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**Delegated report**      Officer: Christina Farrer

**Application ref. DMPA/2019/0881**

The conversion of the garage into living accommodation at 10 Mickleton Close, Church Gresley, Swadlincote, DE11 9FE

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Valid date:                      24/07/2019

Consults expired:            03/09/2019

EIA development?

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

**Relevant planning history**

9/1090/0715 - Comprehensive development including residential. Conditionally approved with Section 106 Agreement.

**Responses to consultations and publicity**

Highway Authority - No objections subject to the provision of the replacement parking space on the plot frontage.

No other comments have been received.

**Relevant policy, guidance and/or legislation**

The relevant Development Plan policies are:

- 2016 Local Plan Part 1: S2, SD1, SD3, BNE1, BNE4, INF2
- 2017 Local Plan Part 2: H27, BNE5, BNE7

The relevant local guidance is:

- 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 document submitted (and supplemented and/or amended where relevant) and the site and its environs; the main issue(s) central to the determination of this application is/are:

- Design and the visual amenities of the area;
- Amenity of neighbours;
- Parking and highway safety; and
- Impact on existing trees.

## **Planning assessment**

### Design and the visual amenities of the area

Policy BNE1 highlights the importance of new development being visually attractive, appropriate and of a high standard of architectural quality. Policy H27 specifically relates to new residential extensions and householder development stating that such development 'will be permitted provided that the proposals: are of a scale and character in keeping with the property, and the general character of the area'. The Design SPD at Appendix A provides more detailed guidance on matters of scale, character and form, position and materials.

The proposal to convert the existing integral garage to living accommodation for the dwelling would include external alterations to the dwelling in the form of changing the existing garage door to 2 windows with brickwork underneath. Subject to the stated use of matching brickwork, the scheme would integrate acceptably with the existing dwelling and cause no harm to the visual amenities of the area. The scheme would also involve the creation of a second parking bay within the front garden area. This would not be out of keeping with the area and the resulting loss of a minor tree would be acceptable in planning policy terms (see below).

In conclusion, subject to a condition regarding the use of matching external materials, the proposal would suitably comply with the relevant Local Plan Policies and the Design SPD in terms of design and visual amenity.

### Amenity of neighbours

Policies SD1, BNE1 and H27 seek to protect the privacy and amenity of existing and future occupiers, with specific 'Distance Guidance' contained within the Design SPD.

The proposal will have no impact on the amenity of neighbours, including no privacy issue, as the 2 new windows will face the street.

In conclusion, it is considered that the proposals suitably comply with the relevant Local Plan Policies and the Design SPD in terms of neighbours' amenity.

### Parking and highway safety

Policy INF2 requires that appropriate provision is made for safe and convenient access, and that parking provision should have regard to parking standards. The Design SPD strongly encourages the provision of adequate parking spaces per dwelling, and recommends that two spaces be provided for homes with three bedrooms.

The dwelling has 3 bedrooms and currently benefits from the integral garage and a parking space on the drive in front of the garage. A planning condition restricts the use of the garage so that adequate off street parking remains available. Whilst the proposal would see loss of the garage as a potential parking bay this would be suitably offset by the provision of a second parking bay on the frontage. This would involve the widening of the existing access dropped kerb. The provision and retention of this access and parking arrangements can be secured by condition and informatives can mention the need to extend the existing dropped kerb (which requires consent from the Highway Authority) and the surfacing material/s.

Subject to the aforementioned conditions, the development would raise no highway safety issues, such that Local Plan Policy INF2 and the parking requirement of the Design SPD would be complied with.

### Impact on existing trees

The development would result in the loss of a minor tree that is not the subject of a Tree Preservation Order and given its size has little amenity value within the streetscene. Its loss, therefore, would have not contravened the Local Plan Policies.

### Other issues

The site is located within an area identified as being at high risk from historic coal mining activity and, therefore, an informative advising the applicant of this matter will be attached.

### **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.

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| Recommendation made: | 16/09/2019 |
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| Report agreed: | 18/09/2019 |
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| Authorised officer: | Chris Nash |
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