

DELEGATED ASSESSMENT

APPLICATION NO	PA/2025/1450
APPLICANT	Holloway
DEVELOPMENT	Planning permission to erect a two-storey side and rear extension and replace existing garage with new detached double garage
LOCATION	2 Smithy Lane, Barnetby Le Wold, DN38 6JG
PARISH	Barnetby Le Wold
WARD	Brigg and Wolds
CASE OFFICER	Emily Sturdy
SUMMARY RECOMMENDATION	Approve with conditions

POLICIES

National Planning Policy Framework

Chapter 12 – Achieving well-designed 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)

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

Town/ Parish Council:

No comments were received by the Town/Parish Council

Environmental Protection:

(05/12/25) The application for an extension on a residential development is a sensitive end use, however they have no objection subject to conditions.

Public Right of Way:

(05/12/25) The site at 2 Smithy Lane, Barnetby le Wold, is accessed off St Barnabas Road via an unmade lane conveying Public Footpath 114 (FP114). The applicants should be aware, therefore, that it is an offence to drive a mechanically propelled vehicle (MPV) on a public footpath unless this is done with lawful authority demonstrable to the satisfaction of a court (Road Traffic Act 1988, section 34(1)(b))

It is the police who enforce the RTA 1988, from whom therefore the applicants might wish to seek further advice, either directly or through their legal representative. It is possible, for example, to acquire an easement through use 'as of right' (without force, secrecy or licence) over an uninterrupted period of twenty years, noting that is the age of the property and the existing garage to be demolished.

FP114 is maintainable at the public expense but only for the facilitation of passage on foot. The Highways Asset Team are objecting to the application because we have concerns that not doing so could be tacit connivance in a potentially illegal act

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. For this application a site notice was posted on 4/12/2025

Letters of comment:

No letters of comments were received.

PLANNING HISTORY

Reference: PA/2005/0218

Proposal: Planning permission to re-roof dwelling

Decision: Approve with conditions

SITE DESCRIPTION

The site has a two-storey white rendered detached dwellinghouse, it has residential properties to the north, south and west elevations and open fields to the east. There is a public right of way along the north boundary.

The dwellinghouse sits within the development boundary of Barnetby Le Wold. 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.

PROPOSAL

The proposal is for a two-storey rear and side extension with a pitched roof and replacement of existing garage with a new detached garage. The materials used in the extension and garage will be red brick. The site has boundary fencing on the north, east, south and west, with a driveway opening on the west elevation leading to the garage that is sat in the south-west corner.

ASSESSMENT

Principle of development

The proposals are for works to an existing dwelling house. Therefore, in accordance with policy DS5 of the North Lincolnshire Local Plan the principle of development is acceptable.

The Impact upon the Residential Amenity

<p>Are there any overlooking / privacy / residential or other amenity issues?</p>	<p>No</p> <p>The proposed extension includes two windows on the first floor, one window on the ground floor and double doors on the east which would overlook the applicant's own garden. There are windows proposed on both the ground and first floor on the south elevation that would overlook the applicants own garden. There are no windows proposed on the north elevation which would</p>
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	<p>look onto the neighbouring properties which means there is no overlooking. The proposed garage would have doors on the north and east elevation that would open onto the applicants own land. Therefore, there would be no unacceptable overlooking or loss of privacy to the neighbouring properties.</p> <p>The extension is a two-storey with a pitched roof, that it extends from the east elevation by approximately 3.3 metres. It stand in line with the neighbouring residents to the north elevation window and door, however the applicants dwelling and the neighbouring properties to the north are separated by Smithy Lane, as such there would be no significant loss of light or overshadowing.</p>
<p>Is the proposal sited such as to avoid overdevelopment and overbearing development?</p>	<p>Yes</p> <p>The proposal for the rear extension only extend approximately 3.3 metres to the east and would not cause significant overbearing to the neighbouring properties as both the neighbouring properties and the applicants dwelling are in line and separated by Smithy Lane. Furthermore, with the proposed extension there is still sufficient open space for the properties to the north that would not be impacted by the extension.</p> <p>The proposal for the new garage with a pitched roof is situated in the southwest corner, where there is boundary fencing along the south and west boundary, as such only the roof would be visible to the neighbouring properties. Therefore, the garage is not considered to be overbearing to the neighbours.</p>
<p>Is there sufficient amenity space? Does the development meet the Nationally Described Space Standards?</p>	<p>Yes</p> <p>The property retains functional private garden space to the rear, therefore giving sufficient amenity space for the site</p>

Design and Impact upon the Character of the Area

Is the design and scale in keeping with the dwelling / street / area or otherwise appropriate?	Yes The design of the extension is in keeping with the character of the existing dwellinghouse. It will not be visible from the street scene.
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?	Yes The materials proposed are red brick and do not match the materials of the original dwellinghouse. However, they are consistent with properties in the surrounding area.

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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Transport

Is access, parking and turning provision acceptable?	Yes The comment from Public Right of Way have been noted however, this proposal is for an extension to an existing dwelling, which already has access via Smithy Lane and there is no new vehicular access proposed.
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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?	No
Has an ecological survey / protected species survey been submitted?	No
Are any impacts on protected species and other biodiversity properly addressed through design or other mitigation / compensation and are any biodiversity enhancement measures proposed?	No
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.