

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H02-0567-22 **Applicant:** Mr & Mrs M Beeken
Proposal: First floor extension to side of dwelling
Location: 10 Tatwin Drive Crowland Peterborough
Terminal Date: 27th July 2022

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

01 Spatial Strategy
02 Development Management
03 Design of New Development
28 The Natural Environment
36 Vehicle and Cycle Parking
APPENDIX 6 Parking Standards

National Guidance**National Planning Policy Framework 2021**

Section 12 - Achieving well-designed places
Section 15 - Conserving and enhancing the natural environment

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

CASE OFFICER ASSESSMENT**PROPOSAL**

This is a householder application seeking permission for a first floor side extension to create a 4th bedroom and a study. The extension would measure 2.6 metres (width) x 8.4 metres (depth). The garage would be converted into a playroom. The external materials would match the existing dwelling.

SITE DESCRIPTION

The application site is located on Tatwin Drive within the Crowland settlement boundary. It comprises a two storey buff brick detached dwelling located in a residential street. There is a single attached garage to the side and a driveway to the front providing off-street parking provision for 3no vehicles. The immediate area is primarily residential comprising detached two storey dwellings of varying designs.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

Crowland Parish Council

No objections.

North Level Internal Drainage Board

No comments.

PLANNING CONSIDERATIONS

Principle of development

The site is within the Crowland settlement boundary and the proposed extensions would be sited within the residential curtilage of the existing dwelling therefore the principle of extending the existing dwellinghouse is acceptable.

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 key material considerations are addressed below.

Layout, Design, Size and Scale

Paragraph 130 of the 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; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations. Likewise, Policy 2 of the SELLP states that 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.

The proposed extension is considered to be sympathetic in design and proportionate to the existing dwelling. The roof ridge would sit slightly lower than the existing roof ridge, thereby providing an element of subservience. The use of matching external materials would ensure the extension is in keeping with the existing dwelling.

The proposed garage conversion would involve replacing the garage door with a window and a door. Whilst a secondary front door is not considered ideal, it can on balance be accepted given this element can be done under permitted development.

As such the extensions would comply with the aforementioned policies on design, layout and impact upon the character of the local area.

Impacts upon 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 neighbour closest to the proposed development is no.8 Tatwin Drive located to the south-east of the application site. The proposal would bring the application dwelling 2.6 metres closer to this neighbour at first floor level. The extension would be located approximately 1.6 metres from the shared boundary with this neighbour and 2.8 metres from its side elevation. Given the extension would not extend beyond the two storey front/rear elevations of the application dwelling as well as this neighbour therefore no overbearing impact would result. This neighbour has one first floor window in the side elevation facing the application site. However, this window appears to serve a landing which is not a primary habitable room therefore any potential impact on this window can be accepted. No first floor windows are proposed in the side elevation facing this neighbour therefore no overlooking or loss of privacy would result.

With regards to neighbour to the west at no.12 Tatwin Drive the proposed extension would not be visible to this neighbour as it would not extend beyond the two storey front/rear elevations of the applicants existing house and would therefore be blocked by this.

With regards to the neighbour to the rear the extension would be sited some 25 metres from the rear boundary therefore no unacceptable impact result on this neighbour.

As such the proposal would accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed scheme would increase the number of bedrooms in the property from 3 to 5, increasing the parking requirement for the site from 2no spaces to 3no. The scheme would also lose the existing single garage which can be accepted as 3no off-street parking spaces would be retained in the driveway to the front. As such the scheme is considered to comply with the current parking standards.

Planning Balance

The proposal will not materially harm the character or appearance of the locality, the amenity of nearby residents or result in parking or biodiversity issues. The planning balance is therefore considered to be in favour of the proposal.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 1, 2, 3, 28 and 36 of the South East Lincolnshire Local Plan (2019) and Sections 12 and 15 of the National Planning Policy Framework (2021).

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.

RECOMMENDATION

The application can be approved under delegated powers.