

DELEGATED ASSESSMENT

Application no: PA/2025/1118

Proposal: Planning permission to vary conditions 2 and 3 of PA/2021/1134 namely to amend minor design changes in terms of layout, materials and windows

Location: 19 Queensway, SCUNTHORPE, DN16 2BZ

Applicant: P. Dove

Officer: Georgina Hopwood

POLICIES

National Planning Policy Framework: Sections 12

North Lincolnshire Local Plan: DS1, DS5,

North Lincolnshire Core Strategy: CS1, CS3

CONSULTATIONS

No consultation responses received

PUBLICITY:

No letters of comment received

PLANNING HISTORY

Reference: PA/2021/1134

Proposal: Planning permission to erect a two-storey extension to the front, a two-storey extension to the side and to make alterations to the dwelling

Decision: Approve with Conditions

MATERIAL CONSIDERATIONS:

- **Impact on the character of the area**
- **Impact on residential amenity**
- **Highways Impact**
- **Drainage Impact**

An application can be made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. Planning permission cannot be granted under section 73 to extend the time limit within which a development must be started, nor to change the description of the development. There is no statutory limit on the degree of change permissible to conditions under s73, but the change must only relate to conditions and not to the operative part of the permission.

Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original permission, which remains intact and unamended. It is open to the applicant to decide whether to implement the new permission or the one originally granted.

Provisions relating to statutory consultation and publicity do not apply to s73 applications. However, local planning authorities have discretion to consider whether the scale or nature of the change warrants consultation, in which case the authority can choose how to inform interested parties. In this case the council has carried out consultations with internal consultees, the parish council and the public.

This application seeks a variation to the plans condition (condition 2) of application PA/2021/1134 to make changes to the proposed materials in the form of cladding to the front first floor extension, full rendering of the rear elevation and alterations to the windows including the addition of a Juliet style balcony to the rear. The key issue associated with this section 73 proposal are whether the proposed amendments to condition 2 and 3 to amend the approved scheme will not cause an unacceptable impact on residential amenity, the character of the area, highway safety or flood risk.

The large first-floor window on the front elevation will provide outlook onto the street and, partially, towards the A18, which is screened by existing trees. The proposals also include a slightly enlarged first-floor window on the rear elevation of the proposed extension, along with the addition of a Juliet-style balcony and some alterations to the design of existing windows, which will not affect their size. No neighbouring dwellings are located to the rear of 19 Queensway, and the proposed rear windows will overlook the applicant's own garden and the open grounds of Heslam Park Rugby Club. Therefore, the proposed and altered windows are not expected to result in any loss of privacy or overlooking impacts to neighbouring properties.

The rear elevation of the dwelling is currently partially rendered. The proposal includes extending this render so that the entire rear elevation will be finished in off-white. As this elevation is not visible from the public realm, the proposed render is not considered to be at odds with the character of the existing dwelling. The first-floor front extension will be clad in natural stained timber cladding, which is considered to be in keeping with the style and colouring of the host property. Overall, the proposed materials are considered acceptable and would not result in harm to the character or appearance of the area.

The application also seeks to amend the roof form of the approved extensions from hipped roofs to gable roofs. There are other examples of gable roofs along Queensway, and the proposed alteration is not considered to result in any significant harm to the character or appearance of either the host dwelling or the surrounding area. The rear extension would remain subservient in height to the main dwelling. Due to the staggered building line, with the neighbouring bungalow at No. 21 sitting further forward than No. 19, the proposal would not result in any additional overshadowing. Although there is a window in the east elevation of No. 21, it is obscure glazed and appears to serve a non-habitable room. As such, the proposal would not adversely impact the amenity of neighbouring occupiers.

The proposals will not impact flood risk or highway safety.

The development is considered to be in accordance with policies DS1 of the North Lincolnshire Local Plan, CS1 of the adopted Core Strategy and the guidance in the NPPF. The application is recommended for approval.

RECOMMENDATION: Grant permission with conditions