

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H16-0870-18 **Applicant:** Mr P Baker
Proposal: Two-storey side extension to provide 2 x A1/A2 use on ground floor with 2 x self-contained flats above
Location: 20 Bowditch Road Spalding
Terminal Date: 27th November 2018

Planning Policies

Local Plan July 2016:

HS4	New Housing in Spalding and the Area Centres (Other Towns and Donington)(Non-Allocated Sites)
SG1	General Sustainable Development
SG14	Design and Layout of New Development
SG17	Protection of Residential Amenity
SG20	Extensions and Alterations to Existing Buildings

National Guidance

National Planning Policy Framework 2018

Sections 5, 12 & 14 of the National Planning Policy Framework (2018)

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	1	0
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	2
OTHER STATUTORY BODIES	0	0	0	1

RESIDENTS	1	0	0	0
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CASE OFFICER ASSESSMENT

This is an application for a two storey side extension to provide 2 x A1/A2 use on ground floor with 2 x self-contained flats above. The proposal is within the defined settlement limits and the surrounding area is characterised by dwellings of varying ages and design.

The proposal seeks to provide an A1/A2 use at ground floor level with a water closet, kitchenette and store to the rear of both plots. Above would be sited a one bedroom flat with shower room and combined cooking, eating and living area. To address flood risk concerns there would be no domestic habitable rooms at the ground floor level of the proposal. The Environment Agency has stated "The development is classified as 'minor development'... therefore we no comment to make on this application."

When asked for further details by the Environmental Health Officer, the agent has stated "The client has advised possibly a Launderette and Convenience Shop with opening hours of 08:00 to 20:00 for the launderette and 06:00 to 20:00 for the shop." The Environmental Health Officer has no objection "subject to agreement of opening and delivery hours".

The Historic Environment Officer considers there to be no archaeological impact.

South Holland Internal Drainage Board has requested surface and foul water conditions.

The Environmental Health Technician has requested an unexpected contamination informative.

The Spalding Town Husbands have stated " I am the Deputy Clerk of the Spalding Town Husbands who, via the Spalding Almshouse Charity, manage 14 Almshouses on Bowditch Road. The Almshouses are adjacent to the proposed development site. The Charity has various concerns about the proposed development in terms of the negative implications it will have on the residents of our properties, the traffic levels along Bowditch Road and the area as a whole."

"It is expected that, should the proposed development go ahead, the view from five of our properties will be significantly impeded and, in the case of those Almshouses which stand behind the proposed development, blocked completely. Currently, our residents enjoy an unrestricted view onto Bowditch Road and after considering the plans lodged with Mr Baker's application, we are concerned that this will be blocked entirely and likely by a brick structure which will be unappealing and which will restrict the flow of light into our properties. Many of our residents are older people who spend a great deal of time in their bungalows, and therefore the view from their windows is very important to them individually and socially. By allowing this application, our properties may become dark and enclosed."

"The Charity also has serious concerns about parking on Bowditch Road and we note that Mr Baker, in his application, has stated that vehicle parking is not relevant to the proposal. Should the application be granted for two new properties with A1/A2 use and two selfcontained apartments above, this will no doubt cause increased traffic flow and a greater demand for parking. Many of the properties along Bowditch Road do not have driveways, meaning that the road side is used for parking. There is little room available on the road side for most of the day and it is particularly busy in the mornings and afternoons when parents drop off or collect children from Spalding Parish Church of England Day School on Clay Lake. It is likely that the area will become overcrowded with cars and that traffic congestion will build up on Bowditch Road and onto Clay Lake. This will also increase noise along the road and could, depending on the types of shops which may open here, also increase the risk of anti-social behaviour in what is usually a quiet and peaceful area."

"We are surprised that has made an application for two commercial properties in an area which is mainly residential. There is only one other commercial property in the area off Clay Lake and Stonegate (the fish and chip shop) and it seems an unusual setting for two commercial units. It is

our view that the peaceful nature of the area could be interrupted by commercial shops and that this could have a lasting, negative impact on this part of the town."

Planning issues for discussion

Opening hours
Parking
Overshadowing
Overbearing
Commercial use in a residential area

Non planning issues

Loss of view

With regard to opening hours, the Environmental Health Technician has no objection "subject to agreement of opening and delivery hours". With regard to parking matters, the County Highways & SUDS Officer was consulted but declined to comment.

The primary concerns to the Local Planning Authority are those of overshadowing, overbearing and the precedent of a commercial use in a residential area.

There are no other commercial uses in the immediate area. A large number of properties do not have off street parking, therefore parking spaces are minimal. A material increase in traffic would occur as a result of this proposal to the detriment of residential amenity and highway safety. In addition, the proposed operational hours may require deliveries outside the proposed opening hours, which may generate noise and disturbance to neighbouring properties at unsociable hours.

Whilst adjacent neighbours in the properties to the south and east did not object to the application, this does not automatically mean that they support or are ambivalent toward the design. Due to the orientation of the adjacent buildings there is not considered to be a material overshadowing impact, however it is considered that there is a material overbearing impact due to the scale and massing of the proposed two storey building. This is contrary to criterion 2 of Policy SG17 of the South Holland Local Plan concerning the Protection of Residential Amenity. This Policy states:

"Planning permission will be granted for development which would not cause material harm to residential amenity.

In considering proposals the following criteria will be taken into account:-

- 1) the extent of any overlooking or loss of privacy;
- 2) the extent of any overbearing or overshadowing effect;
- 3) potential noise nuisance including that associated with vehicular activity;
- 4) the levels of smell, emissions and pollutant."

The proposal would cause detrimental harm to the visual amenity of the inhabitants of the bungalows to the south by virtue of the bulk and proximity of the proposal. It is therefore contrary to SG17 which seeks to protect residential amenity.

In addition the proposed A1/A2 uses on the ground floor would introduce commercial activity into a residential area with the potential to cause harm to the residential amenity of the area due to increased disturbance arising from customers and deliveries and potential opening hours from early in the morning into the evening. The applicant has suggested restricting hours of opening of the commercial uses, however it is not considered that this would overcome the Council's concerns regarding disturbance to adjoining residents, given the current quite residential nature of the surrounding area.

The recommendation is therefore one of refusal.