

# Development Management Delegated Decision Report

B/21/0503



## SUMMARY OF APPLICATION

<b>Application Reference</b>				B/21/0503			
<b>Application Type</b>				Full Planning Permission			
<b>Proposal</b>				Two storey rear extension			
<b>Location</b>				15 St Marys Drive, Sutterton, Boston PE20 2LU			
<b>Applicant</b>				Mr & Mrs Murphy			
<b>Agent</b>							
<b>Received Date:</b>		17-Nov-2021		<b>Consultation Expiry Date:</b>		11-Dec-2022	
<b>Valid Date:</b>		17-Nov-2021		<b>Statutory Expiry Date:</b>		12-Jan-2022	
<b>Date of Site Visit:</b>		06-Jan-2022		<b>Extension of Time Date:</b>		---	
<b>Objections received?</b>				None			
<b>5 day notification record:</b>				Not applicable			
<b>Councillors notified</b>		<b>Date</b>		<b>Response received – date</b>		<b>Ok to continue</b>	
<b>Recommendation</b>				GRANT Planning Permission			
<b>Report by:</b>				Simon Eldred			
<b>Date:</b>				6 <sup>th</sup> January 2022			

## OFFICER REPORT

### SITE AND SURROUNDINGS:

The application site is located at the junction of St Mary's Drive and Chapelgate, Sutterton and contains: a detached two-storey dwelling with a single-storey rear extension; a detached single garage with a gravel-surfaced parking area at its front; and front and rear gardens. It is located within a residential neighbourhood and has other dwellings to its north, west and south, and an area of open space to its east (on the opposite side of Chapelgate).

### DETAILS OF PROPOSAL:

It is proposed to demolish the existing single-storey rear extension, and erect in its place a new rear extension which will have both a larger footprint and be two-storeys in height. The proposed extension will provide (on the ground-floor) dining/living space and (on the first-floor) a bedroom. It will have upvc ground and first-floor windows in its side elevations, and an upvc entrance door in its rear elevation. It will match the eaves height of the existing building, and will be constructed in brick and render to match the existing dwelling. It will have a pitched roof (in tiles to match the existing dwelling) but will have a significantly lower ridge height than the existing dwelling.

### RELEVANT HISTORY:



B/02/0193 – full planning permission was granted on 13<sup>th</sup> September 2002 for the construction of 57 houses, 30 bungalows, garages and associated access roads.

B/14/0432 – full planning permission was granted on 12<sup>th</sup> February 2015 for a rear extension.

### **RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:**

The **South East Lincolnshire Local Plan 2011-2036** shows the site as being within Sutterton's Settlement Boundary, but no specific allocations or designations apply. The relevant Policies of the Local Plan are:

- Policy 1: Spatial Strategy;
- Policy 2: Development Management;
- Policy 3: Design of New Development; and
- Policy 4: Approach to Flood Risk.

### **OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:**

At the heart of the National Planning Policy Framework (2021) is a presumption in favour of sustainable development. The following sections are relevant to this scheme:

- Section 4: Decision-making;
- Section 12: Achieving well-designed places; and
- Section 14: Meeting the challenge of climate change, flooding and coastal change.

### **CONSULTATION RESPONSES:**

Lincolnshire County Council (the Local Highway and Lead Local Flood Authority) indicates that access and parking arrangements remain unchanged, and therefore assesses that the proposals will not result in an unacceptable impact on highway safety. Consequently, it concludes that the proposed development is acceptable, and indicates that it has no objections.

### **THIRD PARTY REPRESENTATIONS RECEIVED:**

The occupant of a nearby dwelling (2 Chapelgate) indicates that they are: in support of the application; but concerned that contractor's vehicles should be considerably parked - avoiding the junction where Churchgate and Chapelgate meet.

### **EVALUATION:**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination must be made in accordance with the Plan unless material considerations indicate otherwise. The key considerations in regard to this application are: impacts on the character and appearance of the area; impacts upon neighbours' amenity; flood risk; and other matters raised by respondents.

#### ***Character of the area***

Policy 2 of the Local Plan indicates that developments will be permitted which will not have harmful impacts upon the character and appearance of the area.

The proposed extension will be significantly larger than that which is to be demolished – slightly larger in footprint and considerably larger in height. Nonetheless, it is considered that its impact in the street-scene will be relatively modest, given its position at the rear of the dwelling and the fact that views from public vantage points will be significantly screened by neighbouring dwellings, the garage to no. 15 and existing boundary treatments. The proposed extension is respectful of the character of the existing dwelling in terms of its design and scale and is proposed to be built in materials that will match the original.

In all therefore it is considered that the proposal: will be in keeping with the character of the existing building; will not harm the character or appearance of the area and will meet these requirements of Policy 2.

### ***Neighbours' amenity***

Policies 2 and 3 of the Local Plan require the amenity of neighbouring land users to be protected. The application site has an area of open space to its east (on the opposite side of Chapelgate), and it is considered that the proposed extension will not have any adverse impacts upon this land use. However, impacts upon the residential properties to the south, west and north require more detailed consideration.

Nos. 16, 18 and 20 St Mary's Drive are located to the south of the application site – approximately 25m distant, and on the opposite side of the highway. Given this separation distance and the fact that the extension is proposed to be built onto No. 15's north-western elevation, it is considered that there will be no adverse impacts in terms of over-shadowing, loss of light, or harm to outlook.

The extension will have ground and first-floor windows in its south-western elevation, which will potentially provide some views towards Nos. 16 and 18. However, it is considered that the separation distances involved and the screening effects of No. 15's garage and existing boundary treatments will ensure that no unacceptably severe impacts in terms of overlooking or loss of privacy will be caused.

No. 13 St Mary's Drive is located immediately to the west of the application site. The proposed extension will be located within approximately 7m of this dwelling, albeit with the garage to No. 15 and a 1.8m-high close-boarded fence in between. Despite this proximity, it is considered that the relatively modest scale of the extension and No. 13's lack of window openings in its eastern elevation will ensure that no unacceptably severe adverse impacts will be caused in terms of over-shadowing, loss of light, or harm to outlook. The proposed extension will have ground and first-floor windows in its south-western elevation, which will potentially provide views towards No.13's rear garden. However, it is considered that these views will be oblique only, and will be sufficiently distant to ensure that no unacceptably severe impacts in terms of overlooking or loss of privacy will be caused.

No. 1 Chapelgate is located immediately to the north of the application site. The proposed extension will be located within approximately 7m of this dwelling, albeit with a 1.8m-high close-boarded fence in between. No. 1 has two small windows in its southern elevation – one on the ground-floor which is obscure-glazed and does not appear to serve a habitable room, and one on the first-floor which appears to serve a landing/staircase only. Despite this proximity, it is considered that the relatively modest scale of the extension and no. 1's lack of windows serving habitable rooms in its southern elevation will ensure that no unacceptably severe adverse impacts will be caused in terms of over-shadowing, loss of light, or harm to

outlook. The proposed extension will have ground and first-floor windows in its north-eastern elevation, which will potentially provide views towards no.1's southern elevation. However, it is considered that (given the nature of no. 1's southern-facing windows) no unacceptably severe impacts in terms of overlooking or loss of privacy will be caused.

In all, it is considered that the proposals will not harm neighbours' amenity and that they therefore meet these requirements of Policies 2 and 3.

### ***Flood risk***

Policy 4 of the Local Plan seeks to ensure that new development is not unnecessarily exposed to flood risk, and does not increase flood risk elsewhere. The application is accompanied by a completed 'Householder and other minor extensions in Flood Zones 2 and 3' form, which indicates that: floor levels within the extension will be set no lower than existing; and flood proofing has been incorporated where appropriate.

It is considered that the proposals meet the requirements of Policy 4.

### ***Other matters***

The occupant of a nearby dwelling (2 Chapelgate) has asked that, during construction, contractor's vehicles should be considerably parked - avoiding the junction where Churchgate and Chapelgate meet.

Whilst it would be an option to attach a condition to require the submission of a Construction Management Plan that would seek to control the parking of contractors' vehicles:

- such conditions tend to be used only for larger development sites where the construction phase will be lengthy, and are not usually used for domestic extensions;
- opportunities for the parking of contractor's vehicles within the application site appear to be limited;
- there appear to be adequate opportunities for vehicles to be safely parked on-street in the vicinity; and
- it is noted that the Highway Authority has not requested a Construction Management Plan or otherwise expressed any such concerns.

In these circumstances, it is considered unnecessary/inappropriate to impose a condition to require the submission of a Construction Management Plan that would seek to control the parking of contractors' vehicles.

### **CONCLUSION:**

The proposal:

- will have no unacceptably adverse impacts on the character and appearance of the area;
- will have no unacceptably adverse impacts on neighbours' amenity;
- is acceptable in flood risk terms; and
- meet the requirements of the relevant Policies of the South East Lincolnshire Local Plan 2011-2036.

### **RECOMMENDATION:**

GRANT Planning Permission subject to the following conditions and reasons:-

<b>CONDITIONS / REASONS</b>	
Pre-commencement conditions?	Agreed with applicant/agent - Date:
1	<p>The development hereby permitted shall be begun before the expiration of four years from the date of this permission.</p> <p><b>Reason:</b> Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby permitted shall be carried out in strict accordance with the application received 17-Nov-2021 and in accordance with the associated plans referenced:</p> <ul style="list-style-type: none"> <li>▪ Drawing Ref: PLANNING 015MAR021 – Location Plan;</li> <li>▪ Drawing Ref: PLANNING 015MAR021 – Block Plans; and</li> <li>▪ Drawing Ref: PLANNING 015MAR021 – Proposed Floor Plans.</li> </ul> <p><b>Reason:</b> To ensure that the development is undertaken in accordance with the approved details, in the interest of residential amenity and to comply with Policies 2, 3, and 4 of the South East Lincolnshire Local Plan 2011-2036.</p>

<b>INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE</b>
<p><u>STATEMENT OF PROACTIVE WORKING:</u></p> <p>In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2021 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.</p>