

## DELEGATED ASSESSMENT

**Application no: PA/2024/1154**

**Proposal:** Planning permission for demolition of an existing conservatory, erection of a single storey rear extension and single storey shed attached to side.

**Location:** 3 Feyzin Drive, Barton Upon Humber, DN18 5SH

**Applicant/ Agent:** Mr & Mrs D Murray/ Nuala Roarty

**Officer:** Chris Clark

## POLICIES

### **National Planning Policy Framework:**

Chapter 12 – Achieving well-designed and beautiful places

### **North Lincolnshire Local Plan:**

DS1 – General Requirements  
DS5 – Residential Extensions

### **North Lincolnshire Core Strategy:**

CS3 – Development Limits  
CS5 – Delivering Quality Design in North Lincolnshire  
SPG1 – Design Guidance for House Extensions

### **Housing and Employment Land Allocations Development Plan Document (2016):**

Inset 07 – Barton Upon Humber

## CONSULTATIONS

**LLFA Drainage Team:** The LLFA Drainage Team has no objections or comments to the proposed development.

**Highways:** No comments.

**Barton Upon Humber Town Council:** Committee have no objections.

## PUBLICITY

The proposal has been advertised by means of site notice which was displayed on the 31/10/2024. This is in accordance with the LPAs statutory duty set out under article 15 of the Development Management Procedure Order 2015.

### **Comments Received:**

**Barton upon Humber Parish Council:** Committee have no objections.

## PLANNING HISTORY

Housing and Employment DPD				
All Planning Applications				
SFRA				
	[app_num]	[proposal]	[decision]	[decision_date]
1	7/1991/0352	Erect 6 no dwellings	Approve	08/08/1991
2	7/1976/0321	Erect extensions and make alterations to a building in connection with its use as a hotel	Approve with Conditions	27/05/1976
3	PA/2000/0364	Planning permission to erect 7 detached dwellings, create a new access and amend internal road layout	Approve with Conditions	14/07/2000
4	PA/2024/1154	Planning permission for demolition of an existing conservatory, erection of a single storey rear extension and single storey shed attached to side.	-	-

## MATERIAL PLANNING CONSIDERATIONS

### **Site Description:**

The proposal is within the Development limits of Barton upon Humber and is positioned on unallocated land within the HELADPD. The site is within Flood Zone 1, the category least at risk to flooding. The proposals site is not within a conservation area, there are no trees with Tree Preservation Orders on site and there are no listed buildings in the immediate vicinity.

### **Proposal:**

The property is a two-storey residential dwelling located on the cul-de-sac Feyzin Drive. The front elevation of the property is in a northern direction, with a front garden and driveway positioned in front of this. To the rear, a garden, conservatory and timber pergola currently exist.

The first part of the proposal is to demolish the existing conservatory to the rear of the property.

A single storey extension will be constructed in its place. This will extend 4.3m from the rear elevation of the property and will have a width of 4.2m, with around 1.2m

extending beyond the eastern elevation of the original property. The rear extension will have windows positioned to the rear and bifold windows to the west. The roof will be sloped from western side (3.6m) to east (2.8m) and two further roof lights will be positioned on the roof. The floor plans show that the use of the new extension will be residential – a Day room. It is also noted that the rear extension will not adjoin to the timber pergola. The plans state that the roof will be made from aluminium standing seam, the exterior walls will be made from cedar or cedar composite cladding, the windows will be made from grey anthracite and the doors will be made from solid composite.

The third part of the proposal is to erect a single storey shed to the eastern side elevation. This is retrospective as it has already been constructed. This is not permitted development as Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 states:  
*A.1 Development is not permitted by Class A if— (e)the enlarged part of the dwellinghouse would extend beyond a wall which— (ii)fronts a highway and forms a side elevation of the original dwellinghouse.* Consequently, this development has been included in this planning application. The plans show that this extension will be a lean to attached shed made from grey composite cladding. The shed will extend around 2.4m from the eastern elevation of the original dwellinghouse and will have a width of 3.6m.

The following considerations are relevant to this proposal:

- Principle of development
- Impact upon the Character of the Area
- Impact upon the Residential Amenity

## **Principle of Development**

Planning law indicates that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan in this case comprises of the policies of the North Lincolnshire Core Strategy (NLCS), the saved polices of the North Lincolnshire Local Plan (NLLP) and the Housing and Employment Land Allocations DPD (HELADPD).

Policy CS3 from the NLCS provides that development limits will be defined in development plan documents. Outside these boundaries, development will be restricted to that which is essential to the functioning of the countryside. Conversely, it follows that land within these limits are deemed to have capacity for future development based on existing and proposed infrastructure, on its access to facilities and services and levels of public transport. The development limits are defined in the Housing and Employment Land Allocations Development Plan Document (HELADPD).

Policy DS5 from the NLLP outlines that planning applications for residential extensions and the erection of garages, outbuildings, walls and other structures will be allowed providing that the proposal does not unreasonably reduce sunlight,

daylight, or result in overshadowing, overbearing or loss of privacy to adjacent dwellings. It further provides that proposals should also be sympathetic in design, scale and materials to the existing dwelling and its neighbours.

#### Assessment:

The proposal is located within the development limits of Barton upon Humber. It is also noted that the site constitutes unallocated land within this. The principle is therefore supported by the development plan and policy CS3. Moreover, the proposal constitutes a residential extension and is therefore further supported in principle by policy DS5.

However, it should be noted that this 'in principle' position is subject to compliance with the technical and environmental issues and relevant policies outlined below, which constitute material considerations in the determination of planning applications.

#### **Design and Impact upon the Character of the Area:**

Policy CS5 of the Core Strategy states that all new development in North Lincolnshire should be well designed and appropriate for their context. It also outlines how developments should contribute to creating a sense of place, with the policy stating that design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area, not be acceptable. It also states that the council will encourage contemporary design, provided that it is appropriate for its location and is informed by its surrounding context.

Policy DS1 of the Local Plan seeks to ensure that proposals are sympathetic in design, scale and materials to the existing dwelling and its neighbors and seeks that materials and finishes do not contrast markedly with those of the original building or neighboring properties.

Policy DS5 of the Local Plan provides design criteria for new residential extensions and the erection of garages, and generally seeks to ensure proposals are in keeping with their surroundings. It states that planning applications for residential extensions and the erection of garages, outbuildings, walls and other structures will be allowed provided that such proposals are sympathetic in design, scale and materials to the existing dwelling, and should not use materials or finishes which contrast markedly with those of the original building or neighboring properties.

Policy SPG1 of the Local Plan provides further guidance on the appropriate design of residential extensions to ensure that new housing extensions respect the local character and fits with the appearance of the original house.

#### Assessment:

In terms of an assessment of the character of the area, the property is located on a cul-de-sac estate without uniform design but with very similar materials used throughout. Consequently, an assessment of the materials used is of great

importance.

Although the proposed materials are not consistent with the materials used with most of the housing on the street, other examples of cedar or composite cladding are common in residential extensions in the area. This not only includes in the existing pergola attached to the property itself, but furthermore, the development to the rear of number 10 is of very similar appearance. Multiple fences on the street also have a similar appearance to both the proposed rear and side extensions. It should be noted that the materials used between the side and rear extension are not identical, however given the shed is predominantly screened from view of the street scene by the boundary treatment this is not considered to markedly contrast.

In terms of the proposals scale, given that there is no uniform layout or footprint of properties on the street, this is not especially sensitive. It is noted that although residential extensions are not common on the street, with the only similar example being PA/2014/0404, it is considered that better reflects the relatively recent construction of the estate. Compounding this, to date, the council has no records of refused applications for residential extensions on the street. It should also be noted that the scale of the side extension would be permissible under the GDPO if it wasn't for its location, which fronts a highway.

In terms of the properties design, the rear extension contrasts with the original dwelling house as materials used are not consistent with the original dwellinghouse and the eastern wall will extend beyond a wall forming a side elevation. This is of concern given that this section of the proposal will be visible from the street scene. However, it appears that tying in with the property was never the intention of the design. Instead, the design reflects contemporary design which is informed by its surrounding context. Specifically, the design is contemporary thanks to its mono-pitch roof, use of bifold doors and roof lights. Additionally, it is informed by its surrounding context as it ties in with the existing Varandah and existing similar extensions within the area. Therefore, although the proposals design does not align with policies SPG1 and DS5, this is mitigated by its adherence to Policy CS5. In terms of the design of the side extension, although this does not match the existing property or rear extension, given the small scale of this extension and minimal of visibility to the street scene, this does not warrant grounds for refusal.

In summary, for the reasons stated above the proposal is acceptable in terms of materials, scale and design. Therefore, regarding design and impact on the character of the area, the proposal therefore satisfies core strategy policy CS5, local plan policies DS1 and DS5 and supplementary planning document, SPG1.

### **The Impact upon the Residential Amenity**

Policy DS1 of the local plan states that no unacceptable loss of amenity to neighbouring land uses should result from new developments. Such impacts are designated to be related to noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing.

Policy DS5 of the Local Plan provides design criteria for residential extensions. Regarding amenity, it states that planning applications for residential extensions and the erection of garages, outbuildings, walls and other structures will be allowed providing that the proposal does not unreasonably reduce sunlight or daylight, or result in overshadowing, overbearing or loss of privacy to adjacent dwellings. It also states that development should not cause overshadowing as a result of the height and depth of the extension blocking daylight and sunlight, particularly in the case of two storey extensions located on or close to the boundary.

Paragraph 135 of the NPPF (Chapter 12) indicates that planning policies and decisions should ensure that, amongst other requirements, developments create places which are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Supplementary Planning Document SPG1 for Residential Extensions outlines the depths and heights of residential extensions that are considered to not impact any undue loss of light to adjacent properties.

#### Assessment:

It is relevant to note here that no comments of objection have been received from any neighbors.

It is also noted that as the floor plans outline that the new sections of the house will be used for residential purposes. It is therefore unlikely that any increased noise, smell, fumes, dust or other nuisance will come as a direct result of this development.

It should be noted that the side extension/shed is unlikely to have any amenity impacts on any neighboring properties as it is single story, has no windows and fronts onto a highway.

Regarding amenity impacts of the extension to the rear, in terms of loss of light, overshadowing and overbearing likely to be imparted, given that the proposal is of single story and is positioned to the eastern half of the rear elevation, the extension passes the 30-degree test for height of an extension by default and satisfies the 45 degree test for extension depths, which are both outlined in SPG1. Both of these tests relate to amenity impacts imparted on the adjoining neighboring property. Regarding loss of privacy imparted by the rear extension, it is relevant to note here that large windows and bifold doors will be located on the rear and western elevations, respectively. Despite this, no sensitive rooms within the neighboring property to the rear or to the west will be able to look into/ be visible from the extension due to lack of windows facing these frontages and screening from the existing boundary treatments.

## **Conclusion**

In summary, the application for planning permission is acceptable in principle and is not considered to have any adverse impact on local character, residential amenity or flooding and drainage.

The proposal is considered to be compliant with policies CS3 and CS5 of the NLCS, DS1 and DS5 of the NLLP and Chapter 12 of the NPPF. It is therefore recommended that planning permission be granted subject to conditions.

## **RECOMMENDATION      Grant permission subject to the following conditions:**

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans/details:

1748.C1.100.Rev B.Existing and Proposed Plans Elevations and Block Plan

Reason

For the avoidance of doubt and in the interest of proper planning.

### **Informative 1**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.