

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H02-0550-22 **Applicant:** Mr Robinson
Proposal: Single storey extension to form annexe
Location: 18 Abbots Drive Crowland Peterborough
Terminal Date: 25th July 2022

Planning Policies**South East Lincolnshire Local Plan - Adopted: March 2019**

02 Development Management
03 Design of New Development

National Guidance**National Planning Policy Framework 2021**

Section 12- Achieving well-designed places

Representations:

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

CASE OFFICER ASSESSMENT**Proposal**

This is a householder application, seeking permission for a proposed single storey extension to form an annexe at 18 Abbots Drive, Crowland.

Site Description

The site is situated with the defined settlement of Crowland according to the South East Lincolnshire Local Plan, 2019. The dwelling is a large two storey detached light brick dwelling, with white Upvc windows to the front and side elevations, situated at the end of the cul de sac of Abbots Drive. It sits on a generous triangular shaped plot, with a large block paved driveway for off-street parking and substantial rear garden. There is an attached single garage to the side of the dwelling.

History

H02-1646-05- Approved on 16-01-06- FULL- Change of garage roof from flat to pitched

Consultation Responses

Public Comment (1)

- Currently the occupiers of 18 Abbots Drive have 3 vehicles, one of which is regularly parked on the corner of the cul-de-sac. With more individuals living on the property, who have multiple vehicles, where will these be parked?
- Windows and door facing the property boundary with 16 Abbots Drive - it's not clear if these will have frosted glass or not, which raises a privacy concern.
- On the plan the proposed access route, down the side of the property boundary between 18 and 16, does not indicate any lighting being installed. If the resident's are planning on installing lights for health and safety purposes this could cause a disturbance through light pollution in the rooms to the back of neighbouring property.
- The proposed access route along the boundary of 18 and 16 could also create noise disturbance.
- What is the timeframe for this project? Would work be carried out outside of 'working hours' eg Monday to Friday 9am to 5pm? For example would this cause disruption to neighbours over the weekend?
- One of the documents states that there are no trees on the property or neighbouring properties that are in range on the building site. There is a currently a tree on our property that is in range of the proposed building site

Crowland Parish Council

No objections.

North Level IDB

No comments.

Planning Considerations

Principle of development

The site is within the settlement boundary of Crowland according to Policy 1 in the South East Lincolnshire Local Plan, 2019. Therefore, the principle of a house extension to form an annexe that is incidental to the enjoyment of a dwelling is acceptable.

Layout, Design, Size and Scale

Paragraph 130 of National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting. Policies 2 and 3 of SELLP 2019 amongst other matters seek to ensure that development respects the character and appearance of the area and the relationship to existing development and its uses.

The proposed rear extension will protrude from the existing living room by approx. 7.8m and a width of approx. 6.55m. The extension is considered proportionate and sympathetic to the existing

dwelling and the plot. A sufficient amount of outdoor amenity space would be retained in the rear garden therefore the proposal would not result in overdevelopment of the site.

The external materials include pale grey render and grey Upvc windows and doors. The proposed grey Upvc windows would match the existing rear building where the living room is situated. A flat roof is proposed. As much as flat roof extensions are not considered favourable and the rendering is a contrast to the brickwork, due to it being to the rear of the dwelling it will not impact on the overall character of the surrounding area and is considered acceptable.

The annex would comprise one bedroom, bathroom and an open plan kitchen/dining/living room. It would have a separate access via the side gate to the north but would still be linked to the existing house as the parking and amenity areas would be shared. The gross floorspace is adequate per each room to ensure good living conditions to the annexe occupier. The building would retain the appearance of a domestic outbuilding. It is considered that it would not materially harm the street scene or the character or appearance of the locality. Overall, the size and external appearance of the proposal would not be at odds with the existing dwelling on the site or the immediate area.

As such the proposed development is on balance considered acceptable in terms of its impact on the character of the existing dwelling and the area therefore it accords with Policies 2 and 3 of the SELLP, 2019 and the Section 12 of the NPPF, 2021.

Residential amenity

Paragraph 130 of National Planning Policy Framework (2021) amongst other matters seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of South East Lincolnshire Local Plan (2019) set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

The closest neighbour to the proposed development is no.16 Abbots Drive located to the north of the application site. Concerns have been raised in regard to the proposed windows on the north elevation in terms of overlooking. The proposed north elevation windows include a frosted glass window from the bathroom, a bedroom window and a side entrance door to the annexe. The windows and doors would be positioned a sufficient distance from any neighbouring windows, including the closest which is approx. 16m west from the proposed window and at an oblique angle meaning that there would not be a direct view in terms of overlooking.

Lighting and noise disturbance has been raised, given that one of the accesses would be along the northern boundary. Given the nature of this side access, it is not considered that the likely relatively infrequent use would cause a material detrimental impact upon light pollution or noise if a light was to be installed. There are no side elevation windows to the neighbouring property to the north, and a condition can be added to only install sensor lights if the application is recommended for approval. The proposal is not considered to increase noise levels from the site as the proposed annex would be ancillary to the existing dwelling on the site therefore there would not be a significant intensification of use of the site and no new non-residential activities would be introduced.

The neighbouring property to the north east is situated approx. 12m from the proposed extension and the neighbouring property to the east is approx. 13m from the rear elevation. Given the single storey nature of the extension, the separation distances are considered sufficient as to not result in any unacceptable impact in terms of overshadowing or overbearing impact. The windows and doors on the southern elevation would only face toward boundary fencing with the neighbouring dwelling.

As such, the proposals are not considered to unacceptably harm the residential amenity of adjacent neighbours by reason of unacceptable overshadowing, overlooking or noise. It therefore accords with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Parking Provision

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. 3 no. car spaces must be provided within the curtilage for dwellings with more than 3 no. bedrooms. The agent has confirmed that there will be 4 bedrooms on the property including the annex bedroom. The drive to the front is sufficient in planning terms to accommodate this number of vehicles.

Additional Considerations

Comments have been made in regards to the building construction works. The Control of Pollution Act 1974 gives Local Authorities the power to control noise from construction sites. The standard hours during which noisy work is acceptable is usually between 7.30am - 6.00pm Monday to Friday and 8.00am - 1.00pm Saturdays.

A comment was raised in terms of a neighbouring tree to the north of the site. There are no TPO trees within the vicinity and the proposed extension is approx. 1.1m away from the boundary which is considered to be sufficient if there are any neighbouring trees in the vicinity.

Planning Balance

The principle of a house extension to create an annex that is incidental to the enjoyment of a dwelling is acceptable. The scale and height of the extension is on balance acceptable in relation to the host dwelling. It is considered that the development would not harm the amenity of residents nearby. The additional bedroom on the site is not anticipated to unduly increase the pressure on the car parking demand within the curtilage.

On balance, no adverse impact of granting permission would significantly and demonstrably outweigh the benefits of doing so, when assessed against the planning policies taken as a whole.

Conclusion

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The proposed single storey extension to form an annex will not materially harm the character or appearance of the locality or amenity of nearby residents. It is therefore considered to be in accordance with Policies 1, 2, 3, 36 and Appendix 6 of the South East Lincolnshire Local Plan, 2019.

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.