

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0388-23 **Applicant:** Mrs I Singh
Proposal: Change of use of former dentist premises to 2 bedroom apartment
Location: 10 The Crescent Spalding
Terminal Date: 15th June 2023

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
32	Community, Health and Well-being
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 5 - Delivering a sufficient supply of homes
 Section 12 - Achieving well-designed places
 Section 14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
MATTHEW ADAMS - HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SHDC INTERNAL	0	0	1	1

CASE OFFICER ASSESSMENT

Proposal

Proposal is for the change of use of the former dentist's office at 10 The Crescent from E(e) to C3. The proposed alteration would convert the unit into a two-bedroom, ground floor apartment. Both bedrooms will be located towards the front of the apartment, with the kitchen and lounge being located towards the rear.

Bar the change of use, the alterations proposed are minor. No bathroom facilities will be created, alongside several other smaller internal changes. It is proposed that the rear of the property is raised by an additional 200mm, and that steps be placed outside leading up from the courtyard. It is also proposed that aluminium bi-fold doors are added to the rear of the property. No external changes to the principal elevation are proposed.

Site Description

The site is located within the settlement boundaries of Spalding, outlined in the South-East Lincolnshire-Local Plan, 2019 (SELLP). The property is located within the Spalding Conservation area and is classed as a town centre location within the relevant policy maps.

The site is a terraced property, sited amongst a row of comparable structures, located on The Crescent. The property is comprised of darkened sandy brick, with white, timber window frames. The roof of the property is uniquely out of step with the established form of the terraces. The site can be accessed from the principal elevation, fronting The Crescent, or from the rear, backing onto Abbey Path.

Relevant History

No relevant planning history.

Consultation Responses

Historic Environment Officer

"No archaeological input required"

Highway and Lead Local Flood Authority

"No objection. The use of these premises as a two-bedroomed apartment would not be expected to have an unacceptable impact upon highway safety. The premises are in the centre of Spalding, where a wide range of services, facilities, employment opportunities and public transport options are easily accessible on foot. It would not therefore be essential for residents of the proposed apartment to have the use of a private motor vehicle to go about their daily lives and the fact that there is no operational-off-street car parking for the apartment is not sufficient reason to withhold the grant of Consent on highway grounds. It would however be beneficial if sheltered, secure storage for cycles could be provided within the site. The highway authority does not wish to object to this Application"

Conservation Officer

"I do not wish to raise any objections to this application on conservation grounds. The host property is not listed, however, it is within a prominent portion of the conservation area and could easily be considered to be a Non-Designated Heritage Asset. With the above in mind, it is noted that the proposal seeks no alterations to the exterior of the property, apart from the addition of a white aluminium window and bi-fold doors on the ground floor rear. This elevation, whilst visible from the public realm, along Abbey Path, is away from primary public views. Furthermore, the proposed windows are not of an inappropriate style for the status of the host property. Lastly, the principle of conversion is not unacceptable on heritage conservation grounds in this case. Therefore, the case

officer should continue to consider the application in accordance with Policy 29 of the SELLP and S16 of the NPPF in addition to any other relevant planning policy and guidance considerations."

Environmental Protection

No comments

Planning Considerations

Principle of Development

Policy 1 of the SELLP directs developments to the most sustainable locations. As Spalding is defined as a sub-regional centre, it is therefore deemed to be a sustainable location for development. Furthermore, since the property is within central Spalding, access to services is increased, making the site an even more sustainable location.

The proposal therefore accords to Policy 1 of the SELLP and as such, the principle of development in this location is sound.

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 concerns regarding the layout, design and scale of development are minimal. No alterations are proposed to the front of the property, meaning the impact of the change of use upon the street scene would be minimal. The proposed changes to the rear of the property would not be visible from the street scene, and therefore, their impacts upon the aesthetics of the area would be minimal. The scale of the property would not be altered.

The proposal therefore accords to Policy 2 of the SELLP and Section 12 of the NPPF in terms of design and scale.

Impacts Upon Resident Amenity

Paragraph 130 of the 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.

No additional windows or extensions are proposed, and therefore there would be little to no amenity impact due to the development. During the day, there would be a reduction in foot traffic, thereby reducing the noise pollution caused by the development.

The rear floor level of the property is to be raised by 2000mm. The change is purely internal and would not create additional overlooking or overshadowing.

The proposal therefore accords to Policy 2 and 3 of the SELLP in terms of amenity impact.

Flood Risk and Drainage

Policy 4 of the SELLP and Section 14 of the NPPF involve mitigating and adapting to flood risk as well as drainage issues.

The site is classed as in Flood Zone 3 within the Environment Agency flood risk maps. However, the local strategic flood risk assessment (SFRA) concludes that the actual flood risk of the site is low, with the area being classed as not at risk of flooding. This is due to existing flood defences within the town.

Despite this lack of flood risk, a proposal has still been made to raise the rear floor levels of the property in order to adapt to flood risk. The front of the property already benefits from a raised floor level, standing at 6.57m AOD, making this section approximately 600mm above ground level. The rear of the property is sunken, currently sitting at 5.77 AOD. It is proposed that the rear is raised by 200mm, to fall more inline with the rest of the property. This would mean that the finished floor level would be 500mm above the ground level in the courtyard.

While the raising of floor levels is not strictly necessary, additional flood risk adaptation that does not damage neighbouring amenity is a welcome addition to the proposal. The proposal therefore conforms to the relevant policies on flood risk.

As there would no extension to the property, no additional drainage would be required. The proposal therefore conforms to Policy 4 of the SELLP with regards to drainage.

Housing Need

Policies 10 and 11 of the SELLP set out the required housing needs for Spalding. 5510 new dwellings are required within Spalding, as of the publication of the SELLP, 1920 dwellings have been approved. Therefore, there is a tangible need for housing within Spalding.

Policy 17 states that a mix of housing is required to meet the needs of the local population. The proposed two-bedroom flat would help achieve this variation in property types. As the proposal is small in nature, the actual benefit to the housing stock is minimal, but should still weigh positively in favour of the development

The proposal therefore conforms to Policy 10, 11 and 17 of the SELLP by providing a suitable mix of housing to the area.

Conservation and Heritage Impact

Policy 29 of the SELLP and Section 16 of the NPPF concern the conservation of heritage assets. Since the proposal is within the conservation area, they are relevant to the proposal. Both ensure that any proposal conserves or enhances the character of the area.

The only external change proposed is to the rear of the property, hidden from public view. Therefore, the potential impacts upon the conservation area are limited. The change of use would not harm the integrity of the area, with residential uses already well established on The Crescent.

The Conservation Officer has raised no objections to the proposal.

The proposal adequately conforms to Policy 29 of the SELLP and Section 16 of the NPPF and is therefore acceptable.

Transport and Parking

Policy 33 of the SELLP promotes the use of sustainable means of transport. As the site is within the defined town centre of Spalding, the location has convenient access to all necessary services on foot. Furthermore, future occupants would have easy access to modes of public transport, further reduces the need for occupiers to use/ own a car.

Policy 36 and Appendix 6 of the SELLP concern parking. As the proposal is within the town centre, no on-site car parking is required. The relevant policies also require a minimum of one cycle storage space per dwelling. Two spaces are proposed within the courtyard.

The relevant consultee from the Highways department has raised no objection to the proposal.

The proposal therefore conforms to Policies 33, 36 and Appendix 6 of the SELLP.

Refuse Storage and Collection

A refuse storage point is proposed to the rear of the property. Residents would store refuse here and then carry it to the kerbside on collection day. The proposed refuse scheme is considered acceptable.

Planning Balance

No significant exterior alterations are proposed, thereby ensuring that the proposal would have an insignificant impact upon the aesthetics of the area. No new windows or extensions are proposed, ensuring no additional overshadowing or overlooking is created. The proposal therefore conforms to Policies 2, 3 and 29 of the SELLP.

The on-site flood risk is minimal. Despite this, it is proposed that the floor to the rear of the property is raised by 200mm to further adapt to flood risk. The proposal therefore conforms to Policy 4 of the SELLP.

The proposal would help to provide a mix of housing within Spalding town centre, thereby meeting the aims of Policies 10, 11 and 17 of the SELLP.

The town centre location ensures the development is sustainable. Occupiers would be able to access public transport or walk into town in order to access all necessary services. As the site is within the town centre, no on-site parking is required. The proposal therefore conforms to Policies 33, 36 and Appendix 6 of the SELLP.

No consultee has raised any objection. It can be considered, therefore, that the proposal would not significantly impact the conservation area or lead to an unacceptable increase in noise pollution.

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.