
Delegated report Officer: Leah McGuinness

Application ref. DMPA/2022/1411

Change of use from shop and house into just a house 69 Woodville Road, Overseal, Swadlincote, DE12 6LU

Valid date: 21/10/2022

Consults expired: 13/01/2023

EIA development? No

Section 106 agreement? Not required

This decision is delegated to officers under the terms of the current Scheme of Delegation.

Relevant planning history

None relevant.

Responses to consultations and publicity

Environmental Health

No objection

Parish Council

No objection.

Relevant policy, guidance and/or legislation

The relevant Development Plan policies are:

- Local Plan Part 1 (LP1): S1 (Sustainable Growth Strategy), S2 (Presumption in Favour of Sustainable Development), SD1 (Amenity and Environmental Quality), BNE1 (Design Excellence), and INF2 (Sustainable Transport)
- Local Plan Part 2 (LP2): SDT1 (Settlement Boundaries and Development),

The relevant local guidance is:

- South Derbyshire Design Guide Supplementary Planning Document (SPD)

The relevant national policy and guidance is:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

Planning considerations

Taking into account the application made, the documents submitted (and supplemented and/or amended where relevant) and the site and its environs; the main issues central to the determination of this application are:

- The principle of the conversion of the property
- The effect of the proposal on the character and appearance of the street scene;
- The effect of the proposal on the residential amenity of nearby occupiers;
- The effect of the proposal on the highway network

It is noted the works have already been carried out.

Planning assessment

The principle of the conversion of the property

The building lies within the settlement boundary of Overseal, a key service village as outlined under Policy SDT1 within the Local Plan. The application seeks to convert the previous butcher's shop on the ground floor to residential to create a larger living area at No. 69 Woodville Road. The ground floor retail unit has not been in use and has lay vacant for a number of years. Notwithstanding this, there are convenience shops in Overseal catering for day to day food shopping needs , and the loss of this unit will not initself lead to a need for residents to travel outside of the village. The surrounding area is predominately residential with new development located behind the house also. The change of use would be acceptable in principle and the space would be used to enlarge an existing residential dwelling. The proposals would therefore comply with policies S1, S2, H1, of the South Derbyshire Local Plan Part 1 2016, and policy SDT1 of the South Derbyshire Local Plan Part 2 2017.

Impact on visual amenity

Policy BNE1 states that new development should be visually attractive, appropriate, respect important landscape, townscape and historic views and vistas, contribute to achieving continuity and enclosure within the street scene and possess a high standard of architectural and landscaping quality. The development includes the removal of a shop window, door and tiled surround for a simple smaller window to match the size of the other openings on the front elevation. The rest of the surround will be closed over and become part of the wall. The windows throughout the dwelling have been changed to black also. These changes are considered minor and would not result in any harm to the character or appearance of the existing building or wider area. The changes would integrate well within the street scene and overall would be considered in accordance with the aims of Policy BNE1 of the Local Plan.

Impact on neighbouring amenity

Policy SD1 supports development that does not lead to adverse impacts on the environment or amenity of existing and future occupiers. Policy BNE1 requires development to not cause demonstrable harm to neighbouring amenity. The only external change proposed is to the ground floor opening on the front elevation. The space will be used as an additional room within the single dwelling. No other openings or extensions are proposed and given the minor nature of the change of use it would not result in any detrimental loss of light or loss of privacy to any surrounding neighbouring properties.

Highway Safety

The proposed change of use will not result in any increased traffic or need for parking as it will remain a single dwellinghouse. The existing situation will remain as is and therefore, the proposal is considered to comply with the requirements of Policy INF2 and the NPPF.

River Mease SAC

The site drains into the River Mease SAC. No additional residential units are proposed as part of this application and there will therefore be no likely significant adverse effect on the River Mease SAC.

Other Matters

There have been a number of physical works undertaken to the property which have not been detailed on plans. Whilst it appears form a number of photos that these works are not harmful on relevant planning grounds, a condition needs to be attached to this permission to secure the more specific details within six months, which is considered to be a reasonable timeframe.

Recommendation

Approve with Conditions

None of the other matters raised through the publicity and consultation process amount to material considerations outweighing the assessment of the main issues set out above, noting that conditions or obligations have been attached where meeting the tests for their imposition. Where relevant, regard has been had to the public sector equality duty, as required by section 149 of the Equality Act 2010 and to local finance considerations (as far as it is material), as required by section 70(2) of the Town and Country Planning Act 1990 (as amended), as well as climate change, human rights and other international legislation.

Recommendation made:	14/02/2023
Report agreed:	24/02/2023
Authorised officer:	Steffan Saunders
