

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0086-23 **Applicant:** Mr Dogan

Proposal: Single storey side extension with relocation of the stair case and first floor rear extension for storage

Location: Mini Poli 20 Winsover Road Spalding

Terminal Date: 28th March 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
24	The Retail Hierarchy
25	Supporting the Vitality and Viability of Boston and Spalding Town Centres
27	Additional Retail Provision

National Guidance

National Planning Policy Framework 2021

Section 12 - Achieving Well Designed Places

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

Proposal is for two extensions at 20 Winsover Road. The extensions comprise of a ground floor side extension and a first-floor extension.

The ground floor extension will be on the western elevation and will be used as additional shop floor space. The extension takes the shape of a snub-nosed triangle, measuring between 2000mm and 4800mm (width) and between 8100mm and 9100mm (depth). The height will be approximately 3000mm, bringing it in line with the existing flat roof. The extension will occupy a space currently used as a walkway, behind a walled area.

The first-floor extension will occupy the existing flat roof area that is currently used as a patio and access way to the shop's storage areas. The extension will be used as additional storage space. The extension widens as it moves north, measuring between 6400mm at its narrowest to 7000mm at its widest. The extension will have an approximate depth of 9000mm. The extension will measure approximately 3000mm to the eaves. The extension's roof will be brought into the current design, to create a large hip-roof. Two windows will be created facing west.

All materials and finishes will match the host property.

Site Description

The property lies within Spalding settlement boundary as outlined in the South-East Lincolnshire Local Plan, 2019 (SELLP). The property is on the corner of Winsover Road and Glenn Avenue, backing onto the Winsover Centre. The site is approximately 150m south-west of the train station and 250m west of Spalding town centre.

20 Winsover Road is currently occupied by "Mini-Poli", a convenience store. The property is split into two, a three-storey front and a rear two storey attachment. The ground floor is covered with stickers and advertisement for the shop and is fairly typical of corner-shops in the area. The remaining floors are painted white and at the front of the building have a residential use. The rear of the property is used as a storage area. Between the rear and the front is a single storey flat roof area currently used as a patio/ walkway.

The surrounding area is dominated by class E and Sui Generis usage, with a particular emphasis on off-licences, hot-food takeaways, and hair/beauty salons.

Relevant History

H16-1148-96 - Full. Change of use of existing A1 unit to Class A3 use. Approved 22/01/97.

H16-1299-00 - Full. Change of use from A1 (retail) to amusement arcade. Approved 03/01/01.

H16-1334-02 - Full. Change of use to Class A3 (food and drink). Approved 25/02/03.

H16-0319-03 - Full. Erect canopy. Refused 08/08/03.

H16-0735-08 - Full. Erect canopy to the front and side elevations. Refused 18/08/08.

H16-0163-10 - Full. Replacement of wooden windows and door to rear elevation of flat with UPVC windows and door. Approved 26/04/10.

H16-1068-13 - Full. Conversion of flat on first and second floor to form two flats. Refused 05/02/14.

H16-0857-14 - Full. Conversion of flat on first and second floor to form two flats. Refused 15/01/15.

H16-0383-16 - Full. Replacement shop frontage (retrospective). Approved 31/10/16.

H16-0965-16 - Full. Installation of ATM machine (retrospective). Approved 31/10/16.

H16-0827-16 - Full. Fascia signage (retrospective). Approved 31/10/16.

H16-0693-19 - Full. Conversion of first and second floor from existing four-bed flat to form 2 one-bed flats, including associated alterations. Approved 07/10/19.

Consultation Responses

No consultation responses received.

Planning Considerations

Principle of Development

Policy 1 of the SELLP states that developments that support local service and that support Spalding's role as a sub-regional centre are acceptable. Furthermore, Policy 24 of the SELLP states

that developments that support local shops that are vital to the wellbeing of the neighbourhoods they are located in should also be supported. Policy 27b outlines that, extensions to existing small-scale convenience goods stores, which support their long-term viability, will be permitted.

Therefore, the principle of an extension in this location is supported. The proposal conforms to Policies 1, 24 and 27 of the SELLP.

Layout, Design, Size and Scale

Paragraph 130 of the National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area. That they are visually attractive, as a result of good architecture, and are sympathetic to local character. Likewise, Policy 2 of the SELLP states that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

The size of the extensions (as listed above) is in proportion to the existing structure. The infill of the site will appear natural and well blended. The extensions will maximise the use of the property and make use of areas currently under-utilised. Therefore, the extensions will seamlessly infill the plot and make the most efficient use of the land.

The brickwork and tiling will be to match the existing property, again making the proposal blend into the existing property. The proposed first-floor extension roof will be melded into the existing, to create a large hip-roof. The reduction of the flat roof here will likely mean that the property is more in character with the surrounding area than is currently the case.

Taking the above into account, the proposed is deemed to comply with policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of layout, design, size and scale.

Impacts Upon Resident Amenity

Paragraph 130 of NPPF amongst other matters, seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of the SELLP set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

There is sufficient distance between the site and the neighbouring residential properties to the west so that no overshadowing will occur.

The proposal will create two new windows looking to the west. There is the potential for some overlooking here as the windows will look onto the garden of 22 Winsover Road. However, as the proposal is for a storeroom, the number of people occupying the room and the time they spend in the room will be minimal. Furthermore, the area is currently used as a walkway, so there is already some foot traffic on the site. As such, there are minimal overlooking concerns.

Therefore, for the above reasons the proposal is deemed to comply with Policies 2 and 3 of the SELLP.

Refuse Disposal

Amended plans show that refuse would be stored in two large, commercial bins adjacent to the proposed staircase. This is considered acceptable and will prevent the storage of refuse spilling out onto the adjacent street.

The proposed refuse disposal and storage arrangement is considered acceptable.

Planning Balance

The proposed extension is proportionate in size to the host property. The land to be occupied is currently vacant space, used as walkways and therefore, there will be no conflict with the existing land use. All materials will match the host, making the proposal appear in keeping with the area. The concerns regarding overshadowing and overlooking are minimal.

Therefore, considering the above, the planning balance is in favour of the proposal.

Conclusion

The recommendation is for delegated 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.