



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

7 December 2023



S23/1830

Proposal: Change of use from Dwelling (Use Class C3) to Hotel (Use Class C1)
Location: 15 Swinegate, Grantham
Applicant: Mr Dean Harrison
Application Type: Full Planning Permission

Reason for Referral to Committee: The Applicant is related to a District Councillor
Key Issues: Principle of Development

Technical Documents:

- Design and Access Statement
- Heritage Impact Assessment

Report Author

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Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Grantham St Wulfram's

Reviewed by:

Phil Jordan, Development Management & Enforcement Manager

28 November 2023

Recommendation (s) to the decision maker (s)

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

S23/1830 – 15 Swinegate, Grantham



Key



Application
Boundary



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1 Description of the site

- 1.1 The application site comprises 15 Swinegate, a Grade II Listed Building, positioned on the western side of Swinegate within the main built-up area of Grantham, to the north of the primary shopping area. The host property is a 19th century, two-storey brick semi-detached with a dormer window, and occupies a plot of approximately 305sq. metres of irregular shaped land.
- 1.2 The site is bound to the south by an existing terrace of two-storey buildings, which vary in residential and commercial land uses. The site is bound to the north by an area of vacant land, which benefits from full planning permission for the erection of a 2 ½ storey building to comprise of 3 (no) dwellings (LPA Ref: S22/1984); it is noted that the approved scheme proposes to directly adjoin the host dwelling through the installation of lead flashing and a compressible board with silicone seal.
- 1.3 The site is bound to the west by Watergate Car Park, which wraps around the existing buildings fronting onto Swinegate, and is bound to the east by Swinegate, beyond which lies further residential and commercial properties. The application site is situated within an area characterised by a mix of uses, including residential and commercial land uses.
- 1.4 The existing built form in Swinegate is characterised by two- and three-storey buildings with narrow frontages and a high density of development typical of a town centre location. The buildings are set on or close to the line at the back of the footway, which contribute to forming a continuous building line and strong sense of enclosure.
- 1.5 The application site is located within the Grantham Conservation Area, and the adopted Conservation Area Appraisal states the following in relation to this part of the town:
- *Swinegate is characterised by two and three storey buildings with narrow frontages and high density of development. The buildings are set on or close to the line at the back of the footway which form a continuous building line along the streets.*
 - *The large number of listed buildings in this area reflects its historic and architectural significance. There are five Grade I Listed buildings: St Wulfram's Church, Grantham House and Stable Block, the Olde Grammar School, and the Church House to the rear of Church Street. There are also a large number of Grade II Listed buildings dating from the 18th century on the west side of Swinegate.*
 - *Swinegate has an attractive mix of buildings which contribute to the visual interest of the site. The buildings are domestic in scale and consist mainly of 18th century brick townhouses of two- and three-storeys which occupy small plots and have narrow frontages. Some also have unusual moustache shaped lintels which are a typical feature of the town centre. Interspersed amongst the townhouses on the west side, are stone buildings of two storeys which date from the 17th and 18th century. The roofs are covered with clay pantiles which, together with the variety of building heights, contribute to an attractive skyline.*
- 1.6 The application site's boundaries of the site are marked by a 2m red brick, pantile capped wall.
- 1.7 As detailed above, the application site falls within the Grantham Conservation Area and is also located within close proximity of a number of designated heritage assets including 21 Swinegate (Grade II Listed) and St. Wulfram's Church (Grade I Listed).

2 Description of the proposal

- 2.1 The current application seeks full planning permission for the change of use of the host property from use as a private dwelling (Use Class C3) to use a Bed and Breakfast (Use Class C2). The current application does not propose any internal or external alterations to the building.

3 Policy Considerations

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

Policy SD1 – The Principles of Sustainable Development in South Kesteven
Policy SP1 – Spatial Strategy
Policy SP2 – Settlement Hierarchy
Policy SP3 – Infill Development
Policy E9 – Visitor Economy
Policy EN1 – Landscape Character
Policy EN4 – Pollution Control
Policy EN6 – The Historic Environment
Policy DE1 – Promoting Good Quality Design
Policy GR4 – Grantham Town Centre Policy
Policy ID2 – Transport and Strategic Transport Infrastructure

3.2 Design Guidelines for Rutland and South Kesteven Supplementary Planning Document (Adopted November 2021)

3.3 National Planning Policy Framework (NPPF) (Published September 2023)

Section 2 – Achieving sustainable development.
Section 4 – Decision-making
Section 6 – Building a strong, competitive economy.
Section 7 – Ensuring the vitality of town centres.
Section 9 – Promoting sustainable transport.
Section 11 – Making effective use of land.
Section 12 – Achieving well-designed places.
Section 14 – Meeting the challenge of climate change, flooding and coastal change.
Section 15 – Conserving and enhancing the natural environment.
Section 16 – Conserving and enhancing the historic environment.

4 Representations Received

4.1 Grantham Civic Society

- 4.1.1 No comments received.

4.2 Heritage Lincolnshire

- 4.2.1 No comments to make.

4.3 Historic England

- 4.3.1 No comments to make.

4.4 **Lincolnshire County Council (Highways & SuDS)**

4.4.1 No objections.

4.4.2 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. Future residents of the development will not be reliant upon the private car and therefore parking is not essential for this proposal.

4.5 **SKDC Conservation Consultee**

4.5.1 No objections.

4.5.2 No 15 is a Grade II Listed C19 double fronted, two-storey and attic brick and slate roofed house, prominently sited within the Grantham Conservation Area with principal frontage directly onto Swinegate.

4.5.3 The proposal is to change the use of the property from a private dwelling to a Hotel. The building already has eight bedrooms, all complete with en-suites as well as ancillary communal accommodation and services. It has historically been used for a considerable time as a bed and breakfast establishment.

4.5.4 There are no proposed internal or external alterations to the building to facilitate the change of use, and there are no issues or objections to the proposal on heritage grounds.

4.6 **SKDC Environmental Protection**

4.6.1 No objections.

5 Representations as a Result of Publicity

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

6 Evaluation

6.1 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. The Council adopted the South Kesteven Local Plan 2011-2036 on 30 January 2020, and this forms the Development Plan for the District and is the basis for decision-making in South Kesteven.

6.2 The Local Planning Authority have also adopted a Design Guidelines Supplementary Planning Document (SPD) (Adopted November 2021) and this document is a material consideration in the determination of planning applications.

6.3 In addition, the policies and provisions set out in the National Planning Policy Framework (NPPF) ("the Framework") (Published September 2023) are also a relevant material consideration in the determination of planning applications.

6.4 **Principle of Development**

6.4.1 The current application seeks full planning permission for the change of use of 15 Swinegate from a private dwelling to use as a bed and breakfast / hotel (Use Class C2).

6.4.2 Policy E9 (Visitor Economy) supports the provision of new overnight accommodation within the District, subject to proposals being of an appropriate scale to the setting of the area, and where necessary, a sequential approach should be followed.

6.4.3 In this respect, the current application proposes the change of use of an existing building located within the main built-up area of Grantham to form an 8-bed bed and breakfast facility, and it is Officer's assessment that the proposed tourism use would be appropriate for the site's location and would also be consistent with the sequential approach to development, which seeks to direct development towards the most sustainable locations. As such, it is Officer's assessment that the application proposals would be consistent with Policy E9 of the adopted Local Plan.

6.4.4 Similarly, Policy GR4 (Grantham Town Centre Policy) identifies that "*within the town centre, development or re-use of buildings for a range of uses, including retail, leisure, offices, food and drink, cultural and residential will be supported...*

Within the town centre boundary, proposals for A-uses will be supported, as well as proposals for Offices (B1), Health Care and Day Nurseries (D1) and leisure and tourism related uses i.e., cinema, recreation facilities (D2) and appropriate residential development on upper floors, provided that the use does not cause undue harm to the character and appearance of the town centre, nor generate "dead shopping frontages".

6.4.5 In view of the above, it is Officer's assessment that the application proposals would be consistent with Policy GR4 of the adopted Local Plan.

6.4.6 Taking the above into account, whilst the proposed development would result in the loss of a single dwelling, it is acknowledged that the scheme would provide an economic benefit to the town through the generation of 3 ½ full time equivalent (FTE) employment opportunities. As such, it is Officer's assessment, that the proposed development would accord with Policy SP1, SP2, SP3, E9 and GR4 of the adopted Local Plan and Section 6 and 7 of the National Planning Policy Framework. Therefore, the principle of development is acceptable, subject to material considerations. These matters have been assessed in detail below.

6.5 **Impact on heritage assets**

6.5.1 As previously stated, the application property is a Grade II Listed building, and is also located within the Grantham Conservation Area.

6.5.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to have special regard for the desirability of preserving listed buildings and their settings, or any features or special architectural or historic interest which it possesses. Similarly, Section 72 of the Act requires Local Planning Authorities to give special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas.

6.5.3 In connection with the above, as identified, the current application seeks permission for the change of use only, and does not entail any internal or external alterations to the building. The Council's Conservation Consultee has been consulted on the application and has confirmed that they have no objections to the proposed change of use. Similarly, Historic England have also confirmed that they do not wish to comment on the proposals and have deferred to the Council's Conservation Consultee.

6.5.4 Taking the above into account, it is Officer's assessment that the application proposals would not result in any adverse impacts on the setting and significance of the host listed

building and the Grantham Conservation Area. As such, it is Officer's assessment that the application proposals would accord with Policy EN6 and Section 16 of the Framework in relation to heritage matters.

6.6 Impact on neighbouring land uses

6.6.1 In respect of the potential impact on the amenity of neighbouring land uses, it is appreciated that the proposed development would not entail any changes to the external appearance of the building, and therefore, would not give rise to any additional impacts in respect of loss of light, privacy and outlook in comparison to the existing, lawful use as a residential dwelling.

6.6.2 Furthermore, it is also appreciated that Swinegate is characterised by a mix of land uses, including residential and commercial land uses. Whilst the proposed change of use is likely to result in a change in the nature of the occupation of the property i.e., increased footfall when compared to a private residential property; it is Officer's assessment that this would not result in any unacceptable adverse impacts in respect of noise impacts.

6.6.3 With regards to this, the Council's Environmental Protection Officer has been consulted on the application proposals and has confirmed that they have no objections.

6.6.4 Consequently, it is concluded that the application proposals would not give rise to any unacceptable adverse impacts on privacy, light, overshadowing or outlook for existing and future occupants, and would not result in any unacceptable impacts in respect of noise pollution. Thus, the application scheme would accord with Policy DE1 and EN4 of the adopted Local Plan, the Design Guidelines SPD, and Section 12 of the Framework in respect of amenity considerations.

6.7 Impact on the character and appearance of the area

6.7.1 As indicated above, the proposed development seeks planning permission for the change of use of the property only, and does not involve any internal or external alterations to the building.

6.7.2 Therefore, the proposed development would not result in any unacceptable impacts on the character and appearance of the area, and as such, would accord with Policy DE1, EN1 and SP3 of the adopted Local Plan, the Design Guidelines SPD, and Section 12 of the National Planning Policy Framework.

6.8 Access and Highways Impacts

6.8.1 In respect of the impact of the proposed development on the local highways network, Lincolnshire County Council have been consulted on the proposals and have confirmed that they have no objections. In respect of the requirement for parking to serve the scheme, LCC Highways have stated "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. Future residents of the development will not be reliant on the private car and, therefore, parking is not essential for this proposal. However, there is parking available in the vicinity of the site, including on street parking and a public car park".

6.8.2 Consequently, it is deemed that the application site benefits from a location which would encourage future users to travel to / from the site via sustainable modes of transport. The proposals are not considered to give rise to any unacceptable adverse impacts on highways safety and capacity. Taking the above into account, the application proposals are assessed

as being in accordance with Policy ID2 of the adopted South Kesteven Local Plan and Section 9 of the Framework.

6.9 Climate Change

6.9.1 As identified above, the site is located within the main built-up area of Grantham, which is identified as being a focal point for growth within the adopted Local Plan and, therefore, is deemed to be an appropriate location for tourism uses. As such, the application scheme would accord with the locational principles of Policy SB1.

6.9.2 Consequently, the proposal would represent sustainable development when considered as a whole, and, therefore, would comply with Policy SD1 of the adopted South Kesteven Local Plan.

7 Crime and Disorder

7.1 It is concluded that the proposals would not result in any significant crime and disorder implications.

8 Human Rights Implications

8.1 Article 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 concluded that no relevant Article of the Act will be breached in making this decision.

9 Planning Balance and Conclusions

9.1 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.

9.2 In this respect, the statutory provisions set out in Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 hold considerable weight and importance in the decision-making process, as established through case law. This requires Local Planning Authorities to have special regard for the desirability of preserving listed buildings and their settings, or any features of special architectural or historic interest which it possesses; as well as given special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

9.3 In this case, the current application seeks planning permission for the change of use of the Grade II Listed 15 Swinegate from a private dwelling to use as a bed and breakfast / hotel (Use Class C2). As such, the change of use of the site for the provision of tourism accommodation would be in accordance with the overall principles of the spatial strategy for the District, as set out in Policy SP1, SP2, SP3, E9 and GR4 of the adopted South Kesteven Local Plan, and as such, are acceptable in principle subject to material considerations.

9.4 In this respect, the application proposals seek permission for the change of use only, and do not propose any internal or external alterations to the host building. As such, the application scheme would not give rise to any unacceptable impacts on the listed building, conservation area or the character and appearance of the wider area.

- 9.5 The application proposals accord with the adopted Development Plan in respect of all technical considerations.
- 9.6 Taking the above into account, the application proposals would accord with the adopted Development Plan when taken as a whole, and there are no material considerations in this case, including the statutory obligations set out in Section 66 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which have been afforded considerable weight and importance in the decision-making process, to indicate that planning permission should not be granted.

10 Recommendation

- 10.1 To authorise the Assistant Director – Planning to GRANT planning permission, subject to the proposed schedule of conditions detailed below.

Schedule of Condition(s)

Time Limit for Commencement

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

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved Plans

- 2) The development hereby permitted shall be carried out in accordance with the following list of approved plans:
 1. Site Location Plan (Dated 4 October 2023)
 2. Site Plan (Ref: 06)

Unless otherwise required by another condition of this permission.

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

Standard Note(s) to Applicant

- 1) In reaching the decision, the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with Paragraph 38 of the National Planning Policy Framework (September 2023).
- 2) The current planning permission grants permission for the change of use only. In the event that any internal or external alterations are required to deliver the proposed change of use, further planning permission and / or listed building consent will be required.

