

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H08-0175-19	Applicant:	Mr Andrew Ferguson - Penstar Developments Ltd
Proposal:	Conversion of semi-detached house into two 2 bed houses		
Location:	30 High Street Gosberton Spalding		
Terminal Date:	1st May 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
11	Distribution of New Housing
17	Providing a Mix of Housing
29	The Historic Environment

National Guidance

National Planning Policy Framework 2019

NPPF (Feb 2019).

Section 16

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
RESIDENTS	4	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Conversion of semi-detached house into two 2 bed houses

The proposed development involves the division into two units of No. 30 High Street in Gosberton.

Access is to the rear over Hall Drive a private access way.

The Issues for consideration in the determination of this application are:

- Principle/Policy
- Heritage Assets, the building itself and the Conservation Area;
- Residential amenity;
- Highways.

Site Description

30 High Street, Gosberton, is a locally significant non-designated heritage asset, sitting at a prominent point in the street scene and is within the Gosberton Conservation Area.

The building is recorded in the Lincolnshire Historic Environment Record as having been identified as being of historic interest and sufficient preservation by South Holland District Council to warrant inclusion in its local list.

History

None Relevant.

Consultation Responses

- Gosberton Parish Council
No Observations

- Ian Marshman, Historic Environment Officer Lincolnshire County Council
Comments

Following the submission of additional information and a site visit, it is felt that the proposed development would not have a significant impact on this non-designated heritage asset.

- Lincolnshire County Council SUDS (Highways)
Do not wish to restrict the grant of planning permission.

Representations from residents

- We refer to the comments by Ian Marshman, Historic Environment Officer regarding the history of 30 and 32 High Street.

It is locally believed that 30 High Street was originally a school with the attached building, 32 High Street being the School Masters cottage.

The construction of 30 High Street indicates that this may have been the case, with two corridors running along the rear of the property on both the ground and first floor. These corridors gave access to the rooms located at the front of the building, which may have been school rooms.

There was originally a connecting door between the cottage and the school for ease of access between the two which was blocked off by the previous owner.

The porch which appears to be to number 32 was originally the front entrance to number 30 and has been blocked off by the owner. Currently this door way leads to a hall way and stairs which are not connected to either properties and consequently there is now no front access to 30 High Street.

Renovating 30 High Street as one dwelling and not dividing it into two units would retain the character and historic fabric of the building and the setting of the adjoining cottage, 32 High Street.

Petition

A petition has been received from local residents raising the following objections:

1. Hall Drive is a private drive to be paid for by all responsible residents;
2. 30 and 32 have the right to use the access;
3. The proposed conversion is at odds with the arrangement for two properties to use the access;
4. The original front entrance to number 30 is now part of number 32 and there is no front access;
5. Conversion will lead to substantial increase in traffic over Hall Drive - relatives, visitors, utility vehicles;
6. Complete change of character to historic building;
7. If approved consideration should be given to contribution of cost of up keeping Hall Drive by 30A and 30B.

Planning Considerations

The National Planning Policy Framework, Feb. 2019 states:

"local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary." -NPPF, section 16, paragraph 189.

The developer has submitted an updated Heritage Impact Assessment which explains the development in Heritage terms and is sufficiently detailed for the understanding of the planning application.

The site has been visited by the Case Officer who was accompanied by Officers with Heritage responsibilities/expertise at Lincolnshire County Council.

It seems likely that No. 30 and No. 32 were originally one property, which have at some point been divided up into smaller units. The porch to No. 32 being built of similar brick to No. 30, and positioned centrally to unify the two phases of building and give a degree of symmetry. No. 32 looks to be of at least 18th century date.

The further sub-division will have no external alterations, and the developer can be required by the imposition of conditions, to retain the large timber windows which are a key part of the character of the building.

There would be a need to create internal walls as part of the conversion to sub-divide the property into two dwellings, the site visit inspection was felt to demonstrate that the alterations would be sympathetic and would not unacceptably detract from the heritage asset.

From the site Inspection it seemed unlikely that the property had been in use as a school, in any event this would not be a reason to resist this current application even if correct.

Access would be gained to the rear through Hall Drive a private access way which serves the existing property and adjacent dwelling and has a number of properties served directly from this private road at Hall Drive.

With regards to access and related issues of road maintenance these are private legal issues and do not prevent the Local Planning Authority from approving the application - it should be noted that Lincolnshire County Council as Highways Authority have no objection.

There are adjacent and adjoining residential properties but there is not likely to be any material loss

of amenity to any neighbouring properties through the conversion of the property from the creation of one additional dwelling.

Conclusion

The proposals are policy compliant, acceptable in principle, and considered to not have any unacceptable adverse impacts upon heritage or any other interests of acknowledged importance.

It is recommended that permission be granted under delegated powers:

Recommendation: APPROVE.

Additional Considerations

Public Sector Equality Duty

In making your decision you 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 is only one factor that needs to be considered, and may be balance against other relevant factors.

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

Human Rights

In making your decision, you 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.

You are referred specifically to Article 8 (right to respect for private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation to grant permission 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 interest and the recommendation to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.