.2026

Relevant Planning Policies and Legislation:

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) and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan

Central Lincolnshire Local Plan 2023-2043

Relevant policies of the CLLP include:

S1 The Spatial Strategy and Settlement Hierarchy
S3 Housing in Lincoln Urban area, Main Towns and Market Towns
S6 Design Principles for Efficient Buildings
S13 Reducing Energy Consumption in Existing Buildings
S21 Flood Risk and Water Resources
S23 Meeting Accommodation Needs

S47 Accessibility and Transport
S49 Parking Provision
S53 Design and Amenity
S56 Development on Land Affected by Contamination
S57 The Historic Environment
S61 Biodiversity Opportunity and Delivering Measurable Net Gains

<https://www.n-kesteven.gov.uk/central-lincolnshire/adopted-local-plan-2023>

Neighbourhood Plan

Market Rasen is currently not preparing a Neighbourhood Plan.

<https://www.west-lindsey.gov.uk/planning-building-control/planning/neighbourhood-planning/all-neighbourhood-plans-west-lindsey>

Lincolnshire Minerals and Waste Local Plan (LMWLP)

<https://www.lincolnshire.gov.uk/planning/minerals-waste>

The site is not within a Minerals Safeguarding Area, Minerals or Waste site area.

National policy & guidance (Material Consideration)

National Planning Policy Framework

On Monday 17th August 2026, the Government published its revised National Planning Policy Framework (NPPF). The policies in this Framework are material considerations which must be taken into account in decision-making from the day of its publication.

It therefore is a material consideration in the determination of this application.

It remains the case that Planning law requires that applications for planning permission be determined in accordance with the development plan (here, both the Central Lincolnshire Local Plan, unless material considerations indicate otherwise.

Development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in this Framework should be given very limited weight. Other development plan policies should not be given reduced weight simply because they were adopted prior to the publication of this Framework

The revised NPPF is now a material consideration of “critical importance” and its decision-making policies should be considered alongside the policies of the development plan.

Relevant 'national decision-making' policies of the NPPF include:

DM3: Determining development proposals
DM6: Use of planning conditions and obligations
DM7: Relationship with other regulatory regimes
S3: Presumption in favour of sustainable development
S4: Principle of development within settlements
CC2: Mitigation of climate change
CC3: Adaptation to climate change
HO7: Meeting the need for homes
TC2: Development in town centres
W4: Water infrastructure
L2: Making effective use of land
L3: Achieving appropriate densities
DP3: Key principles for well-designed places
DP4: The design process
TR3: Locating development in sustainable locations
TR4: Street design, access and parking
P3: Living conditions and pollution
P4: Impact of development on existing activities
F4: Assessing flood risk for decision-making
N2: Improving the natural environment

Annexe A: Implementation

Annexe B: Glossary

Annexe D: Housing calculations and supply

Annexe F: Managing flood risk and coastal change

[National Planning Policy Framework - GOV.UK](#)

- 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 Model Design Code (2021)

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

<https://www.west-lindsey.gov.uk/planning-building-control/planning/neighbourhood-planning/all-neighbourhood-plans-west-lindsey>

Main Considerations:

- Principle of Development
- Design and Visual amenity
- Neighbouring and Residential amenity
- Highway Safety and Parking
- Flood Risk, Water Efficiency and Drainage
- Energy Efficient Buildings
- Archaeology
- Biodiversity Net Gain
- Contamination
- Other Considerations:

Assessment:

Principle of the Development:

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

Central Lincolnshire Local Plan 2023-2043 (adopted in April 2023) contains a suite of policies that provide a framework to deliver appropriate residential development.

Because the site is located within Market Rasen and the application seeks permission for the conversion of an existing café and residential flat above into 5 dwellings, through the change of use of an existing building, the proposals would principally be assessed against Local Plan Policies S1: The Spatial Strategy and Settlement Hierarchy, S2: Growth Levels and Distribution and S3: Housing in the Lincoln Urban Area, Main Towns and Market Towns.

In addition, these local policies are considered to be consistent with national decision-making policy: S4 which states:

‘Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.’

Policy S1 of the Central Lincolnshire Local Plan designates Market Rasen as a Market Town. This policy states: *“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 S2: states that around 12% of the housing supply will come forward in settlements elsewhere, primarily located at the market towns and in well connected villages and villages with a good range of services present.

Policy S3 further guides 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.*

Definitions of developed footprint and appropriate locations are noted in the glossary of the plan to be:

‘Developed footprint’ of a settlement is defined as the continuous built form of the settlement and excludes:

- individual buildings or groups of dispersed buildings which are clearly detached from the continuous built up area of the settlement;*
- gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlement where land relates more to the surrounding countryside than to the built up area of the settlement;*
- agricultural buildings and associated land on the edge of the settlement; and • outdoor sports and recreation facilities and other formal open spaces on the edge of the settlement.*

‘Appropriate Locations’ is defined as: a location which does not conflict, when taken as a whole, with national policy or policies in this Local Plan. In addition, to qualify as an ‘appropriate location’, the site, if developed, would:

- retain the core shape and form of the settlement;*
- not significantly harm the settlement’s character and appearance; and*
- not significantly harm the character and appearance of the surrounding countryside or the rural setting of the settlement.*

The site is within an existing built-up area and within the established developed footprint of Market Rasen. The proposed development in creating 5 dwellings through the change of use of an existing building also retains the core shape and form of the settlement and additionally makes a small contribution to the level of growth to Central Lincolnshire as set in Policy S2.

The principle of the development is therefore supported by local policies S2 and S3 of the CLLP and weight is afforded to the re-use an existing building and principle of providing additional homes within a sustainable location.

Moreover, the local policies are considered to be consistent with national decision-making policies, S3 - Presumption in favour of sustainable development and, S4 - Principle of development within settlements.

The principle of development is therefore supported subject to all other material considerations being acceptable and the location of the site being considered appropriate in all other regards.

Design and Visual Amenity

CLLP Policy S53 relates to the Design of development and requires that all development proposals must take into consideration the character and local distinctiveness of the area (and enhance or reinforce it, as appropriate) and create a sense of place which demonstrates a sound understanding on their context. As such, and where applicable, proposals will be required to demonstrate, to a degree proportionate to the proposal, that they are well designed in relation to siting, height, scale, massing, and form. Important views into, out of and through a site should also be safeguarded.

Policy S53 of the CLLP is considered to be consistent with national decision-making policies within Chapter 14 of the NPPF. The objective of the policies in this chapter is to *'promote high quality, healthy, inclusive and sustainable places, through setting clear expectations about design outcomes and the use of relevant tools and processes.'*

DP3 of the NPPF which sets out key principles for well-designed places states, *'...Substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.'* As such local policy S53 is key with regard to the design considerations with this proposed change of use and associated alterations at this site.

The application site sits within an area containing a mixture of commercial and residential properties. Consequently, the character of the area is a mixture of types and ages of buildings, with varying forms and features. There are nevertheless some common design elements that can be seen within the area and included on the building to be converted.

The building to be converted consists of a traditional brick built, terraced structure with a shopfront at the ground floor and bay windows at first floor frontages. The proposed development in seeking to convert the existing building to five residential properties, includes alterations to the building and the main external changes seen through the insertion of windows and doors in the front east and south side elevation.

As part of the application, concerns were initially raised with the design due to the inclusion of large front and rear dormers which would not be in keeping with the area where there are no dormers. The applicant agreed to remove them as a result, and amended the plans as a design enhancement.

The resultant proposal would see the removal of existing bay windows and the shopfront as a result. The proposal is not within any conservation area or primary shopping area requiring the retention of shopfronts.

The proposed windows are considered to be of a sympathetic size, design and position as those on other properties in the surrounding area and consequently, reflects its character and the appearance within the street scene.

The development includes a proposed courtyard feature which is similar to that of the adjoining residential flats, albeit without a vehicular access inside. The other alterations, including the Juliet balcony and windows are all associated to the side and rear and would not be visibly seen from the Oxford Street streetscene.

The proposed changes are consequently considered to be sympathetic to the character of the building and local character of the area. It is therefore considered that the proposed development is of a design that will not harm the character and appearance of the building or the street-scene in accordance with Policy S53 of the Central Lincolnshire Local Plan and guidance in the NPPF.

Neighbouring and residential amenity

The amenity considerations as set out in Policy S53: Design and Amenity relevantly states that:

“All development proposals will be assessed against, and will be expected to meet the following relevant design and amenity criteria. All development proposals will:

b) Be compatible with neighbouring land uses and not result in likely conflict with existing uses, unless it can be satisfactorily demonstrated that both the ongoing use of the neighbouring site will not be compromised, and that the amenity of occupiers of the new development will be satisfactory with the ongoing normal use of the neighbouring site;

c) Not result in adverse noise and vibration taking into account surrounding uses nor result in adverse impacts upon air quality from odour, fumes, smoke, dust and other sources;

d) Not result in harm to people’s amenity either within the proposed development or neighbouring it through overlooking, overshadowing, loss of light or increase in artificial light or glare;

The above local policy is considered to be consistent with the national decision-making policies within Chapter 17 of the NPPF; the primary objective of the policies within this chapter is to *‘ensure that new development is appropriate for its location, taking into account risks posed by pollution and other hazards; that any impacts which development might have are taken into account; and that sufficient provision is made for development required for public safety and security.’* National decision-making policy in particular states that development proposal must *‘not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring*

residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site.'

There are three amenity considerations relating to the assessment of this application. The first being impacts on neighbouring residential properties, the second on impacts to the railway and visa versa and thirdly the impacts and level of amenity associated with the occupation of the proposed residential properties. Each will be considered in turn.

Impact on Neighbouring Residential Properties

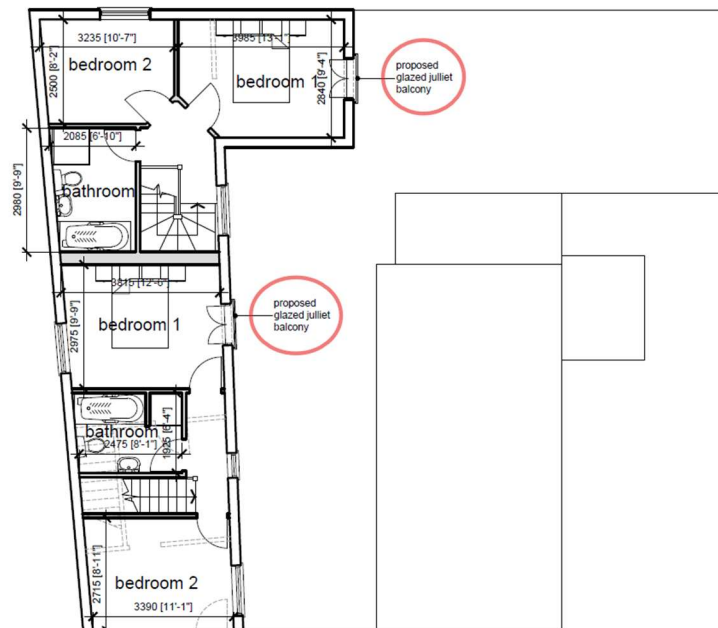
The application site sits directly alongside and south of a row of terraced dwellings, the closest of which is number 14 Oxford Street. To the west of the proposal is an existing railway line, and to the east of the proposal are residential properties across the road at Oxford Court. To the south of the proposal is another row of the terraced properties at Blacksmith Court, Oxford Street, the closest of which is number 6. The proposed residential use is considered to be compatible with the other residential uses in the area, and so in this case, the key impacts relating to neighbouring residential properties to assess would be those arising from the proposed external alterations to the property.

With regard to the alterations at the front of the property, these do not change the size or presence of the existing building, and the alterations of windows and doors would not result in overlooking and loss of privacy to the occupiers of the neighbouring properties opposite. The amenity of the occupiers of the neighbouring dwellings located to the east are not therefore harmfully impacted through the proposed development.

In relation to the neighbours to the south of the application site at Blacksmith Court, it should be noted that there are no external changes to the proposal. There is an existing window at the first floor for one of the existing store areas for the café which would serve the bedroom of unit 3. The window would face directly onto the rear car parking area of Blacksmith Court and so it is considered that there would no adverse overlooking impacts from this part of the development in relation to the neighbouring residential amenity of occupiers at Blacksmith Court.

In relation to the neighbour directly adjacent to the north, there are number of aspects which have the potential to impact the neighbour, and these are assessed as follows.

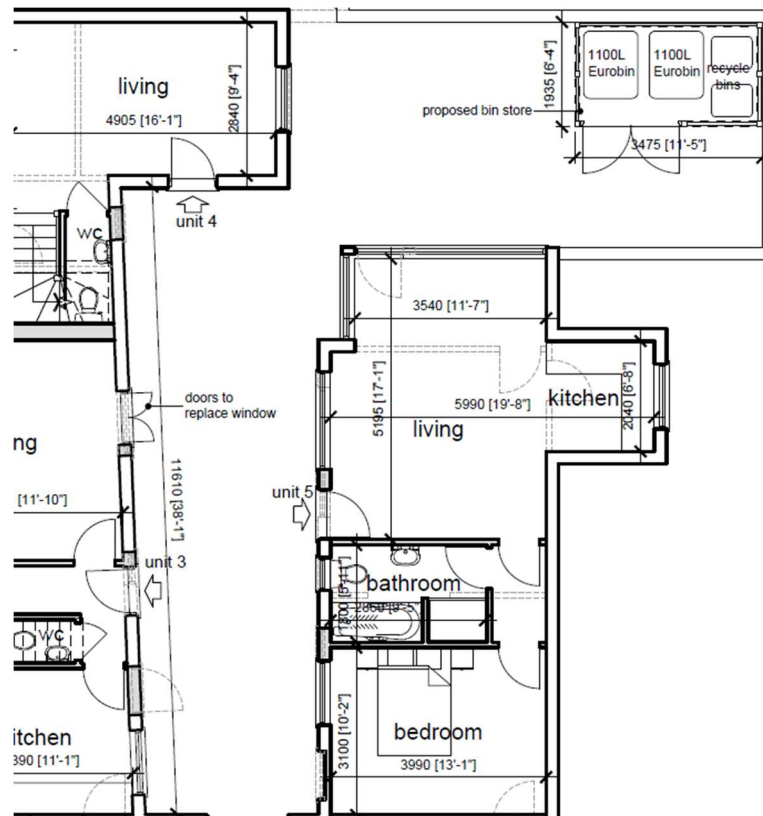
As a result of the conversion works for units 3 and 4, the proposal includes the addition of Juliet balconies on east elevation at first floor. These would face in the direction of the garden of number 14 Oxford Street. One of these Juliet balconies would replace an existing first floor window for a store area, and the other would be a new window opening altogether, as shown by the image below:



The proposed windows would now form part of the bedrooms of the residential development. With regard to the Juliet balcony on bedroom 1 of Unit 3, whilst it would face toward the east, views from it towards the neighbouring dwellinghouse would primarily be obscured by the existing host property's single storey projection. Moreover, it should be noted that this is an existing window opening.

In terms of bedroom 1 of unit 4, the Juliet balcony here would be a new opening, but it would not directly face onto the private area's of neighbours to the west to any adverse extent.

Other key alterations relate to unit 5. Many of the new windows here would face inward towards the internal courtyard (as shown by the image below). The image also shows the proposed kitchen, and this would include a window at ground floor level which directly adjoins and faces the garden of number 14 Oxford Street.



This window is however existing and relates to a store. This area could be changed without planning permission into a kitchen, for example for a Class E use. From this window, only the rear end of the garden and the occupants of number 14 Oxford Street would have more than sufficient garden space to the rear of their property. It is not ideal for it to be clearly glazed, but given the above assessment, it is not considered reasonable to place any restrictions as part of this development to the existing window.

The image above also depicts a bin storage area. This would be enclosed, and is at the north part of the scheme, situated away from 14 Oxford Street. It is therefore not considered to cause any adverse impacts with regard to the residential amenity requirements of Policy S53 of the CLLP.

Impact upon/from Rail Network

The rear boundary of the application site is the rail embankment relating to the existing railway network.

Network Rail has been consulted on this application. They have not raised any objections to the principle of the development in terms of works in proximity to the operational railway environment, subject to the developer ensuring that the development can be undertaken safely and without impact on the safe operation of the rail network. To enable this, Network Rail advises that the applicant liaise with their Asset Protection Team and where necessary for the developer to enter into their Basic Asset Protection Agreement. An advisory note will therefore be added to the

decision notice, should planning permission be granted.

Noise levels associated with the use of the rail network upon the amenity of the proposed development has also been raised by Network Rail. No conditions have been recommended by Network Rail but given that the development is very close to the railway line, it is considered that the developer is required to provide sufficient soundproofing for each new dwelling. The soundproofing required would be evidenced by a Noise Report, which is recommended to be secured via a prior to any occupation condition.

The proposed development, subject to Network Rails requirements being met, and the recommendation noise mitigation condition, is considered to be acceptable to the amenity of the proposed dwellings.

Upon Residential Amenity of Future Occupiers

The sustainable location of the site is also afforded weight in this regard, with residents having access to the town centre, outdoor space and other leisure facilities within approximately 400 metres of it.

The five proposed residential dwellings would also meet the guidance set out in the nationally described space standards and the building operations proposed enables adequate light to all residential accommodation.

The overall level of amenity for each dwelling is also not considered to be unduly harmful to the occupiers of all residential properties

The removal of permitted development rights can also control future alterations and extensions to the building. This is considered necessary and reasonable and a section is included at the end of this report in this regard.

It is therefore on this basis and when affording weight to the re-use of the building and creation of a mixture of types of residential accommodation within a sustainable location; that the proposed development is acceptable in meeting the provisions of Policy S53.

Policy S53 is considered to be consistent with the relevant design and amenity policies within the NPPF, in particular national decision-making policies DP3 - Key principles for well-designed places and P3 - Living conditions and pollution.

Highway Safety and Parking Provision

Policy S47 sets out that *'Development proposals which contribute towards an efficient and safe transport network that offers a range of transport choices for the movement of people and goods will be supported'*. Policy S49 relates to adequate parking provision and car parking standards are set out in Appendix 2 of the CLLP. These standards require 8 parking spaces to be provided for the proposed 4x two bedroom dwellings and 1 for the one bedroom dwelling.

Policies S47 and S49 are considered to be consistent with national decision-making policy TR4 which notes that new development should *‘provide suitable number of parking spaces for a range of transport modes where appropriate, reflecting the location and nature of the development (including its connectivity), any locally-set standards in the development plan, and including adequate provision of spaces and infrastructure that allow for the charging of electric vehicles in safe, accessible and convenient locations.’*

In addition, TR 6 states that: *‘development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion.’*

National decision-making policy, TR6: Assessing transport impacts, part 4, states:

‘Development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion.’

The proposed development reduces the provision for off street parking associated with the existing site. This would not meet the not meet the 9 total spaces required for the proposed residential dwelling and apartment, as set out in Policy S49 of the CLLP. No off-street parking is provided at the site, as is the case with the existing use.

It is also recognised that due to parking restrictions along Oxford Street, there is no provision for parking directly in front of the dwelling and parking on the opposite side of the road is restricted to 30 minutes between 8am to 6pm.

There is nevertheless, on street parking available further along Oxford Street (to the South) and in surrounding streets such as Serpentine Street, Chapel Street and Union Street. Additionally, there is also public car parks available to use off Union Street, Festival Hall and Mill Road, which are within easy walking distance from the application site. Car parks in the area operated by the Council enable a 6-day parking permit to be purchased (Sunday is currently free parking) at a cost £22 a week.

Furthermore, the sustainable location of the application site is also a consideration, with all services and facilities located within the Centre of Market Rasen being within walking distance of the site. The occupiers of the residential properties would therefore have access to services and facilities without being reliant on a private car, with public transport also being available

from within the town. Notably the train station is less than 5 minutes walking distance from the application site

This is also the advice given by the Local Highway Authority, who have confirmed that due to the sustainable location of the site and residents not reliant on the private car, dedicated parking is not essential; and the proposal will not have an unacceptable impact on the public highway.

In enabling the conversion of this building, there is limited scope to provide parking at the site, given the existing site constraints. The application has already been reduced in size, with the removal of the dormers and their living space. The proposal would bring a building back into use within a sustainable location.

The development is therefore considered to meet the relevant provisions of Policy S47, whilst being a departure for Local Policy S49. S47 and S49 are consistent with national decision-making policies TR3 and TR6. Given the above assessment with regards to sustainability, the proposal is not considered be a *'severe adverse impact on the transport network, or an unacceptable impact on highway safety'*.

It is consequently concluded that the non-inclusion of parking provision on the site is acceptable in this case and the departure from the provisions of Policy S49 is outweighed through the benefits of providing additional housing in a sustainable location with existing transport links, and through the re-use of an existing building. Taking this into account it is not considered reasonable to withhold permission on this ground alone and on balance the lack of parking is justified in this instance.

Flood risk, water resources and drainage

Policy S21 of the CLLP relates to development proposals being in areas at the lowest risk of flooding and being adequately drained. Policy S21 is considered to be consistent with Chapter 18 of the NPPF and the primary objective of the national decision-making policies in this chapter is to *'minimise risks to development arising from all sources of flooding and coastal change, taking into account the impacts of climate change, by steering development away from areas of risk, ensuring that development will be safe for its lifetime without increasing flood risk elsewhere, and incorporating sustainable drainage systems where appropriate.'*

In terms of drainage Policy S21 relevantly states that proposals should demonstrate:

'...g) that water is available for support the proposed development

h) that adequate mains foul water treatment and disposal already exists or can be provided in time to serve the development. Non mains foul sewage disposal solutions should only be considered where it can be shown to the satisfaction of the local planning authority that connection to a public sewer is

not feasible;

and in relation to surface water that:

k) that they have followed the surface water hierarchy for all proposals:

i. surface water runoff is collected for use;

ii. discharge into the ground via infiltration;

iii. discharge to a watercourse or other surface water body;

iv. discharge to a surface water sewer, highway drain or other drainage system, discharging to a watercourse or other surface water body;

v. discharge to a combined sewer;

l) that no surface water connections are made to the foul system

m) that surface water connections to the combined or surface water system are only made in exceptional circumstances where it can be demonstrated that there are no feasible alternatives (this applies to new developments and redevelopments) and where there is no detriment to existing users;'

The site is located within Flood Zone 1 and has a low risk of flooding. No detailed drainage scheme has been provided with the application, but it is recognised that the site is within a built-up area of Market Rasen and has an established water supply and drainage system serving the existing properties and area. As primarily a change of use application, it is considered that part h) applies, and that there would be no need for any further drainage works other than connection to the existing infrastructure, in this instance, to accord with Policy S21 of the CLLP. The policy is considered to be consistent with national decision-making policy F4: Assessing flood risk for decision-making.

Energy Efficient Buildings

Policies S6 and S13 encourages applicants to consider all opportunities to improve the energy efficiency of the building being altered and extended. The policies are considered to be consistent with the national decision-making policies, CC2 and CC3 of Chapter 5 of the NPPF.

For all development proposals which involve the change of use or redevelopment of a building, or an extension to an existing building, Policy S13 states '*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 alterations include windows which would provide a benefit.

It is considered that policy S13 does not require the applicant to do anything further, but an advisory note would be included in relation to improving the

energy efficiency of the building. The above local policies are considered to be consistent with national decision-making policy CC2: Mitigation of climate change.

Archaeology

Policy S57 of the CLLP deals with new development impacting the historic environment. The local policy is consistent with national decision-making policy HE6.

LCC Archaeology have responded to the consultation and confirmed '*no archaeological input is required*' due to the nature of the development not involving additional extensions.

There are no issues as a result in terms and the proposal complies with policy S57 of the CLLP.

Biodiversity Net Gain

Policy S61 of the CLLP deals with biodiversity opportunity and delivering measurable net gains. The local policy is consistent with national decision-making policy, N2.

Biodiversity Net Gain (BNG) is mandatory on minor developments from 2nd April 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). It requires that development must deliver a net gain of 10% to ensure that habitats for wildlife are left in a measurably better state than they were before the development. BNG exemptions were updated on 6th August 2026, but this application was submitted prior to this date.

The net gain for biodiversity should be calculated using Natural England's Biodiversity Metric" but there are also exemptions(before 6th August 2026 in this case) that apply to its delivery.

It is noted that the proposed development only relates to the change of use and alterations to the existing building on site.

The proposed development would not therefore impact a priority habitat (as identified in section 41 of the Natural Environmental and rural communities Act 2006), impacts less than 25 square metres of the on-site habitat that has biodiversity value greater than zero; and less than 5 metres in length of on-site linear habitat (as defined in the statutory metric).

Consequently, the development would be below the de minimis threshold and exempt from delivering biodiversity net gain. The proposal therefore accords with policy S61 of the CLLP in this regard.

Contamination

Policy S56: relates to development on Land Affected by Contamination and states that:

“Development proposals must take into account the potential environmental impacts on people, biodiversity, buildings, land, air and water arising from the development itself and any former use of the site, including, in particular, adverse effects arising from pollution.

Where development is proposed on a site which is known to be or has the potential to be affected by contamination, a preliminary risk assessment should be undertaken by the developer and submitted to the relevant Central Lincolnshire Authority as the first stage in assessing the risk of contamination.

Proposals will only be permitted if:

- it can be demonstrated that the site is suitable for its proposed use;*
- layout and drainage have taken adequate account of ground conditions, contamination and gas risks arising from previous uses and any proposed sustainable land remediation and*
- there are no significant impacts on future users, neighbouring users, groundwater or surface water.”*

The application site is recognised to be within an area at risk of contamination due to previous historic uses (likely a brewery, smithy and builder's yard). However, the building is now located within an area of other residential dwellings, and it is recognised that the proposed development relates to alterations to the existing building; and does not require extensive ground works.

Consequently, a precautionary condition is recommended to ensure any contamination that may be present on site shall be adequately dealt with. With such a condition in place the risk of contamination will be proportionately mitigated against and the development in accordance with the provisions of Policy S56 of the CLLP. This policy is consistent with national decision-making policy L2 which deals with contaminated land.

Other Considerations

Removal of Permitted Development Rights

National planning policy DM6: Use of planning conditions obligations states that conditions should not be used to: *‘c. restrict national permitted development rights unless there is clear justification to do so’.*

DM10: Removal of national permitted development rights also

Due to the proximity of the new dwellings in relation to the railway line, and, the constrained nature of the site, for design and amenity purposes it is considered appropriate to restrict permitted development rights of the 5 dwellings arising from this change of use of land. It is considered that there is

clear justification as a result, in line with the requirements of the NPPF. Policy S53 is consistent with the NPPF in this regard.

Conclusion and reason for decision

The proposed development has been assessed against local policies S1 The Spatial Strategy and Settlement Hierarchy, S3 Housing in Lincoln Urban area, Main Towns and Market Towns, S6 Design Principles for Efficient Buildings, S13 Reducing Energy Consumption in Existing Buildings, S21 Flood Risk and Water Resources, S23 Meeting Accommodation Needs, S47 Accessibility and Transport, S49 Parking Provision, S53 Design and Amenity, S56 Development on Land Affected by Contamination, S57 The Historic Environment, and S61 Biodiversity Opportunity and Delivering Measurable Net Gains of the Central Lincolnshire Local Plan 2023-2043 and Policy M11 of the Core Strategy.

Furthermore, consideration has been given to the national decision-making policies within the National Planning Policy Framework August 2026. It is considered that the proposed development has been assessed in line with local policies that are considered to be consistent with these national decision-making policies.

The proposed development would not however, accord with the provisions of Policy S49 as there is no on-site parking for the proposed dwellings.

The lack of on-site parking would not however result in a severe impact upon highway safety and the departure from Policy S49 is therefore outweighed through the benefits of providing additional housing in a sustainable location, and through the re-use of an existing building.

As a result of this assessment the proposed development, whilst the development is a departure from local policy S49, it is nevertheless considered to be sustainable development and on the balance of considerations, is recognised as being an acceptable residential development close to the town centre of Market Rasen, and it is recommended for approval with conditions as a result.

It is therefore concluded that the proposed development in providing additional housing through the re-use of an existing building within a sustainable location outweighs the departure from Policy S49 and grant of permission subject to the following conditions is recommended:

Decision Level: Committee

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:

Location Plan & Block Plan – 2025/01/LP001
Proposed Roof Plan & Bin Store – 2025/01/P005-B
Proposed Floor Plan & Elevations – 2025/01/P002-D
Proposed Elevations – 2025/01/P003-C
Proposed Elevations – 2025/01/P004-C
Proposed Floor Plans – 2025/01/P001-D

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 2023 Central Lincolnshire Local Plan.

3. If during the course of development, contamination not previously identified is found to be present on the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a method statement detailing how and when the contamination is to be dealt with has been submitted to and approved in writing by the Local Planning Authority. The contamination shall then be dealt with in accordance with the approved details.

Reason: In order to safeguard human health and the water environment as recommended by Environmental Protection in accordance with the National Planning Policy Framework and Policy S60 of the 2023 Central Lincolnshire Local Plan.

4. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, AA, B, C and E of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any Order revoking and reenacting that Order, the dwelling hereby permitted shall not be altered or extended, and no buildings or structures shall be erected within the curtilage of the dwellings,

unless planning permission has first been granted by the Local Planning Authority.

Reason: To safeguard the residential amenity of the occupiers of the existing and proposed dwellings and the operational use of the adjacent railway land in accordance with S53 of the Central Lincolnshire Local Plan 2023 and the National Planning Policy Framework.

5. No occupation of the dwellings hereby approved shall take place until a scheme for noise and vibration mitigation, including soundproofing measures in relation to the occupation of the proposed dwelling and apartment hereby approved, has been submitted to and approved by the Local Planning Authority. The agreed scheme shall be implemented prior to the occupation of the dwelling and thereafter maintained.

Reason: To protect the occupants from noise associated with the adjacent operational rail use and to ensure a reasonable standard of amenities in accordance with the National Planning Policy Framework and Policy S53 of the Central Lincolnshire Local Plan 2023.

Notes:

Network Rail:

'Due to the proximity of the proposed development to the operational railway boundary, it will be imperative that the developer liaise with our Asset Protection Team (contact details below) prior to any work taking place on site to ensure that the development can be undertaken safely and without impact to operational railway safety. Details to be discussed and agreed may include construction methodology, earthworks and excavations, use of crane, plant and machinery, drainage and boundary treatments. It may be necessary for the developer to enter into a Basic Asset Protection Agreement (BAPA) with Network Rail to ensure the safety of the operational railway during these works. We would also like to advise that where any damage, injury or delay to the rail network is caused by construction works or future maintenance (related to the application site), the applicant or developer will incur full liability. This could also include police investigation as it is a criminal offence to endanger the railway or obstruct the passage of rail traffic. It should also be noted that any damage that requires a line closure or repairs can result in costs which could exceed hundreds of thousands of pounds.'

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

Prepared by: Owen Toop **Date:** 24/08/2026

Authorising Officer: Ian Elliott **Date:** 27th August 2026