

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H16-0656-20 **Applicant:** Solarcap Ltd.
Proposal: Residential development of two apartments
Location: Land At Bond Street Court Winsover Road Spalding
Terminal Date: 7th October 2020

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
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 5, 12 and 14 of the National Planning Policy Framework (2019)

5 - Delivering a sufficient supply of homes

12 - Achieving well-designed places

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
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
WELLAND AND DEEPINGS INTERNAL	0	0	0	1

DRAINAGE BOARD				
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	1	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application for the residential development of two apartments on land at Bond Street Court, Winsover Road, Spalding. The proposal seeks to provide a ground floor apartment that contains a kitchen / lounge, bedroom, shower room and cupboard. The first floor level apartment would be accessed via an internal staircase from the eastern elevation and would contain a kitchen / lounge, bedroom, shower room and cupboard. A cycle store for up to 15 cycles and a bin store will be provided. The bin store can be accessed from A151 Station Road with a gate for apartment access provided adjacent. The maximum height of the apartments will be 7.6 metres, with the middle height of the first floor windows at 4.5 metres. The walls are to be off white render and red multi facing brickwork and slate effect concrete interlocking roof tiles. Exact materials details would be addressed by condition.

SITE DESCRIPTION

The proposal site is within the defined settlement limits of Spalding and is surrounded by development to the north, east, south and west. The proposal is in Environment Agency Flood Zone 3 and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. Although the site is within the Town Centre boundary it is not within the Primary Shopping Area and it is also not within Spalding Conservation Area.

HISTORY

None

CONSULTATION RESPONSES

LCC - County Highways & SUDS Officer

No objections.

LCC - Historic Environment Officer

No objections.

SHDC - Environmental Protection Officer

No objections.

Welland & Deepings Internal Drainage Board

I note from the application form that both surface water and foul water are proposed to discharge to mains sewer. My Board do not have any sewers in the vicinity of the site but Anglian Water may have. This should be confirmed.

Anglian Water

"The Pre-Development Team provide comments on planning applications for major proposals of 10 dwellings or more, or if an industrial or commercial development, more than 0.5 ha. However, if there are specific drainage issues you would like us to respond to, please contact us outlining the details."

"The applicant should check for any Anglian Water assets which cross or are within close proximity to the site. Any encroachment zones should be reflected in site layout. They can do this by accessing our infrastructure maps on Digdat."

PLANNING CONSIDERATIONS

Principle of development

Policy 2 of the SELLP is titled Development Management. This policy states:

Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:

1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets; and
9. impact on the potential loss of sand and gravel mineral resources.

When the proposal is assessed against this policy, the following can be observed.

1. The size, scale, layout, density and impact amenity from the proposal is considered to be minimised given that the site is effectively in a courtyard and surrounded by existing development of an similar or greater height. Trees, character and appearance of the surrounding area will not be affected by the same reasons.
2. The design is to match that of the adjacent apartments and the orientation is in keeping with that of the row of the apartments on the eastern block of Bond Street Court.
3. The proposal does not seek to maximise sustainable materials but does seek to provide a design that is in keeping with the character of the surrounding area.
4. Access will be via A151 Station Road on foot and the site will not generate any vehicular traffic once construction is complete.
5. The proposal is for development in the centre of the largest settlement in the district so there is not considered to be a material impact on services and infrastructure.
6. The will not be a noise, odour, disturbance or visual intrusion from the proposed development. The eastern elevation kitchen / diner windows face the unused rear elevation rooms of a beauty salon business at 8 Bond Street.
7. The proposal is in Environment Agency Flood Zone 3 and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. Therefore there is not considered to be a material surface water and flood risk impact.
8. The proposal does not impact natural habitats, historical buildings or heritage assets in the area.
9. The proposal does not impact sand and gravel mineral resources.

When assessed against the above criteria the application accords with Policy 2 of the South East Lincolnshire Local Plan, (SELLP) 2019.

Potential sewer pipes in the vicinity of the site

This matter can be addressed by Building Control who have extension mapping of all service provisions in the vicinity.

Parking provision

The proposal does not provide any vehicle parking provision, but provides cycle provision for up to 15 bicycles. This storage can be utilised to the benefit of adjacent residences and businesses within Bond Street Court and is in keeping with the sustainability principles of the National Planning Policy Framework, especially in an urban setting, where private vehicular use is discouraged.

Occupant amenity

There are no South Holland specific space standards which relate to this type of conversion and the Nationally Described Space Standards do not form part of an adopted Local Plan and so are for guidance only. The apartments can provide ample living space for a single person, couple or a pied-a-terre for someone with their main dwelling away from the district. It is centrally located in the largest settlement and a wide range of shops, services and transport options can be accessed within a matter of minutes. The proximity to the western boundary from the western elevation windows is similar to that of the apartments approved under H16-0912-18 and it is a decision that is at the discretion of the potential occupant if they are happy with the proximity of the adjacent blank elevation brick wall of the Lidl supermarket to their windows.

Impact of development

Overlooking. The last approved use for 8 Bond Street Court to the east is for a health and beauty salon under H16-0305-06, with no residential use at first floor level. 5 Bond Street court immediately to the south was granted planning permission for conversion to apartments under H16-0912-18. There are no residential uses in the eastern units of Bond Street Court, therefore there is not considered to be a material overlooking aspect from the proposed kitchen / lounge windows of the ground floor and first floor apartments as the elevations they face form the rear of the retail units that front A151 Station Road.

Conclusion

The proposal is considered to accord with Policies 1, 2, 3, 4, 10, 11, 17, 36 and Appendix 6 of the South East Lincolnshire Local Plan, 2019 as well as Sections 5, 12 and 14 of the National Planning Policy Framework, 2019.

The recommendation is therefore one of 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.