

## **DELEGATED ASSESSMENT**

<b>APPLICATION NO</b>	PA/2025/928
<b>APPLICANT</b>	Mr Karzan Mohammed
<b>DEVELOPMENT</b>	Planning permission to erect a single-storey side extension with an integrated bin store/utility room and a timber framed canopy to the rear of the property
<b>LOCATION</b>	175 Cottage Beck Road, Scunthorpe, DN16 1TR
<b>WARD</b>	Frodingham
<b>CASE OFFICER</b>	Georgina Hopwood
<b>SUMMARY RECOMMENDATION</b>	Approve with Conditions

## **POLICIES**

### National Planning Policy Framework

Chapter 12 – Achieving well-designed 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

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

PS1 – Presumption in Favour of Sustainable Development

## **LEGISLATION**

In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the "Assessment" section of the report.

## **CONSULTATIONS**

No consultation responses received.

## **PUBLICITY**

The proposal has been advertised in accordance with the LPAs statutory duty set out under article 15 of the Development Management Procedure Order 2015.

### Letters of comment:

Four letters of objection were received from the neighbouring dwelling to the west at No.173 raising the following concerns:

- The extension has been built unprofessionally/cheaply
- The extension is a visual eyesore
- It has been built too close to the boundary fence, obstructing access for fence maintenance, painting, or replacement
- The guttering overhangs the boundary
- The extension devalues the neighbouring property
- The extension has been built without planning permission
- It is a fire risk as it is constructed from wood

Concerns regarding the quality of materials and the potential devaluation of adjacent properties are not material planning considerations. Similarly, issues relating to increased fire risk fall under Building Regulations rather than planning control.

It was noted on the officer's site visit that the rear extension overhangs the boundary to east and is attached to the neighbouring dwelling. The correct certificate has been signed regarding any overhanging of the boundary, and a Party Wall Notice has been served to the neighbouring dwelling at No.177. Any further disputes in this regard are not material planning considerations and would instead constitute a private civil matter.

Whilst the concerns raised around the development taking place without permission, the purpose of this application is to regularise the development as constructed. The planning process allows for retrospective applications to be submitted and assessed on their planning merits. Matters relating to planning enforcement are not material to the consideration of this application.

The concerns surrounding the visual impact of the development will be addressed in the assessment below.

## **PLANNING HISTORY**

No previous planning applications found in the council's records.

## **SITE DESCRIPTION**

The dwellinghouse sits outside the development limits of Scunthorpe. The site is within SFRA Flood Zone 1, the category of at least risk to flooding. The site is not in a conservation area, there are no trees with Tree Preservation Orders on site and there are no listed buildings in the vicinity of the site.

## **ASSESSMENT**

### Principle of development

The proposals are for works to an existing dwelling house. Therefore, the principle of residential development is already set. The relevant policies and material planning considerations will be assessed and taken in turn below.

### The Impact upon the Residential Amenity

Are there any overlooking / privacy / residential or other amenity issues?	No  The extension is single storey, sits at approx. 2.5m high at and has a lean-to roof with a very shallow slope. There are no new windows being introduced. Therefore, there are no impacts on privacy to the neighbouring dwelling.
Is the proposal sited such as to avoid overdevelopment and overbearing development?	Yes  The extension does not project forwards further than the front elevation of the dwelling and is subservient in height and footprint to the main dwellinghouse. To the rear, it does not project further than the rear elevation of the neighbouring dwelling to the east. There is an existing outbuilding on the boundary of the neighbour to the west that the extension sits forwards of. Therefore, the extension is not considered to cause any overbearing or overdevelopment.

Is there sufficient amenity space? Does the development meet the Nationally Described Space Standards?	Yes
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#### Design and Impact upon the Character of the Area

Is the design and scale in keeping with the dwelling / street / area or otherwise appropriate?	<p>Yes</p> <p>Only the car port portion of the extension is visible from the street scene. The dwellings along Cottage Beck Road vary in materials and some variations of design in terms of porches and extensions.</p> <p>The extension is not visually intrusive to the street scene and is not considered to cause a negative impact.</p>
Would the materials, details and features generally match the existing dwelling and / or be consistent with the general use of materials in the area? Is a condition needed?	<p>Yes</p> <p>The materials used are appropriate for the extension and the street scene as a whole.</p>

#### Heritage

Does the development affect the setting of a Listed Building, the character and appearance of a Conservation Area or otherwise impact on a heritage asset?	No
Does the development impact on an archaeological site?	No

#### Flooding / drainage

Are there any drainage or flooding issues having regard to the Environment Agency's Advice for minor extensions and whether the property is within a Critical Drainage Area?	No
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### Contamination

Are there any contaminated land issues?	No
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### Highways

Are there any impacts on Highway safety?	No
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### Natural Environment

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) provides that every grant of planning permission shall be subject to the condition that the biodiversity gain objective is met, further subject to exemptions. This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. Householder applications, including small projects like home extensions, conservatories or loft conversions are exempt from Biodiversity Net Gain legislation. This proposal constitutes a householder application and is therefore exempt from BNG legislation.

Are any impacts on protected, or otherwise significant, trees mitigated or acceptable?	N/A
Has an ecological survey / protected species survey been submitted?	N/A
Are any impacts on protected species and other biodiversity properly addressed through design or other mitigation / compensation and are any biodiversity enhancement measures proposed?	N/A
Has the application considered carbon reduction	N/A

### **HUMAN RIGHTS ACT**

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act

gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

### **EQUALITIES AND DIVERSITIES**

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and the case officer has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

### **CONCLUSION**

In summary, the proposal is acceptable in principle and is not considered to have any adverse impact on design, residential amenity and other relevant environmental matters which would warrant refusal of the application.

The proposals are therefore considered to comply with the relevant policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations.

It is therefore recommended that planning permission be granted subject to conditions.