

## DELEGATED ASSESSMENT

**Application no:** PA/2024/977

**Proposal:** Planning permission to erect first floor extension to a detached garage

**Location:** 43 Lydbrook Road, Scunthorpe, DN16 1LP

**Applicant:** Mr Richard Toyne

**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

SPG1 – Design Guidance for House Extensions

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

CS3 – Development Limits

CS5 – Delivering Quality Design in North Lincolnshire

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

Inset 42 – Scunthorpe

## CONSULTATIONS

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

**Highways:** Looking at the submitted information the works are a first floor extension to the garage, which does not seem to impact on the parking provision provided within the site, so with this in mind Highways have no objections to this planning application.

## PUBLICITY

The proposal has been advertised by means of site notice which was displayed on the 15/08/2024. This is in accordance with the LPAs statutory duty set out under article 15 of the Development Management Procedure Order 2015.

**Comments Received:** No comments have been received from members of the general public.

## PLANNING HISTORY

Application Number: PA/1997/0306

Proposal: Erect a first floor bathroom extension

Decision: Approve with Conditions

Decision Date: 07/04/1997

It is also noted that the applicant sought pre application advice relating to this proposal (PRE/2024/52). This advice concluded:

*In conclusion, the principle of development is acceptable as the proposal meets the terms of Policy DS5 of the North Lincolnshire Local Plan. The siting, layout and design of the extension and the impact on the character of the dwelling and the surrounding area as well as the impact on neighbouring residential amenity would be*

*determined when an application is submitted. Overall, there is potential for the proposal to be supported.*

## MATERIAL PLANNING CONSIDERATIONS

### **Site Description:**

The proposal is within the development limits of Scunthorpe as can be seen on inset 36 of the HELADPD. The site is in SFRA Flood Zone 1, the category least at risk to flooding. The proposal's site is not within a conservation area and there are no listed buildings in the immediate vicinity.

The property is a two storey semidetached dwellinghouse located on the cul-de-sac Lydbrook Road. The front elevation of the property is in a western direction, with a driveway and parking provision located in front of this. To the east (rear) there is a paved portion of the garden and an outbuilding. The property is adjoined to no 44 to the south. To the north of the dwellinghouse, a detached garage and a grassed portion of the garden are located.

### **Proposal:**

The proposal is to erect a first-floor extension to the garage, located north of the main dwellinghouse. The application form states that the first floor will be used as a games room and the garage will remain on the ground floor. In terms of materials used, the walls will be made from external red brick facings to match the existing and the roof will be made from roof tiles on laths and felt, reused from the existing roof. In terms of the materials for the doors and windows, currently these are both made from wood and are double glazed. It's proposed that these would be replaced with UPVC.

### **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 policies 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 Scunthorpe, as can be seen in inset 36 of the Housing and Employment Land Allocations Development Plan Document (2016). 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 development 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, will not be acceptable.

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

Supplementary Planning Guidance 1 – Design Guidance for House extensions outline how new housing extensions should be designed in order to respect the local character within the authority. Such guidance defines supported design principles, roof designs, window designs, materials and more.

#### Assessment:

In terms of an assessment of the materials used, the walls and roof would match that of the existing garage. This conforms with the appearance of both the house and the street scene, where red brick is uniformly used. Alternatively, the proposed windows and doors would deviate slightly from the existing, with UPVC proposed instead of wood. Given that this is a change both small in scale and appearance, this is acceptable as it does not constitute a marked contrast.

In terms of an assessment of the scale and design of the proposal, having undertaken a site visit it has been established that there are no outbuildings within the local area of a similar scale and design. However, there are numerous 2 storey extensions located within the area which the proposal would have a resemblance to. Additionally, given that the proposal will sit behind the front elevation of the property, it will appear subservient in scale to the original dwellinghouse. This is further aided by how the additional scale provided by the proposal would be minimal, with a single storey garage already existing. It should also be noted that the proposal is also screened from sight by number 42 and the original dwelling throughout the majority of the street scene.

Consequently, the proposals design, scale and materials are not judged to be out of character both relating to the original dwelling and neighbouring properties and as a result, it is considered that the proposal is in accordance with policy CS5 of the NLCS and policies DS1 and DS5 of the NLLP.

#### **The Impact upon 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, 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 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.

Supplementary Planning Document SPG1 for Residential Extensions outlines the depths and heights of residential extensions that are considered to not impact any impact undue loss of light to neighbouring properties. It also advises that such considerations are relevant to detached structures proposed within residential curtilages such as large, detached garages, for example, can also have significant overshadowing effects if sited too close to a curtilage boundary. It also states that certain factors such as direction of the proposal, can mitigate the impacts mentioned above at the council's discretion. The document also advises regarding loss of privacy, explaining that rooms such as kitchens, lounges, playrooms and studies should not directly overlook private areas of a neighbouring garden or look directly into the windows of another house

Paragraph 135 of the NPPF (Section 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.

#### Assessment:

It is noted that no objecting comments have been received from any of the neighbouring properties.

The floor plans outline that the new floor of the garage will be used as a games room, which constitutes residential purposes. As a result it is therefore unlikely that any increased noise, smell, fumes, dust or other nuisance will come as a direct result of this development.

In terms of overbearing, overshadowing and loss of light, such impacts potentially imparted on the property to the northwest, number 42, raise the most concern. Concerns relating to the impact on number 44 and the properties to the east on Redbourne Way have been omitted due to the existing main dwelling screening and there being sufficient separation distance, respectively. In terms of the impact on number 42, following a site visit, it has been established that a door which incorporates a window exists on its eastern elevation. However, given that this is positioned to the west of the proposal, the sunlight lost throughout the duration of the day would be negligible. Furthermore, it appears that this door/window is not the main source of light to the room to which it serves, with the primary light source being positioned to the rear of the neighbouring property. As a result of this, it is judged that the impact of the proposal in regards to overbearing, overshadowing and loss of light, are therefore acceptable.

In terms of loss of privacy, the proposal would have first floor windows in the northern, southern and western elevations. The applicant has been contacted regarding this and has advised that the relevant neighbour has no issues with this part of the proposal. However, given that the council has a duty of care to both the current and future users of the neighbouring property, as outlined in Section 12 of the NPPF, this concern will still be assessed as normal. SPG1 states "rooms such as kitchens, lounges, playrooms and studies should not directly overlook private areas

of a neighbouring garden or look directly into the windows of another house”, the applicant has been advised to amend this. Consequently, they have advised that they are happy to use obscured glass in these windows. Subject to this, which will be secured via condition, the council’s concerns will be sufficiently mitigated. It should be noted that no obscure glazing is required for the first floor windows as they will not overlook any neighbouring gardens, due to their positioning and screening by fenced boundary treatments.

As a result of the reasons stated above, subject to conditions, the proposal will not impart any of the noted residential amenity impacts listed in DS1, DS5 of the NLLP or section 12 of the NPPF on any of the neighbouring properties.

### **Conclusion**

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

The proposal is considered to be compliant with policies CS3, CS5 and CS19 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:

DRWG.01.Location and Block Plans

DRWG.02.Proposed and Existing Elevations

DRWG.03.Proposed and Existing Floor Plans

DRWG.04.Site Plan

#### Reason

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

3. Prior to the extension being brought into use, obscure glazing shall be used in all first floor windows. Such windows shall be retained thereafter for the life cycle of the proposal.

Reason

To comply with DS1, DS5 and SPG1 of the North Lincolnshire Local Plan.

### **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.