

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H04-0593-22 **Applicant:** Mr Chadburn
Proposal: Conversion of dwelling to two flats with extension to the rear.
Location: 9a High Street Donington Spalding
Terminal Date: 16th August 2022

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
29	The Historic Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

- 5 - Delivering a sufficient supply of homes
- 12 - Achieving well-designed places
- 14 - Meeting the challenge of climate change, flooding and coastal change
- 16 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	0	1

RESIDENTS	0	0	0	1
-----------	---	---	---	---

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application for conversion of 9a High Street, Donington to two flats with an extension to the rear. The proposal seeks to provide a bedroom, shower room and an open plan lounge, dining and kitchen area at ground floor level. This flat will be accessed from the front of the building on High Street. At first floor level two bedrooms, a bathroom, a kitchen and a combined lounge / dining will be provided. This flat will be accessed via the front door off High Street and up an internal staircase. An additional eastern side elevation will be provided to serve the downstairs bedroom. Brick and tile is to match that of the existing building and would be conditioned as such.

SITE DESCRIPTION

The proposal site is within the defined settlement limits of Donington and within Donington Conservation Area. Goxhill Avenue is located to the east of the building and accessed via a single lane arched access connecting to High Street. The surrounding area is characterised by established buildings of varying ages and designs. The site is in Environment Agency Flood Zone 1, and not subject to increase hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. Therefore, a Flood Risk Assessment is not required for submission, and a sequential or exceptions test does not need to be undertaken by the Local Planning Authority.

RELEVANT HISTORY

H04-0861-05

Full - Change of use to domestic dwelling - Approved - 02 August 2005.

CONSULTATION RESPONSES

Lincolnshire County Council - County Highways & SUDS Officer

"The proposal is for the conversion of a dwelling to two flats with extension to the rear and it does not have an impact on the Public Highway or Surface Water Flood Risk. Lincolnshire County Council does not have adopted parking standards and considers each application on its own merits. This proposal has one space, and whilst it is possible that the development may result in more parking demand than these spaces, there is parking available on the highway in the vicinity and it is therefore not considered that this proposal would result in an unacceptable impact on highway safety."

South Holland District Council - Conservation Officer

"I wish to raise no objection to this proposal from a conservation perspective. The division of the property is of no consequence to the character or value of the Conservation Area or nearby heritage assets. The proposed extension is to the rear of this terraced property and therefore shielded from public realm views within the conservation area. The addition of new windows and door are not necessarily harmful to the character of the property. However, given that this is a central Conservation Area setting, I would suggest that any approval be accompanied by the addition of conditions MD02, MD12 and MD13 to ensure that all additional construction matches as best as possible the original host property and that the new windows and doors are not out of keeping with the host property and its setting."

Member of the public - 1 - Objection

Noise

Rainwater drainage
Overlooking
Overshadowing

PLANNING CONSIDERATIONS

Assessment against SELLP Policy 1 - Spatial Strategy

This proposal is assessed against SELLP Policy 1 titled - Spatial Strategy. The relevant section in this policy is titled Main Service Centres. This section of the policy states:

"Within the settlement boundaries of the Main Service Centres (as shown on the Inset Maps) development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities."

When assessed against the relevant criteria the following can be observed:

The proposed flats are within the defined settlement limits and within easy walking distance of all facilities around Donington town centre.

This application accords with SELLP Policy 1.

Assessment against SELLP Policy 2 - Development Management

When assessed against the relevant criteria the following can be observed:

1. Whilst the internal layout of the building will be altered, the size and scale is largely unchanged save for the single storey rear / side extension for the ground floor flat. No trees will be removed to facilitate this proposal and the character and appearance of the area is not materially impacted due to the location and nature of the works.
2. The design and orientation of the proposal is in keeping with the existing building and surrounding area. Conservation conditions will be imposed to ensure new windows and doors are in keeping with the built character of the surrounding area.
3. Brick and tile is to match that of the existing building and would be conditioned as such. Conservation conditions will be imposed to ensure new windows and doors are in keeping with the built character of the surrounding area.
4. The existing access would not be altered and the number of bedrooms in total between the flats remains at 3. A lot of properties in the area do not benefit from off street parking. The existing off road parking space would be retained and there is ample free public parking available on both sides of High Street.
5. The capacity of existing community services and infrastructure is not materially impacted by the proposed works.
6. There is not considered to be a noise, odour or disturbance impact from the proposal. A concern about noise has been expressed but given that the extension would be at ground floor level, is for residential purposes in a residential area, and is not immediate adjacent any neighbouring fenestration this concern does not carry material planning weight. With regard to visual intrusion the following can be observed:

Overdevelopment - The proposed extended building will remain in keeping with the massing and plot size of other buildings and dwellings within the vicinity of the site.

Overshadowing - There is not considered to be a material overshadowing impact from the proposed extension. The eaves height is 2.15 metres and the maximum lean to height is 3.5 metres. Given that the adjacent walls of 7 High Street to the west are significantly higher and there are no adjacent windows, there is not considered to be an overshadowing impact from the proposed extension.

Overlooking - There is not considered to be a material overlooking aspect from new fenestration. The rear extension rooflights are 2.3 metres above ground level, and the eastern side elevation bedroom window at ground floor will face not directly face the existing side elevation window of 11 High

Street.

7. The surrounding area is characterised by established buildings of varying ages and designs. The site is in Environment Agency Flood Zone 1, and not subject to increase hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. Therefore, a Flood Risk Assessment is not required for submission, and a sequential or exceptions test does not need to be undertaken by the Local Planning Authority. With regard to drainage, surface water will be addressed by an existing watercourse, with foul water addressed by mains drainage. Matters related to rainwater drainage from the extension connection to 7 High Street will be addressed by condition.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development.

When assessed against the relevant criteria the following can be observed:

1. There is not considered to be a material impact on a sense of place arising from the proposal. Whilst the internal layout of the building will be altered, the size and scale is largely unchanged save for the single storey rear / side extension for the ground floor flat. No trees will be removed to facilitate this proposal and the character and appearance of the area is not materially impacted due to the location and nature of the works.

5. Ample space remains to the rear of the site for the storage of bins and cycles. The existing access would not be altered and the number of bedrooms in total between the flats remains at 3. A lot of properties in the area do not benefit from off street parking. The existing off road parking space would be retained and there is ample free public parking available on both sides of High Street.

11. There is not considered to be a noise, odour or disturbance impact from the proposal. A concern about noise has been expressed but given that the extension would be at ground floor level, is for residential purposes in a residential area, and is not immediate adjacent any neighbouring fenestration this concern does not carry material planning weight. With regard to visual intrusion the following can be observed:

Overdevelopment - The proposed extended building will remain in keeping with the massing and plot size of other buildings and dwellings within the vicinity of the site.

Overshadowing - There is not considered to be a material overshadowing impact from the proposed extension. The eaves height is 2.15 metres and the maximum lean to height is 3.5 metres. Given that the adjacent walls of 7 High Street to the west are significantly higher and there are no adjacent windows, there is not considered to be an overshadowing impact from the proposed extension.

Overlooking - There is not considered to be a material overlooking aspect from new fenestration. The rear extension rooflights are 2.3 metres above ground level, and the eastern side elevation bedroom window at ground floor will face not directly face the existing side elevation window of 11 High Street.

12. The surrounding area is characterised by established buildings of varying ages and designs. The site is in Environment Agency Flood Zone 1, and not subject to increase hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. Therefore, a Flood Risk Assessment is not required for submission, and a sequential or exceptions test does not need to be undertaken by the Local Planning Authority. With regard to drainage, surface water will be addressed by an existing watercourse, with foul water addressed by mains drainage. Matters related to rainwater drainage from the extension connection to 7 High Street will be addressed by condition.

This application accords with SELLP Policy 3.

Assessment against SELLP Policy 29 - The Historic Environment (B - Conservation Areas)

When assessed against the relevant criteria the following can be observed:

1. The existing building is retained as well as historic building lines and ground surfaces.

2. The development is to the rear and the character and appearance of the area is not materially

altered.

3. No features are required to be removed to benefit the Conservation Area.

4. Height is not materially altered, nor is scale, massing, form or plot widths. The ground floor extension is to the rear of the building and largely obscured from public view.

5. The ground floor extension is to the rear of the building and largely obscured from public view. Therefore the townscape, roofscape, skyline and roofscape will not be materially impacted.

6. No trees are to be removed to facilitate the proposal.

This application accords with SELLP Policy 29 Section B.

Insufficient internal floorspace

The document "Technical housing standards - nationally described space standard" was produced by the Department for Communities and Local Government on March 2015 (DCLG). The local development framework has not echoed the national minimum floor space standards with the exception of Policy 21: Houses in Multiple Occupation and the Sub-Division of Dwellings of SELLP which clearly does not apply in this case. Therefore, this application cannot be determined on the basis of such national standards although they do provide some useful guidance to assess whether the proposal is or is not appropriate in this respect.

All three bedrooms have dimensions that meet the minimum required for single bedrooms, which is 7.5 sq metres. Bedroom 1 at ground floor level is over 16 square metres, first floor Bedroom 1 is 12.5 square metres and first floor Bedroom 2 is just short of 9 square metres. For these reasons, the gross internal floor area would be sufficient to ensure good amenity standards to the future occupiers.

Paragraph 130 criterion F of NPPF establishes that planning policies and decisions 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" It is considered that the proposed succeeds in this regard.

PLANNING BALANCE

It is considered that the proposed conversion to two flats and the accompanying ground floor extension can be achieved without materially impacting the amenity of the surrounding properties, nor the character of the Donington Conservation Area. This application is considered to accord with Policies 1, 2, 3, 4, 10, 11, 17, 29, 36 and Appendix 6 of the South East Lincolnshire Local Plan, 2019, as well as Sections 5, 12, 14 and 16 of the National Planning Policy Framework, 2021.

CONCLUSION

This application is recommended for approval.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.