

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H17-0339-22 **Applicant:** Mr D Vernal

Proposal: Proposed extension & alterations to form lounge and study

Location: 1 Newlands Road Surfleet Spalding

Terminal Date: 30th May 2022

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development

National Guidance

National Planning Policy Framework 2021

Section 12- Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a proposed extension and alterations to form a lounge and study to the property at 1 Newlands Road, Surfleet.

Site Description

The site is situated outside of the confines of the urban settlement of Surfleet, which is the nearest built-up area. It is therefore considered as part of the countryside. The semi-detached dwelling is set back from the road with large front garden and driveway. The dwellings along this section of the road are mostly of a similar age and design.

The site is surrounded by open fields to the front and rear of the properties.

History

H17-0553-17- Approved on 18-07-17- Erection of an outbuilding for use as music teaching space, music recording studio and family recreational area (resubmission of H17-0319-17)

H17-0319-17- Approved on 17-05-17- Erection of outbuilding for use as music teaching space and family recreational area.

H17-0269-14- Approved on 29-05-14- Extension to dwelling comprising two first floor bedrooms, ground floor living room, bedroom and shower room.

Consultation Responses

Surfleet Parish Council

No comment.

Planning Considerations

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 rear extension will protrude from the rear elevation by a maximum of approx. 5.2m and a width of approx. 6.2m at the widest point. It will effectively infill between the existing rear projections. The overall height will be approx. 2.9m. Having regard to the existing dimensions of the house and plot it sits within, the proposed single storey rear extension is acceptable in terms of scale, mass and bulk.

The proposed materials include a concrete brick which is currently on the previous extension and is proposed for the whole exterior walls to be painted in Mushroom BS 08B17, with white pvc fenestrations and a flat roof with a black EPDM rubber roof finish. The proposed exterior paint is not considered to cause a detrimental impact to the character of the area, as there is already a variety of external materials such as part of the dwelling which is painted cream and part concrete bricks. There is also a dwelling further along Newlands Road which is rendered.

As much as flat roof extensions are not considered favourable, due to it being to the rear of the dwelling it will not impact on the overall character of the surrounding area and is considered acceptable.

Internally, the purpose of the development is to gain further internal floor space for enlarging and creating new rooms inside the house. This includes a new living room and utility area, as well as a small study. Overall, the proposals will ensure good living conditions for the house occupiers and are in keeping with the residential use of the property.

Taking the above into account, the proposed single storey rear extension is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of layout, design, size and scale.

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.

It is not considered that there would be an overbearing or overshadowing impact upon the neighbouring property to the west due to the single storey nature of the proposal and the fact that

the extension till adjoin an existing party wall.

The proposed windows on the rear walls of the two-storey extension will not overlook unacceptably to any residential plot neither habitable rooms of other dwellinghouses due to there being no properties situated to the rear of the property.

Taking the above into account, the proposed single storey rear extension is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of residential amenity.

Planning Balance

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 proposed single storey rear extension will not materially harm the character or appearance of the locality or amenity of nearby residents. It is therefore considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

Conclusion

The recommendation is for a delegated approval.

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.