



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**



Planning Committee

6 August 2026

S26/0096

Proposal:	Change of use of warehouse/storage space into 2 separate units consisting of a takeaway and a barbershop
Location:	106 Church Street, Market Deeping, Lincolnshire, PE6 8AL
Applicant:	Mr Hekar Berwari
Agent:	Mr Kenneth Mwaniki
Application Type:	Full Planning Permission
Reason for Referral to Committee:	Called in by Cllr Baxter citing impact on the Conservation Area and impact on highways safety
Key Issues:	Impact on the Market Deeping Conservation Area
Technical Documents:	

Report Author

Hannah Noutch, Senior Development Management Planner



01476 406080



H.Noutch@southkesteven.gov.uk

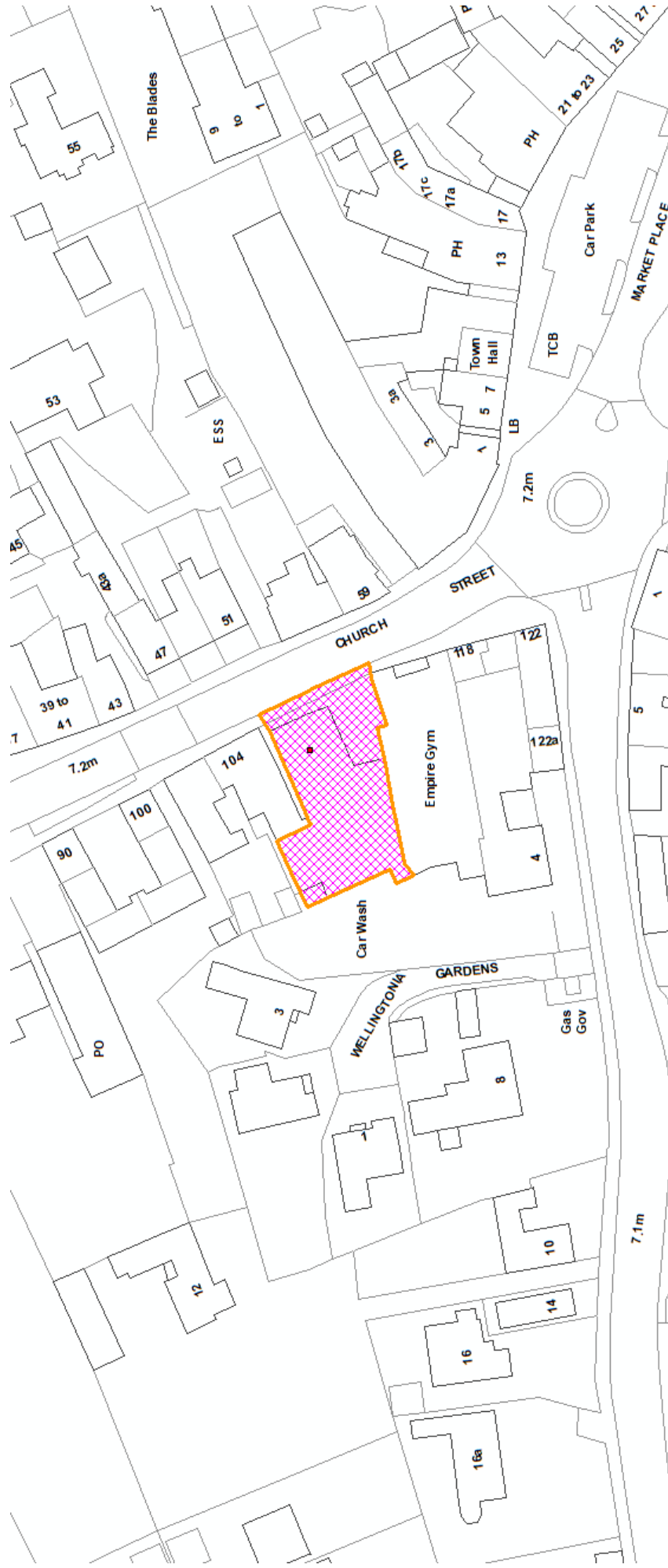
Corporate Priority:	Decision type:	Wards:
Growth	Regulatory	Market and West Deeping

Reviewed by: Adam Murray – Principal Development Management Planner

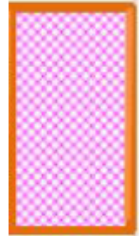
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Recommendation (s) to the decision maker (s)

To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to conditions.



Key



**Application
Boundary**



1 Description of Site

- 1.1 The application site hosts a two-storey terraced building located on Church Street in Market Deeping. The site falls within the Market Deeping Conservation Area and is adjacent to Grade II Listed No.104 Church Street and across the road from Grade II Listed No.59 Church Street. To the rear of the site is a car wash business which the current storage and warehouse use is associated with. The site falls just outside of the Market Deeping town centre.
- 1.2 S23/0440 granted approval on the site for " Change of use of warehouse/storage space at the front of the building into 2 separate units consisting of a takeaway and a barbershop."

2 Description of the proposal

- 2.1 This application is a resubmission of S23/0440, with these works having been commenced, with elements of the scheme having been completed that are not as per the approved plans.
- 2.2 This application is seeking full planning permission for the change of use of warehouse/storage space into 2 separate units consisting of a takeaway and a barbershop. The barbershop and the takeaway have changed positions on the proposed plans to the previous approval.
- 2.3 The changes to the external alterations include revised window and door design and positions in the front elevation. The repositioning of the fire escape doorway and the proposed extractor vent from the southern elevation to the northern elevation.
- 2.4 It is confirmed that there are differences between the current proposed plans and the works carried out on site in terms of the windows that have been installed on site. The proposed plans that form part of this submission are correct in terms of what is proposed as they seek to alter the design of the works completed on sight to achieve a more acceptable detail.
- 2.5 The central section of the front elevation between the two units, where the previous door had been in the existing building has been completed on site using different materials than is what is shown on the proposed plans. Therefore, as it has not been able to be confirmed with the agent why this is the case, the assessment given is on the basis that the submitted drawings reflect what this material finish is proposed to be changed to and the assessment is on the basis of this revised material.

3 Site History

- 3.1 S23/0440 – Full planning application - Change of use of warehouse/storage space at the front of the building into 2 separate units consisting of a takeaway and a barbershop – Approved Conditionally

4 Relevant Planning Policies and Documents

4.1 SKDC Local Plan (Adopted 2020)

Policy DE1 - Promoting Good Quality Design

Policy EN6- The Historic Environment

Policy SP3 - Infill Development

Policy DEP2 - Market Deeping Town Centre

National Planning Policy Framework (NPPF)

Section 9 - Promoting sustainable transport

Section 12 - Achieving well-designed places

Neighbourhood Plan

The Deepings Neighbourhood Plan

5 Representations received as a result of publicity

- 5.1 This application has been advertised in accordance with the Council's Statement of Community Involvement, and no letters of representation have been received.

6 Representations received

6.1 Town Council

- 6.2 Market Deeping Town Council's Planning and Highways Committee requests that any changes or renovations to the front of the property is in keeping with the conservation area and approved by SKDC's conservation officer

6.3 Peterborough City Council

- 6.4 Having reviewed the plans, Peterborough City Council has no comment to make, provided the servicing of the site by delivery vehicles and parking for customers and visitors to the site is considered

6.5 LCC Highways (Highways Authority)

- 6.6 No objections

- 6.7 Comments: Lincolnshire County Council does not have adopted parking standards and considers each application on its own merits. This is for the change of use of warehouse/storage space into 2 separate units consisting of a takeaway and a barbershop, and whilst no parking has been provided, there is parking available in the vicinity and this would be classed as a town centre location and it is therefore not considered that this proposal would result in an unacceptable impact on highway safety.

6.8 Environmental Protection

- 6.9 Environmental Protection has reviewed the documents in respect of the above application and has no further comment to make.

6.10 Conservation Officer

- 6.11 The proposal is for the change of use of the building into two units, with a takeaway unit to the north, and a barbershop with access to the first floor in the southern unit. The works proposed would require a number of external works, such as the blocking off of the central doorway, as well as the installation of two new doorways at the front and one to the north. The two existing shopfront windows are also proposed to be removed and replaced with single pane aluminium framed windows. The works would also require substantial internal alterations to create the two spaces.

- 6.12 Given the general appearance and character of the streetscape, it would be recommended for the shop windows to maintain the Georgian style multi-pane windows in a light colouring. It is noted that dark coloured roof tiles are proposed to be used. Material samples of these should be provided to ensure the material is in keeping with the conservation area. It is not known what material is proposed for the blocking off the central doorway. It is recommended to utilise reclaimed stone from the creation of the new doorways. A recess could be retained

to illustrate the change in layout. It is noted that new signage is proposed, it should be noted that any form of illumination should be avoided to be in keeping with the conservation area.

6.13 The internal alterations do not raise any concerns on heritage grounds.

6.14 In principle, there are no objections to the change of use. A more appropriate design of the shopfront windows would be recommended, and samples of the materials should be provided to ensure they are in keeping with the conservation area, and in line with NPPF 215 and SKLP EN6.

6.15 **Ward Councillor**

6.16 No formal comments made on the application.

7 Evaluation

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise. In this case, the adopted development plan comprises of the following documents:

7.2 - South Kesteven Local Plan 2011-2036 (Adopted January 2020)

7.3 The policies and provisions set out in the National Planning Policy Framework (updated December 2024) are also a material consideration in the determination of planning applications, alongside the recently adopted Design Guidelines for Rutland and South Kesteven.

7.4 Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District and must be considered when assessing development proposals. In this instance, Market Deeping falls within the adopted 'The Deepings' neighbourhood plan area, which was formally made part of the Development Plan on 29th June 2021.

7.5 **Principle of use/development**

7.6 This application would result in the same uses on the site as that of the previously submitted application S23/0440, where the principle of development was established as being acceptable in this location in accordance with policies SP3 and DEP2 of the SKDC Local Plan. There are no material changes that would result in a different assessment of the acceptability of the principle of development under this application.

7.7 **Hot Food Takeaway in proximity of school**

7.8 As a matter of clarification in respect of the previous and current applications for the hot food takeaway, it is noted that paragraph 97 of the NPPF states:

7.9 *“Local planning authorities should refuse applications for hot food takeaways and fast-food outlets:*

7.10 *a) within walking distance of schools and other places where children and young people congregate, unless the location is within a designated town centre..”*

7.11 Whilst not within the designated town centre of Market Deeping within the SKDC Local Plan, the site does fall within the extended Town Centre as detailed within the Deepings Neighbourhood Plan and as such, is considered to meet the criteria of being located within a designated Town Centre.

7.12 **Character and appearance of the area**

- 7.13 Policy DE1 (Promoting Good Quality Design) of the adopted Local Plan states (amongst other criteria) that to ensure high quality design is achieved throughout the District, all development proposals will be expected to make a positive contribution to local distinctiveness vernacular and character of the area. Proposals should reinforce local identity and not have an adverse impact on the streetscene, settlement pattern or the landscape / townscape character of the surrounding area. Proposals should be of an appropriate scale, density, massing, height and material, given the context of the area. Part 12 of the NPPF (Achieving well-designed places) states that good design is a key aspect of sustainable development and new development should be visually attractive as a result of good architecture and appropriate landscaping.
- 7.14 The Local Planning Authority is required to ensure that special regard to preserving the Listed Buildings and their settings in relation to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act'). No harm should be caused with the historical assets and their surroundings requiring to be preserved or enhanced.
- 7.15 The Local Planning Authority is required to ensure that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area, through the Planning (Listed Buildings and Conservation Areas) Act 1990 at Section 72.
- 7.16 Furthermore, the importance of considering the impact of development on the significance of designated heritage assets is expressed in the National Planning Policy Framework (NPPF). The NPPF advises that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.
- 7.17 Policy EN6 (The Historic Environment) states amongst other criteria that the Council will seek to protect and enhance heritage assets and their settings, in keeping with the policies in the National Planning Policy Framework. Proposals will be expected to take into account the Conservation Area Appraisals, where these have been adopted by the Council.
- 7.18 Policy DNP8 states proposals should sustain and enhance the heritage assets including putting buildings to viable new use consistent with their character and integrity and developments proposals should be designed to take account of any listed building or scheduled monuments within their immediate locality and pay attention to their settings in particular. Development proposals which would have an unacceptable impact on the character, appearance or setting of a heritage asset will not be supported.
- 7.19 Policy DNP9 promotes best practice in design.
- 7.20 In respect of the assessment of this current proposal, the previous design under S23/0440 was acceptable and therefore it is a matter of assessing whether the changes to the approved plans would result in any unacceptable impacts.
- 7.21 There are no objections to the changes to the side elevations of the building in respect of relocating the fire escape and extractor vent from the southern elevation to the northern elevation. The relocation of these features is not anticipated to result in any unacceptable adverse impacts on the street scene, conservation area and setting of the nearby listed buildings.

- 7.22 In respect of the proposed altered window designs, the Conservation Officer has advised they are not opposed to new windows subject to the detailing, however they do have concern over the potential replacement windows as indicated on the plans and as such, a condition is to be attached requiring joinery details for the replacement windows to be provided prior to their installation. Given the partial retrospective nature of the scheme, it is additionally considered appropriate to attach a condition requiring the window replacements be carried out within 6 months of the date of approval of the required details which are conditioned to be provided within 3 months of the date of the decision for this application.
- 7.23 Furthermore, the central doorway has been blocked off in an unsympathetic manner on site and differs from what is shown on the submitted plan, without material details being specified for the replacement materials. The Conservation Officer has recommended to utilise reclaimed stone from the creation of the new doorways, however it is unknown whether these materials were retained as it is understood the new doorways have been started if not completed. As such, a condition has been attached requiring samples of the materials for the blocking off of the central doorway to be provided on site as part of an application for the approval of these details. A similar condition has been attached requiring these works be carried out within 6 months of the date of the decision to that for the windows.
- 7.24 It is understood that the works to the roof have already been carried out, and therefore whilst the Conservation Officer had advised that material samples for the replacement tiles should have been made available prior to these works having been undertaken, the previous planning permission had approved matching clay tiles to be used. Nothing has been provided to suggest that this was not the case, and a condition mirroring the condition on S23/0440 has been attached requiring the roofing materials to match. For the works to have not been completed using matching roof tiles would be a breach of planning permission.
- 7.25 By virtue of the design and nature of the revisions to the previously permitted, scheme and subject to the conditions attached, the proposal would be in keeping with the host building, street scene and surrounding context. The development would not cause harm to the setting of the listed buildings or the Market Deeping Conservation Area in accordance with the Deepings Neighbourhood Plan Policy DNP4, DNP8 and DNP9, NPPF Sections 12 and 16 and Policies DE1 and EN6 of South Kesteven Local Plan.
- 7.26 **Neighbours' residential amenities**
- 7.27 Policy DE1 (Promoting Good Quality Design) of the adopted Local Plan states (amongst other criteria) that all development proposals will be expected to ensure there is no adverse impact on the amenity of neighbouring users in terms of noise, light pollution, loss of privacy and loss of light and provide sufficient private amenity space, suitable to the type and amount of development proposed.
- 7.28 Paragraph 135 of the NPPF states that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 7.29 Given the nature of the proposals and their location in relation to the surrounding land and property uses, it is considered that the proposals would not result in any harm to neighbouring sites by way of overlooking, overshadowing or excess noise.

7.30 The changes to the scheme would not introduce any unacceptable adverse impacts when compared to the previously permitted proposal under application S23/0440.

7.31 The hours conditioned on S23/0440 to help prevent noise outside of sociable hours are attached as a condition to this application.

7.32 Environmental Protection were consulted and raised no objections to the scheme.

7.33 Taking into account the nature of the proposal, small scale, and adequate separation distances, it is considered that there would be no unacceptable adverse impact on the residential amenities of the occupiers of adjacent properties in accordance with the Deepings Neighbourhood Plan Policy DNP4, NPPF Section 12, and Policy DE1 of the Local Plan

7.34 **Highway issues**

7.35 Paragraph 116 of the NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.36 There are no changes to the scheme in terms of access and parking arrangements. The Highways Authority raised no objections to the scheme, reiterating that whilst the scheme does not provide any dedicated parking that there is parking available in the vicinity and the site would be classed as a town centre location and it is therefore not considered that this proposal would result in an unacceptable impact on highway safety in accordance with the NPPF Section 9.

7.37 **Crime and Disorder**

7.38 It is considered that the proposal would not result in any significant crime and disorder implications.

7.39 **Human Rights Implications**

7.40 Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation. It is considered that no relevant Article of that act will be breached.

7.41 **Conclusion**

7.42 Taking the above into account, it is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Sections 9 and 12) and Policies DE1, DEP2 and EN6 of the South Kesteven Local Plan. There are no material considerations that indicate otherwise although conditions have been attached.

8 RECOMMENDATION: To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to conditions.

9 Conditions

Approved Plans

1) The development hereby permitted shall be carried out in accordance with the following list of approved plans:

i. Proposed Site Plan re. 133_A_003A received 21 January 2026

ii. Proposed Ground Floor Plan re. 133_A_100D received 21 January 2026

iii. Proposed First Floor Plan re. 133_A_101C received 21 January 2026

iv. Proposed Elevation Plan re. 133_A_302B received 21 January 2026

Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt.

During Building Works

- 2) Within 3 months of the date of this permission, full details of all proposed joinery works for those windows/doors, including 1:20 sample elevations and 1:1 joinery profiles, shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN6 of the adopted South Kesteven Local Plan.

- 3) Within 3 months of the date of this permission, material samples for the blocking off of the central doorway shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN6 of the adopted South Kesteven Local Plan.

Before the Development is Occupied

- 4) Within 6 months of the date of the approval for the joinery details required by condition 2 of this permission, the joinery works shall have been completed in accordance with the approved joinery details.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN6 of the adopted South Kesteven Local Plan.

- 5) Within 6 months of the date of the approval for the material sample details required by condition 3 of this permission, the blocking up of the central doorway shall have been completed in accordance with the approved material details.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN6 of the adopted South Kesteven Local Plan.

- 6) Before any part of the development hereby permitted is brought into use, the works to roof shall have been completed using only matching materials unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

Ongoing Conditions

- 7) The proposed bin store area as details on 'Proposed Ground Floor Plan re. 133_A_100 REV D' received 21 January 2026, shall be available for use at all times.

Reason: In the interest of good quality design in accordance with Policy DE1 of SKDC Local Plan.

- 8) The Class E premises shall not be open for customers other than between the following hours:

i. 10:00hrs - 18:00hrs on Mondays to Fridays (other than bank holidays)

ii. 09:00hrs -18:00hrs on Saturdays

iii. 10:00hrs - 16:00hrs Sundays and Bank Holidays

unless otherwise agreed in writing by the Local Planning Authority.

Reason: Operation of the use outside these hours may result in unacceptable levels of noise nuisance to local residents, contrary to Policies EN4 and DE1 of the South Kesteven Local Plan.

9) The takeaway premises shall not be open for customers other than between the following hours:

i. 11:00hrs - 23:00hrs on Mondays to Fridays (other than bank holidays)

ii. 11:00hrs - Midnight on Saturdays

iii. 11:00hrs - 20:00hrs Sundays and Bank Holidays

unless otherwise agreed in writing by the Local Planning Authority.

Reason: Operation of the use outside these hours may result in unacceptable levels of noise nuisance to local residents, contrary to Policies EN4 and DE1 of the South Kesteven Local Plan.

Financial Implications reviewed by: Not applicable

Legal Implications reviewed by: Not applicable