



Committee Report

Planning Committee North – 14 December 2021

Application no DC/21/4454/FUL

Location

Balnacraig
Stanton Close
Lowestoft
Suffolk
NR32 4JZ

Expiry date 24 November 2021

Application type Full Application

Applicant Mr Peter Foster

Parish Lowestoft

Proposal To install a log cabin/shed in rear garden size - 9.3 metres x 4 metres. Height 3.51 metres to the top of dual pitched roof. 2 rooms. Eaves height 2.23 metres

Case Officer Debbi Wicks
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1. Summary

- 1.1 This householder application concerns the proposed erection of a detached timber garden room within the rear garden of Balnacraig which is in North Lowestoft. Following revised siting as requested by officers, the application is now deemed to be policy compliant in terms of its potential neighbour amenity impact and is therefore recommended for approval by officers, as well as by Lowestoft Town Council.
- 1.2 Officers were in a position to issue a planning permission under delegated authority within the 8-week determination period; however, officers then became aware that the applicant is the grandfather of an East Suffolk Council employee and, accordingly, this application has been referred direct to Planning Committee for determination.

2. Site description

2.1 The application site comprises a modest bungalow located within a row of four similar detached properties in Stanton Close. The site backs onto an undeveloped area to the eastern rear boundary where there are tall mature trees, and this has a bearing on the assessment of this case. The site is not in a conservation area and there are no other planning constraints affecting the property.

3. Proposal

3.1 The proposal is for a timber garden room measuring 9.3m wide and four metres deep. A pitched roof is proposed with an eaves height of 2.3 metres and 3.5m high to the ridge. The front elevation is mostly glazed in its design, with a feature gable and internally the floor area is divided into two rooms. The applicant's daughter has recently moved into the property to care for her elderly father and the proposed garden building is primarily for his enjoyment, partly to be used as a potting shed. For planning purposes the use is therefore incidental to the main dwellinghouse.

4. Consultations/comments

4.1 No representations have been received from neighbours or other members of the public.

5. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	4 October 2021	21 October 2021
Summary of comments: The Town Council's Planning Committee considered this application at a meeting on 19 October 2021. It was agreed to recommend approval of the application.		

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	4 October 2021	No response
Summary of comments: Consultation not requested by case officer - not relevant. No comments received in any case.		

Consultee	Date consulted	Date reply received
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Environment Agency - Drainage	4 October 2021	No response.
Summary of comments: Consultation not requested by case officer - not relevant to this case. No comments in any case.		

Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	4 October 2021	21 October 2021
Summary of comments: No comments.		

6. Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 7 October 2021

Expiry date: 28 October 2021

7. Planning policy

National Planning Policy Framework 2021 (NPPF)

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

8. Planning considerations

- 8.1 The main policy consideration is neighbour amenity impact, in particular to The Rowans on the north side of the site, due to orientation and therefore potential shading from the proposed structure. The permitted development rules also have a bearing and are a material planning consideration in this case. Under those rules, it would be exempt to erect a domestic outbuilding such as this, covering up to 50% of the garden area and to heights not exceeding 2.5m to eaves and 2.5m overall if within two metres of the boundary, or up to four metres in height if further than two metres from the boundary.
- 8.2 This proposed building fails the permitted development criteria on ridge height alone as it would be positioned within two metres of boundaries and it is therefore only the roof of the building that actually requires planning permission, and the additional one metre height over the exempt limit is the key consideration with regard to impact. The fallback position is that the same building at 2.5 metres in height would not need planning permission.
- 8.3 In the initial submission, the garden building was proposed further in from the rear boundary fence, in fact 2.3m from the boundary at the south-eastern corner, which placed it more centrally within the main garden space. This siting had several disadvantages; in addition to the loss of usable garden area both below the structure and also the dead space

created behind it, it would also have a greater impact upon the outlook from the main house and most importantly would cast a shadow over the neighbour's conservatory to the north. In response to these concerns, the building has been moved as far into the south-eastern corner as possible, which will substantially mitigate the shadowing impact. As mentioned, there are already tall trees along the garden boundary creating some shading at present, which is a relevant factor and the re-siting towards the corner will allow the space to remain open in the centre of the garden and thus the light from the south will continue to reach the neighbour's conservatory from that direction.

- 8.4 Although rather large in footprint, the rear garden depth is 16.5m and as the revised siting relocates the building to just 200mm from the rear boundary, this will leave a garden depth of 12 metres remaining between the dwelling and the garden room. This is judged to be proportionate to the dwelling, its plot, and surrounding development pattern. The relatively low eaves will help mitigate overall massing of the structure from both neighbours due to the proximity to the side boundaries and the building will be unseen from the public domain.
- 8.5 In design terms, it is a simple garden building of an entirely expected form and appearance, relating well to its residential context.

9. Conclusion

- 9.1 All aspects of the proposal are considered to be acceptable, on the basis of the revised siting. The scheme accords with the Development Plan and planning permission can therefore be granted.

10. Recommendation

- 10.1 Approve with conditions set out in section 11 of this report.

11. Conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with the manufacturer's specification & Amended Site Layout Plan received 24th September and 2nd November 2021, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

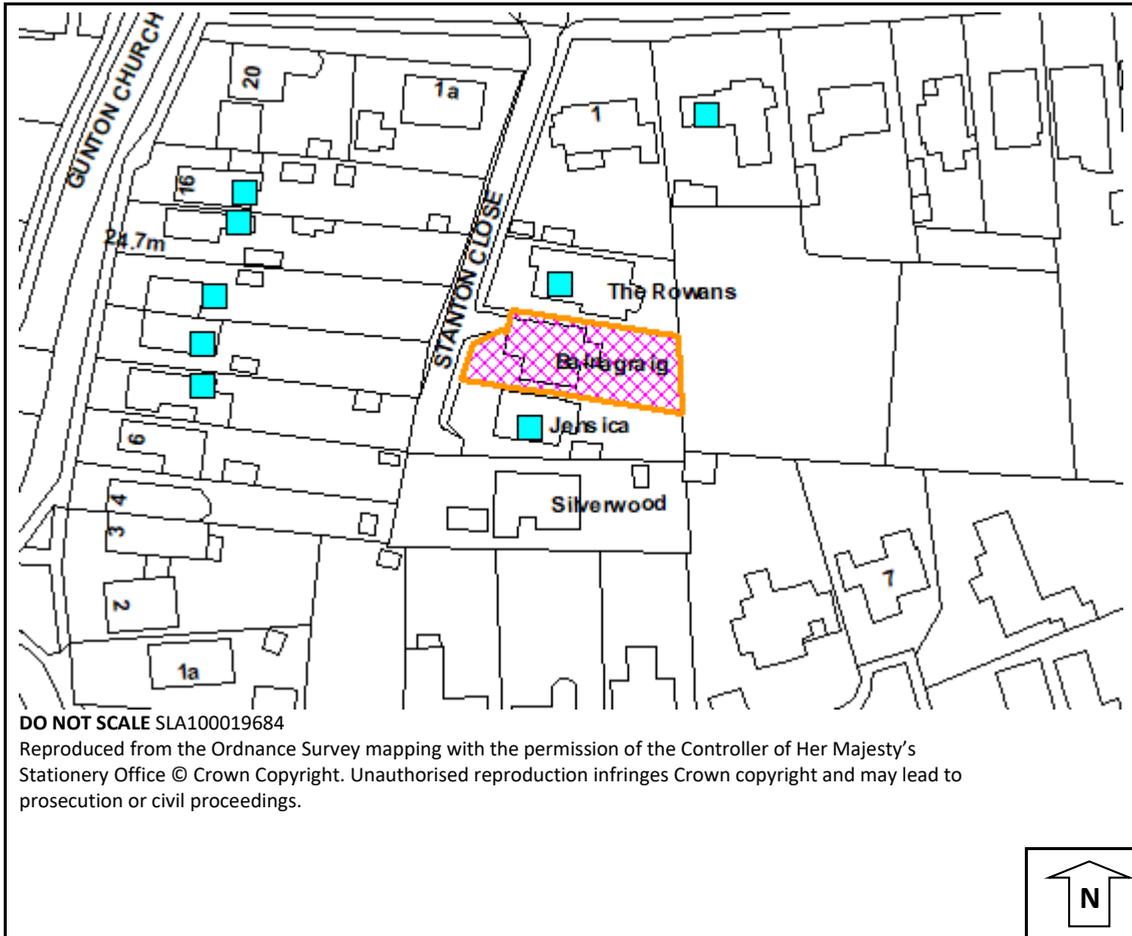
12. Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

Background Papers

See application reference DC/21/4454/FUL on [Public Access](#)

Map



Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support