

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H19-0856-21 **Applicant:** Mr & Mrs B Cooke
Proposal: Proposed replacement extensions to rear and side elevations
Location: Chestnut Farm 216 Broadgate Road Sutton St Edmund
Terminal Date: 8th October 2021

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

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 to demolish the existing conservatory, the single and two storey elements to the rear and erect a single storey side and two storey rear

extension. On the ground floor a garden room, utility, shower room, pantry and a kitchen/breakfast room would be created. The first floor would create 2no bedrooms, bathroom and an en-suite shower and dressing rooms. The ground floor side extension would measure 5.2 metres (width) x 4.2 metres (depth) and stand at 3.1 metres in height. The two storey rear extension would measure 9 metres (depth) x 9.1 metres (width). The external materials would match the existing dwelling.

SITE DESCRIPTION

The application site comprises a large residential dwelling known as Chestnut Farm which is located on Broadgate Road in Sutton St Edmund. The site is located just outside of the Sutton St Edmund settlement boundary and within the open countryside. There is a large gravelled driveway providing off-street parking provision for several vehicles. To the north-east of the site are various agricultural buildings owner by the applicant. Residential dwellings are located to the north of the site with the open countryside to the south, east and west.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

North Level Internal Drainage Board

No comments.

PLANNING CONSIDERATIONS

Principle of development

The site is outside any settlement boundary and within the open countryside, however, as the proposed extensions would be sited within the residential curtilage of the existing dwelling 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 139 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 side extension whilst in a prominent position in relation to the existing house, would not offer any views from the public realm given the high level trees along the front boundary. In addition, it would have a similar footprint to the existing conservatory therefore this element is not considered to significantly or unacceptably change the overall appearance of the dwelling.

The proposed replacement rear extension would be bigger in footprint than the existing rear elements, however, it is still considered proportionate to the existing dwelling and not overly prominent. The dwelling sits on a large plot therefore the proposed scheme would not result in overdevelopment of the site. The roof design is considered sympathetic and the ridge of the roof sitting lower than the existing roof ridge would ensure an element of subservience. Furthermore the use of matching external materials and roof design would ensure the extension is in keeping with the character of the existing dwelling.

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

Impacts upon Residential Amenity

There are no immediate neighbours therefore the proposed scheme is not considered to result in any unacceptable impact on neighbouring amenity.

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 proposal would create an additional bedroom in the property increasing the number of bedrooms from 3 to 4, however the parking requirement for the site would not change and a maximum of 3no parking spaces would be required for the property which can be accommodated in the driveway to the front. As such the scheme complies 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 any undue highway safety impact. 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 2 and 3 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.