



Appeal Decision

Site visit made on 22 November 2023

by L N Hughes BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 December 2023

Appeal Ref: APP/Y2003/D/23/3317876

43 Southfield Road, Winterton, Scunthorpe, North Lincolnshire DN15 9XE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Robert Parker against the decision of North Lincolnshire Council.
- The application Ref PA/2022/1805, dated 6 October 2022, was refused by notice dated 3 March 2023.
- The development proposed is to build single storey rear extension with flat roof and balcony above to connect into existing garage at rear of property which is to be converted into dining room, and build triple garage at front of property grounds with games room in roof space with pitched tiled roof and velux windows on front elevation.

Decision

1. The appeal is dismissed insofar as it relates to the triple garage at front of property. The appeal is allowed insofar as it relates to the single storey rear extension with flat roof and balcony above to connect into existing garage at rear of property which is to be converted into dining room, and planning permission is granted for a single storey rear extension with flat roof and balcony above to connect into existing garage at rear of property which is to be converted into dining room, at 43 Southfield Road, Winterton, Scunthorpe, DN15 9XE in accordance with the terms of the application, Ref PA/2022/1805, dated 6 October 2022, and the plans submitted with it, so far as relevant to that part of the development hereby permitted, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted, insofar as it relates to the single storey rear extension with flat roof and balcony above to connect into existing garage at rear of property which is to be converted into dining room only, shall be carried out in accordance with the following approved plans: Location Plan; Proposed Block Plan; 43-SR-100 Existing and Proposed Ground Floor Plan and Specification; 43-SR-200 Existing and Proposed First Floor Plan and Specification; 43-SR-300 Existing and Proposed Elevations.
 - 3) Notwithstanding condition 2, the balcony area shall not be brought into use until details of the appearance and height of the balcony screening have been submitted to and approved in writing by the Local Planning Authority. The balcony screening shall be carried out in accordance with the approved details, and maintained for the lifetime of the development.
 - 4) The external brickwork and tiled roof surfaces of the development hereby permitted shall be constructed in materials to match those of the host dwelling.

Preliminary Matters

2. The new North Lincolnshire Local Plan was submitted for examination in November 2022. Its emerging policies were not cited in the reason for refusal, and I am unaware as to the extent of any unresolved objections, such that these policies may not be in their final form. I have therefore determined the appeal based on the adopted development plan.

Main Issues

3. The main issues are the effect of the proposed development on:
 - the character and appearance of the host dwelling and the streetscene; and
 - the living conditions of the occupiers of neighbouring properties, with particular regard to privacy, outlook, and overshadowing.

Reasons

Character and Appearance

4. The site comprises a large detached dwelling and 2 rear garage buildings, within substantial front and rear gardens. It lies at the head of the cul-de-sac, in a wider residential area including a large development of new dwellings to the north. Although the property is not listed, I still place importance on maintaining the character and appearance of the host dwelling and wider area.
5. The Council raised no issue with the position and scale of the rear extension, or the balcony. I see no reason to take a different view. While of a substantial scale, it would respect and relate to the size of the host and the location of the existing detached garages. The garage conversion would only require minor front fenestration changes.
6. The Council considers the side extension would not reflect the form or character of the host and adjacent dwellings, or represent good contemporary design. I accept that its lean-to roof would have a somewhat awkward relationship where it joins with the hipped and gable end roof of the garage. However, the extension would also be simple in form, and provide continuity between the existing dwelling and the new rear extension. Its roof would align with the eaves of the dwelling and the garage roof ridge, and although sizeable overall, it would still be subordinate to the host. The roof would also provide screening from the balcony, as I discuss further below. Overall, I find the side extension to be sufficiently unobtrusive in relation to the whole proposal.
7. In comparison, the position, scale, and height of the triple garage would dominate the plot. It would compete with the importance of the main dwelling building due to its frontage positioning, despite its lower height and massing. In medium and short distance views it would also present a bland feature with an inactive frontage as the important head of the cul-de-sac.
8. Overall therefore, the extensions attached to the dwelling would be acceptable, and would not cause harm to the character and appearance of the host dwelling and the street scene. However, this lack of harm does not outweigh my findings in respect of the proposed triple garage, which would cause such harm. The proposal would thus conflict with Policies DS1 and DS5 of the North Lincolnshire Local Plan (LP) (2003), and Policy CS5 of the North Lincolnshire Core Strategy (CS) (2011), which together and amongst other matters, seek

the creation of high quality streetscapes and a high standard of design, that should reflect the character, appearance, and setting of the immediate area, including being sympathetic to the existing dwelling and its neighbours. It would also conflict with the SPG1 Design Guidance for House Extensions (2003), which also seeks good design which fits with the appearance of the original dwelling, and does not dominate it in scale or situation.

Living Conditions

9. Views to the north from the proposed balcony would be blocked by the side extension roof. This would also improve privacy for the properties to the north compared to the current views from the dwelling's first floor windows.
10. The balcony's southern side would be bounded with a glass style railing. Notwithstanding its limited height as shown on the plans, I could specify for further details of its height and appearance to be agreed via a condition. This would allow the Council to control a height and translucent appearance which would remove the potential for overlooking into the rear windows and immediately adjacent garden area of No. 41 Southfield Road.
11. The same style railing is also proposed along the balcony's rear. Although impractical to increase its height to fully block overlooking, views would only be oblique across the rear portion of the No. 41 garden. A large extent of this, including the part which would be at closest range within views, comprises single storey buildings, whereby privacy would therefore not be affected. The appellant's garage along this boundary would also largely block its furthest area of garden. Furthermore, very similar views to that proposed already exist from the appellant's rear first floor windows, as identified on my internal site visit. Therefore overall, although the balcony would introduce new and slightly closer overlooking, I do not find it would cause undue harm to privacy.
12. The side extension would extend right up to the common boundary. This would increase the massing and extent of blank side elevation when viewed from the 3 closest properties to the north. However, only 1 of these dwellings would have its partially open view across the appellant's yard blocked, and some additional overshadowing. The gardens of those properties are a reasonable depth, and 2 already look onto blank gables, including the higher main dwelling. The extension would only be slightly closer, and the orientation means that overshadowing would also not be increased. Although I am not aware of the factors which influenced the layout and approval of these dwellings, I do not see that undue harm would be caused by one additional dwelling having a similar outlook and overshadowing relationship with the appeal property as that of its neighbours.
13. However, in comparison the proposed front garage would create significant new massing within the outlook of the 3 properties to its north. As a new build, the same justification does not exist as for the extension. Although on the limited evidence before me I find that overshadowing would not be excessive, the current open and long distance views across the site's frontage and along the street would be blocked by its height and bulk close on the boundary. This would also create an undue sense of enclosure along with the rear garages of those dwellings, and in combination with the existing dwelling. It would therefore be unduly overbearing to outlook from the rear windows and gardens of those properties.

14. Overall, the extensions attached to the dwelling would be acceptable, and would not cause harm to the living conditions of the occupiers of neighbouring properties with particular regard to privacy, outlook, and overshadowing. However, this lack of harm does not outweigh my findings in respect of the proposed triple garage, which would cause such harm with relation to outlook. The proposal would therefore conflict with the LP Policies DS1 and DS5, and the CS Policy CS5, which together and amongst other matters, seek that there should be no unacceptable loss of amenity to neighbouring land uses, including from being unreasonably overbearing. It would also conflict with the SPG1 which requires no adverse effect on neighbouring properties.

Other Matters

15. The creation of the additional living space and replacement garage space is only a private benefit, which would not outweigh the harm which I have identified. The impact on property value is not a material planning consideration, and I find the appellant's family history with the site to be a neutral matter. A lack of objections does not indicate a lack of harm.

Conditions

16. I have attached the statutory condition to limit the lifespan of the planning permission, and one to specify the approved plans, to provide clarity for the terms of the permission. This stipulates that the triple garage part of the proposal is not approved. I have required the submission of further details of the appearance of the balcony screening, in order to reduce the impact of overlooking. Matching materials are required in order to maintain the character and appearance of the area.

Conclusion

17. Although I find there would be no harm from the proposed attached extensions and garage conversion, the triple garage would cause harm to the character and appearance of the streetscene, and to the living conditions of the occupiers of neighbouring properties with regard to outlook.
18. In conclusion therefore, the triple garage part of the scheme conflicts with the development plan as a whole. However, it would be clearly severable both physically and functionally, from the extensions attached to the main dwelling. With no other material considerations indicating otherwise, for the reasons given above I conclude that the appeal should be allowed insofar as it relates to the single storey rear extension with flat roof and balcony above to connect into existing garage at rear of property which is to be converted into dining room, but dismissed insofar as it relates to the triple garage at front of property.

L N Hughes

INSPECTOR