

## DECISION DELEGATED TO HEAD OF PLANNING

**Application No:** H17-0561-23      **Applicant:** Mr & Mrs West  
**Proposal:** Single storey front extension  
**Location:** 105 Station Road Surfleet Spalding  
**Terminal Date:** 14th August 2023

### 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      | 0       | 0       | 0        |
| WARD MEMBER                | 0      | 0       | 0       | 0        |
| HIGHWAYS & SUDS<br>SUPPORT | 0      | 0       | 0       | 1        |
| RESIDENTS                  | 1      | 0       | 0       | 0        |

### CASE OFFICER ASSESSMENT

#### Proposal

Proposal is for a front extension at 105 Station Road, Surfleet. The development would measure 2587.5mm (depth) by 3355mm (width). The roof design would be a continuation of the existing dual pitched roof.

All materials and fittings would match the existing dwelling. Two bay windows are proposed,

replacing the existing casement windows. The extension would bring the design of the dwelling in line with the adjacent property to the west.

## **Site Description**

The site is within the settlement boundaries of Surfleet, as outlined within the South-East Lincolnshire Local Plan, 2019 (SELLP). The dwelling is on the southern side of Station Road, along the river Glen. It is located at the junction of Colbeach Lane and Station Road.

The property itself is a two-bedroom bungalow, constructed from a light brown brick. The dwelling has a dual pitched roof. A sister dwelling is located adjacent to the property at 103 Station Road. The area has a mix of styles and ages, but there is a general preference for brown-brick bungalows. As such, the property is fairly typical of the area.

## **Relevant History**

No relevant planning history.

## **Consultation Responses**

### Highway and Lead Local Flood Authority

No objection This proposal is for a single storey front extension and the access and parking arrangements remain unchanged; therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety.

### Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, 1 letter of representation have been received.

One objection received, summarised below:

- overbearing impact
- sense of enclosure
- overshadow garden
- bow windows will overlook

## **Planning Considerations**

### Evaluation

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The adopted Local Plan, the SELLP, is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, 2021 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

### 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, that they are visually attractive, as a result of good architecture, and are sympathetic to local character. 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 extension is proportionate to the host dwelling, making it appear well blended into the property. The use of matching materials would further mitigate any potential visual impacts of the development.

The adjacent property, which is of the same design as 105 Station Road, already has a comparable front extension. This would therefore further naturalise the proposed extension.

The proposal therefore conforms to Policy 2 of the SELLP in terms of design and scale.

### Impacts Upon Resident Amenity

Paragraph 130 of the NPPF amongst other matters, seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of the SELLP set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

The potential amenity impacts of this proposal are limited. There is a small but significant distance between the extension and the adjacent property to the east, which, due to the angle of the roof and the relatively low roof height, would be sufficient to prevent any meaningful overshadowing. Furthermore, any potential overshadowing would only be felt during in the late evening within the front garden. The extension would not prevent light entering any window.

The only window proposed on the extension is on the front elevation, replacing the existing window present there. The window is positioned as to purely offer views of the road. The extension would take the window marginally in front of the neighbouring dwelling, ensuring the window does not offer views of any adjacent dwelling.

The resident objections have been considered closely. It is considered that the potential for overshadowing discussed in their objection is not significant enough as to warrant a refusal. The potential for overshadowing is minor and the extension would not prevent light from entering any neighbouring residence. It is considered that due to the relatively small size of the extension, it would not have an overbearing impact. While the extension would be visible from 107 Station Road, the views the occupants enjoy would not be severely infringed upon by the extension, and as such, the extension would not create a sense of enclosure. The point raised regarding overlooking has been considered, however, as the proposed window would purely face the road and would be in front of any neighbouring dwelling it is not considered that this window represents an overlooking concern. There would be no change in access to the property, and therefore, no additional overlooking due to this.

The proposal therefore conforms to Policies 2 and 3 of the SELLP in terms of amenity impact.

### Planning Balance

The proposal would appear well blended into the existing dwelling due to the use of consistent materials and roof design. The proposal would be further naturalised by the existing comparable extension on the neighbouring property to the west.

The proposed extension would not cause any significant level of overshadowing and would create no additional overlooking. While the resident objections have been carefully noted and closely examined as part of this decision-making process, it considered that the proposal would not have a significant amenity impact upon any neighbouring dwelling. The extension is not significant enough as to be considered overbearing within the street scene. The proposal does not represent an overlooking or significant overshadowing concern.

The Highway department has raised no objections, stating that as the access and parking arrangements will remain unchanged, there will be no unacceptable impact on highway safety.

The proposed extension therefore conforms to Policies 2 and 3 of the SELLP. The planning balance is in favour of the proposal.

### **Conclusion**

The recommendation is for 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.