

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H19-0016-22 **Applicant:** Mr Jones & Mrs Easteal

Proposal: Erection of single-storey orangery and rear extension - re-submission of H19-1087-21

Location: Lime Cottage 285 Broadgate Road Sutton St Edmund

Terminal Date: 8th March 2022

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

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

National Guidance

National Planning Policy Framework 2021

Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	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 the removal or 2no dormer windows on the

rear elevation and increase eaves height of rear element . The proposal also includes the demolition of the existing single storey elements at the rear and erection of an orangery extension measuring 4.9 metres (depth) x 4 metres (width) and standing at 3 metres in height. The external materials would match the existing dwelling.

The application is a re-submission of a previously approved scheme H19-1087-21. The scheme proposes to increase the eaves height of the rear element by 2.3 metres to create more head space and to replace the patio doors with a window.

SITE DESCRIPTION

The application site comprises a detached two storey dwelling located on Broadgate Road in Sutton St Edmund. The property is white rendered with white door/window frames. It has a small single storey canopy to the front and single storey elements to the rear. The site benefits from a large driveway to the front. The immediate area comprises a mixture of single and two storey dwellings of varying designs and ages.

RELEVANT PLANNING HISTORY

H19-1087-21 - Erection of single-storey orangery and rear extension - Approved

H19-0353-01 - Erection of a two storey annexe - Approved

REPRESENTATIONS

North Level Internal Drainage Board

No comments.

PLANNING CONSIDERATIONS

Principle of development

The site is within the Sutton St Edmund 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 works relate to the rear of the site therefore the development would not result in any unacceptable impact on the street scene.

The proposed single storey rear extension remains the same as the previously approved scheme. It would have a smaller footprint/rear projection than the existing single storey rear elements which would be demolished. Albeit the replacement extension would be approximately 0.4 metres higher than the existing elements, it is considered proportionate to the existing dwelling and the site and would not appear unduly incongruous or materially harm the character/appearance of the site.

The proposed increase in the eaves height of the element to the rear would not be visible from the main public realm. There may be glimpsed views from the small gap between the application site and no.283, however, given its set back from the front boundary and the fact the overall bulk would

not be significantly more than the approved dormer in this location. As such, although not ideal, this element can on balance be accepted.

Furthermore the proposed use of matching external materials would ensure the extensions are in keeping with the existing dwelling.

As such on balance, the proposed development is considered to 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.

As with the previously approved scheme the proposed single storey rear extension would be located approximately 6 metres from the shared boundary with the neighbour to the north at Charmwood Place, 287 Broadgate Road. Given the relationship with this neighbour this separation distance is considered sufficient as to not result in any overbearing impact or unacceptable overshadowing. The increase in the eaves height would not be visible to this neighbour as it would be blocked by the applicant's existing two storey house. As such no impact would result from this element.

With regards to the neighbour to the south at Fellbrigg, 283 Broadgate Road the proposed ground floor rear extension would be sited some 10 metres from the shared boundary with this neighbour. Given the single storey nature of the extension this separation distance is considered sufficient as to not result in any overbearing impact or unacceptable overshadowing. The proposed increase in the eaves height of the existing element to the rear would sit close to the shared boundary with this neighbour. Given the proposed increase in the eaves height would be similar to the previously approved dormer in this location, the relationship with this neighbour would not significantly or unacceptably change. In addition this neighbour does not have any windows in its side elevation facing the application site therefore the proposal is not considered to be overbearing. Furthermore, no windows are proposed in the side elevation facing this neighbour, therefore there are no overlooking or loss of privacy concerns.

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 not increase the number of bedrooms on the site therefore the parking requirement would remain the same. A maximum of 3no parking spaces are required and these can be accommodated 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, amenity of nearby residents or result in highway implications. 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 and 36 of the South East Lincolnshire Local Plan (2019) and Section 12 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.