DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0895-20**	**Applicant:**	**Spalding Town Husbands**
Proposal:	Alteration to dwelling to form additional flat		
Location:	32 Bowditch Road Spalding		
Terminal Date:	7th December 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
21	Houses in Multiple Occupation and the Sub-Division of Dwellings
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
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application for an alteration to a dwelling to form an additional Almshouse flat at 32 Bowditch Road, Spalding. The proposal seeks to provide a bedroom, lounge, kitchen, wc, shower and detached store. The existing dwelling at 32 Bowditch Road will then have a bedroom, living room, kitchen, shower and detached store. Aside from internal alterations, the sole exterior alteration will be to the bedroom of the new dwelling. Fenestration will be reduced to the rear elevation only, and rear access door into the bedroom will also be provided. Brick and tile is to match that of the existing dwelling. The occupant of the new dwelling would be brought forward by The Almshouse Charity that runs the existing buildings for those in urgent housing need.

SITE DESCRIPTION

The proposal is within defined settlement limits, and the surrounding area is characterised by dwellings of varying ages and designs. The proposal is in Environment Agency Flood Zone 3, and in a "Danger for All" flood hazard area, with maximum predicted flood depths of 2 metres plus on the 2115 South Holland Strategic Flood Risk Mapping.

HISTORY

None relevant.

CONSULTATION RESPONSES

LCC - County Highways & SUDS Officer

No objections.

Environment Agency

It is not necessary to consult us on this application.

PLANNING CONSIDERATIONS

Principle of development

The proposal is for residential use within a existing residential building surrounded by residential land in the defined settlement limits of the largest settlement in the district. Residential development is therefore considered to be acceptable on this site.

Flood risk

When attempting to assess this proposal against SELLP Policy 4 - Approach to Flood Risk - There is not considered to be any relevant criteria against which to assess. The proposal does not seek a change of use. The proposal is to divide an existing residential single storey dwelling into two single storey dwellings. As no external development is proposed, the application is not considered to require a sequential or exception test.

Assessment against South East Lincolnshire Local Plan (SELLP) Policy 2 - Development Management

This proposal is assessed against SELLP Policy 2 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;
9. impact on the potential loss of sand and gravel mineral resources."

When assessed against the above criteria the following can be observed:

1. The size and scale of the site is unimpacted by this proposal. The amended internal layout provides an acceptable level of amenity for the occupants of both flats, with the character and amenity of the surrounding area not being materially impacted by the proposed amendments.

2. The quality of the design of the new bedroom fenestration and door opening to the rear is considered appropriate, and the orientation of the building has not been altered.

3. The proposal does not seeking to maximise the use of sustainable materials and resources, but does however seek to utilise facing brick that matches that of the existing dwelling when amending fenestration locations.

4. Access and vehicle generation levels are not considered to be materially impacted. The occupants of the Almshouse properties rarely own a vehicle, and there is adequate on street parking provision for visitors. The County Highways & SUDS Officer has no objections to the proposal.

5. The capacity of existing services and infrastructure is unimpacted by the proposal.

6. There is not considered to be an impact on noise, odour, disturbance or visual intrusion by this proposal.

7. When attempting to assess this proposal against SELLP Policy 4 - Approach to Flood Risk - There is not considered to be any relevant criteria against which to assess. The proposal does not seek a change of use. The proposal is to divide an existing residential single storey dwelling into two single storey dwellings. As no external development is proposed, the application is not considered to require a sequential or exception test.

8. Natural habitats, historical buildings and heritage assets are not impacted by this proposal.

9. Sand and gravel mineral resources are not impacted by this proposal.

This proposal is considered to accord with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

This proposal is assessed against SELLP Policy 3 titled - Design of New Development. This policy states:

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. 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.
Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:
1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
2. distinguishing between private and public space;
3. the landscape character of the location;
4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;

5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;
8. crime prevention and community safety;
9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;
10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);
13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;
14. the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;
15. the appropriate use or reuse of historic buildings.

When assessed against the above criteria the following can be observed:

1. A sense of place, heritage assets, density, scale and massing are not impacted by this proposal.

2. Public and private space is not impacted by this proposal.

3. Landscape character is not impacted by this proposal.

4. Access to the site is possible by foot or by vehicle. Disabled visitors can drive, or be driven to the curb side adjacent to the principle entrance. There is adequate on road parking along Bowditch Road. A bus service operates along Stonegate/Clay Lake, with bus stops within 250m of the site, providing easy access to the town centre, Peterborough, Boston, Holbeach and beyond. Spalding has a railway station with trains to Peterborough so it is not difficult to access the national network by public transport.

5. Bin storage, bicycle parking and car parking is not considered to be impacted by this proposal. The occupants of the Almshouse properties rarely own a vehicle, and there is adequate on street parking provision for visitors. The County Highways & SUDS Officer has no objections to the proposal.

6. The lighting of public spaces is not impacted by this proposal.

7. Public space accessibility is not impacted by this proposal.

8. Crime prevention and community safety is not impacted by this proposal.

9. Building orientation has not been altered by this proposal to allow for low carbon technologies.

10. Facades, signage and advertisements are not relevant to this proposal.

11. Residential amenity is not impacted by this proposal. Overlooking and overshadowing is not impacted by this proposal.

12. When attempting to assess this proposal against SELLP Policy 4 - Approach to Flood Risk - There is not considered to be any relevant criteria against which to assess. The proposal does not seek a change of use. The proposal is to divide an existing residential single storey dwelling into two single storey dwellings. As no external development is proposed, the application is not considered to require a sequential or exception test.

13. Locally sourced building materials and water take are not relevant to this proposal.

14. Hedgerows and green landscaping are not relevant to this proposal.

15. Historic buildings are not impacted by this proposal.

The proposal is considered to, on balance, accord with Policy 3 of the SELLP.

Assessment against SELLP Policy 21 - Houses in Multiple Occupation and the Sub-Division of Dwellings

This proposal is assessed against SELLP Policy 21 titled - Houses in Multiple Occupation and the Sub-Division of Dwellings. This policy states:

"Proposals for the creation of large Houses in Multiple Occupation and the sub-division of dwellings will be permitted provided that, in each case:
1. it would not result in the loss of family-sized dwellings in high density residential streets of predominantly terraced and/or semi-detached properties;
2. it would not significantly harm the amenities of the occupiers of adjoining or neighbouring properties by way of noise, overlooking, general disturbance or impact on visual amenity;
3. it would not have a significant adverse impact on the character and appearance of the area, including the historic and natural environment;
4. adequate provision is made for the storage and disposal of refuse and recycling;
5. it would not have a significant adverse impact on the surrounding area by way of increased on-street parking, impaired highway safety or by impeding proper access to the area;
6. the site has good access - by walking and cycling - to community facilities, services, public transport and local employment;
7. an adequate standard of residential accommodation and residential amenity is provided for future occupiers; and
8. adequate provision is made for the communal gardens and amenity areas.
Where all of the above criteria are satisfied, the Nationally Described Space Standards10 (or any successor) will be applied to ensure that the occupiers have adequate floor space.

When assessed against the above criteria the following observations can be made:

1. The proposed would not result in the loss of family-sized dwellings. The purpose of these dwellings are single bedroom properties for vulnerable people housed by an almshouse charity.

2. There is not considered to be an impact on noise, overlooking, disturbance or visual intrusion by this proposal as no material external alterations are to be made.

3. As no material external alterations are to be made, there is not considered to be an impact on the character and appearance of the surrounding area.

4. Adequate secure provision is available for the storage and disposal of refuse and recycling.

5. There is not considered to be a material impact on on-street parking. The occupants of the Almshouse properties rarely own a vehicle, and there is adequate on street parking provision for visitors. The County Highways & SUDS Officer has no objections to the proposal.

6. Access to the site is possible by foot or by vehicle. Disabled visitors can drive, or be driven to the curb side adjacent to the principle entrance. There is adequate on road parking along Bowditch Road. A bus service operates along Stonegate/Clay Lake, with bus stops within 250m of the site, providing easy access to the town centre, Peterborough, Boston, Holbeach and beyond. Spalding has a railway station with trains to Peterborough so it is not difficult to access the national network by public transport.

7. An adequate standard of residential accommodation and amenity is provided for all future occupiers as a result of this subdivision.

8. Adequate provision has been made for the amenity areas of each dwelling. The properties accord with the National Directive for Space Standards.

The proposal is considered to be in accordance with Policy 21 of the SELLP.

PLANNING BALANCE

Whilst a position of restraint would be taken for new dwellings in areas of high flood risk, no material external works are required and the area in which the subdivided dwelling is to be installed is

already in a residential use. The proposal therefore accords with Policies 1, 2, 3, 4, 10, 11, 17, 21, 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.

CONCLUSION

The recommendation is 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.