

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H02-0466-19 **Applicant:** Mrs K Winter
Proposal: First floor side extension
Location: 3 Torfrida Close Crowland Peterborough
Terminal Date: 26th June 2019

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01 Spatial Strategy
02 Development Management
03 Design of New Development

National Guidance

National Planning Policy Framework 2019

Section 12. Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application for a first floor side extension to the dwelling at 3 Torfrida Close, Crowland, Spalding.

Site Description

Torfrida Close is a cul-de-sac street with access from Crowland Way. The area is characterised by residential development in a suburban street grid. The houses are detached buildings sit in fairly spacious plots. The property is a two-storey detached dwelling with in-built garage to the side.

History

None

Consultation Responses

Crowland Parish Council

No objection

North Level District IDB

No comment

Planning Considerations

Principle of development

The site location is within the settlement boundaries of Crowland as set out in the Inset Map 3 of South East Lincolnshire Local Plan, 2019. The principle of development for the proposal is acceptable unless material considerations indicate otherwise as laid down in section 70(2) of the Town and Country Planning Act 1990.

Size and scale

The proposed first-floor extension would be 2.57 metres in width, 9.93 metres in depth and 4.65 metres in maximum height. Having regard to the dimensions of the house, it is concluded that the development would be subservient to the host property in terms of scale, massing and bulk.

Design and layout

The purpose of the development is to increase the internal floorspace of the first floor level to enlarge one of the existing bedrooms and convert it to ensuite and accommodate one bedroom further. The net increase of bedrooms would be 1. The reason for the intended extension is acceptable given its scale and use of the host property.

The main roof of the building would be extended to cover the intended extension. A gable would be formed on the southern side elevation identically replicating the roof layout which exists on the opposite elevation.

There would be also a gabled pitch on the front elevation mirroring the form of the existing two-storey element. The pitch height would be marginally shorter and the gable roof overhang would be set forward around 1 metre further. These differences are not considered to be detrimental to the subservient character of the extension and the house enlargement would have a sense of scale and proportion to the host property.

Solar panels are proposed on the rear roof slope of the house. The lower panels would be closer to the roof edge in comparison with those existing on the front slope. This would not increase their visibility and visual impact from the neighbouring properties and their occupiers.

The external materials of the extension would match the facing brickwork, roof tiles and white UPVC of the dwelling. Therefore, the visual amenity would not result adversely affected after carrying out the proposed development.

Impact upon the residential amenity

The proposal would represent a material increase of the bulk upwards from the front to the rear elevations. The footprint is identical to the existing garage and the scale and size have been confirmed to be proportional to the house.

The nearest opposing elevation to the first-floor extension is the northern side elevation of No. 1. The ensuite window would be positioned facing straight a bedroom window and might cause overlooking effect which would lead to loss of privacy. However, the proposal works stated that the ensuite window would have obscure glazing and such type of glazing is sufficient to obscure the views. For these reasons, the amenity standards of the residents would not be undermined due to the proposed development.

Conclusion

In light of considerations above, the proposed development is in accordance with Policy 1, 2 and 3 of South East Lincolnshire Local Plan, 2019 and Section 12 of National Planning Policy Framework, 2019.

It is therefore recommended to approve this application via delegated powers.

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 to grant permission 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 to grant permission 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 to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.