

<b>APPLICATION NO</b>	<b>PA/2021/1001</b>
<b>APPLICANT</b>	S A Zaman
<b>DEVELOPMENT</b>	Planning permission to erect a two-storey rear extension and make alterations to provide a six-bedroom house of multiple occupation
<b>LOCATION</b>	35 Donnington Gardens, Scunthorpe, DN15 7RJ
<b>PARISH</b>	Scunthorpe
<b>WARD</b>	Crosby and Park
<b>CASE OFFICER</b>	Emmanuel Hiamey
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Member 'call in' (Cllr Christine O'Sullivan – significant public interest)

## **POLICIES**

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

Section 12: Achieving well-designed places

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

DS1: General Requirements

DS5: Residential Extensions

T2: Access to Development

T19: Car Parking Provision and Standards

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

CS1: Spatial Strategy for North Lincolnshire

CS2: Delivering More Sustainable Development

CS3: Development Limits

CS5: Delivering Quality Design in North Lincolnshire

### **Supplementary guidance**

SPG1: Design Guidance for House Extensions

North Lincolnshire Council Houses in Multiple Occupation (HMO) Amenity Standards Guide

## **CONSULTATIONS**

**Environmental Health & Housing:** No objections.

**Highways:** No objections or comments.

**Drainage (Lead Local Flood Authority):** No objections or comments.

## **PUBLICITY**

A site notice has been posted. Five responses have been received raising the following concerns:

- parking on the road
- increase in traffic
- overall scale of the development
- increase in noise and disturbance
- public safety on the bend
- overlooking
- overshadowing
- privacy.

## **ASSESSMENT**

### **Description of site and proposal**

Planning permission is sought to erect a two-storey rear extension to the dwelling and make alterations to provide a six-bedroom house of multiple occupation.

The site is within the development limits of Scunthorpe and in a residential area. The dwelling fronts Donnington Gardens. It is bounded by the adjoining dwelling (33 Donnington Gardens) to the south, a two-storey detached dwelling (37 Donnington Gardens) to the north and St Lawrence Academy to the west.

The site contains a two-storey semi-detached property with a single-storey extension at the rear and a detached garage plus an outbuilding. It is screened sufficiently at the rear by a close-boarded timber fence. It contains a living/sitting room, dining area and kitchen on the ground floor. On the first floor are three bedrooms.

The proposal seeks to remove the existing extension, the detached garage and the outbuilding at the rear of the dwelling and erect a large two-storey extension. The existing rooms of the dwelling would also be modified.

The extension would wrap around the rear and the side (north elevation) of the dwelling and would measure approximately 45sqm. The ridge height would be slightly lower (less than 1m) than the ridge level of the dwelling from the ground.

The extension would contain a living room, kitchen and bedroom on the ground floor and two bedrooms on the first floor. The existing dwelling would be modified to include a bedroom, hallway and dining area on the ground floor and two bedrooms on the first floor. In total, following the extension, the dwelling would contain six bedrooms.

The extension would have windows at the rear (west elevation) on the ground and first floors facing St Lawrence Academy. At the side (north elevation), facing 37 Donnington Gardens, the extension would have a door and window on the ground floor and no openings at first floor. At the side (south elevation), facing the adjoining dwelling (33 Donnington Gardens), there would be no openings.

The extension would be finished in brickwork and covered in roof tiles to match the existing dwelling.

**The main issues to be considered in the determination of this application are:**

- **the principle of the extension;**
- **the principle of an HMO in this location;**
- **the layout, siting, and design of the proposed development; and**
- **whether the development would harm the character of the dwelling, the street scene or the amenities of neighbouring properties.**

#### **Principle of the extension**

Policy DS5 of the North Lincolnshire Local Plan is concerned with residential extensions. 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, loss of privacy or overbearing impact to adjacent dwellings. It also requires that proposals should be sympathetic in design, scale and materials to the existing dwelling and its neighbours.

In keeping with the above policy, the principle of the extensions is acceptable subject to appropriate design.

#### **Principle of an HMO in this location**

North Lincolnshire Council Houses in Multiple Occupation (HMO) Amenity Standards Guide sets out three main categories of HMO applications (Category A – bedsit, Category A2 – bedsit occupied in a hostel-style and Category B – shared houses). Consistent with the guidance, this proposal qualifies as an HMO proposal.

Whilst the North Lincolnshire Local Plan and Core Strategy contain no policies directly relating to HMO uses, policy CS7 (Overall Housing Provision) supports the provision of an appropriate range and mix of housing to meet the overall level of housing provision in North Lincolnshire until 2026.

It is judged that the needs of residential property and the people to occupy the premises is not a material planning consideration and that HMO accommodation has a role to play in providing housing for certain groups in society.

Generally, the principle of erecting a two-storey rear extension to the existing dwelling and alterations to the existing dwelling to provide a six-bedroom house of multiple occupations is acceptable.

The Environmental Health and Housing team have no objection to the application. However, they have commented that, as the property will be an HMO housing five or more people, forming two or more households and sharing at least one amenity, it will require a licence under The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018. An informative would be applied to the decision notice in respect of the comments from the Environmental Health and Housing team.

### **Layout and design**

This proposal is a wrap-around two-storey extension. The layout of the extension is not an issue since the side extension would be set back from the front building line to be seen as a later addition and the majority of the rear extension would not be visible from the public road.

The key concern is the scale of extensions, which appear to be the same size as the existing dwelling, potential loss of daylight, overlooking, the loss of amenity or character, building materials, and the shape of the roofs.

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The council's Supplementary Planning Guidance, SPG1 'Design Guidance for House Extensions', also advises that any extension must be in keeping with the character of the building and that extensions should not dominate the original building in scale, materials or situation.

The NPPF attaches great importance to the design of the built environment and recognises that good design is a key aspect of sustainable development. The NPPF stresses the importance of planning positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces, and wider area development schemes. It maintains that planning policies and decisions should not attempt to impose architectural styles and they should not stifle innovation, originality, or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is recognised, however, that it is proper to seek to promote and reinforce local distinctiveness.

Regarding the location of extensions, in most cases, the best position for the extension will be at the rear or end of the house as this will cause the least interference with the original form of the dwelling. Ideally, the planning authority believes there should be a slight setback between the extension and the dwelling. Accordingly, the position of the extension is judged appropriate, as it would be at the rear of the dwelling and on the side. The scale of the extension is also acceptable because it would not dominate the main building in scale and the design/materials would reflect the character of the existing dwelling.

In general, the scale, design, and material of the extensions would fit in well with the surrounding area and would not harm the street scene. The proposal would comply with policy DS1 (General Requirements), policy DS5 (Residential Extensions) and the SPG1 Design Guidance for House Extensions.

### **Impact on neighbouring properties**

As indicated earlier, the site is within a residential area and, having reviewed the details of the proposal, the extension would be two-storey and between 3m and 1m from the common boundary with 37 Donnington Gardens to the north.

The applicant has submitted both the summer and winter solstice periods, showing the sunlight and daylight impact of the proposal. Considering the scale, proximity, and orientation of the extension, together with both the summer and winter solstice periods, it is considered that the two-storey rear extension would not have an unacceptable overbearing or overshadowing impact on the functional private amenity area of 37 Donnington Gardens to the north.

In terms of privacy, there would be no windows facing 37 Donnington Gardens to the north on the ground or first floors. At the rear (west elevation) facing St Lawrence Academy, the extension would have windows on the ground and first floors. There would also be a window on the first floor (east elevation) facing the road.

Following a review of the details of the extension, particularly the position of the windows, it is unlikely there would be an issue of privacy to neighbouring properties.

### **Highway safety**

Policy T2 and T19 of the local plan are concerned with access to development and parking provision. This proposal shows there would be three off-street parking provisions within the foreground of the dwelling. It is also worth noting that on-street parking is permitted on Donnington Gardens. Local plan Appendix 2 – Parking Provision Guidelines ‘Houses in Multiple Occupancy (HMO)’ states within Scunthorpe, Barton upon Humber and Brigg Urban Areas, HMO’s of above 6 households should provide 3 spaces. Highways have been consulted on the parking provision and have no comments or objections to make. It is therefore considered that the access and parking provision would meet North Lincolnshire’s parking standards and there would not be an issue of increased traffic or public safety on the road bend.

The proposal therefore complies with policies T2 (Access to Development), T19 (Car Parking Provision and Standards) and Appendix 2 of the development plan.

### **Drainage**

The application site is within SFRA Flood Zone 1, which has a low probability of flooding. The LLFA Drainage Team has no objections or comments to the proposed development. It is therefore considered that the extension is unlikely to raise a significant issue of flooding.

### **Public comments**

The concerns about on-street parking, increased traffic, the scale of the development, public safety, overlooking, overshadowing and privacy have been addressed previously in this report.

With regard to concerns about an increase in noise and disturbance, particularly due to the HMO, North Lincolnshire Council operates a service to deal with noise problems. Environmental Health has legislation to deal with noise issues and officers are on duty to respond to complaints from members of the public who are experiencing noise nuisance. The primary aim is to address persistent noise problems rather than one-off situations. Environmental Health & Housing have been consulted on the application and have no objection to it.

## **Conclusion**

In conclusion, the scale, design and appearance of the extensions are acceptable and will not negatively impact the character or amenities of adjacent properties or the street scene. The proposal complies with the relevant policies of the North Lincolnshire Local Plan, North Lincolnshire Core Strategy and SPG1: Design Guidance for House Extensions, as well as the National Planning Policy Framework. The proposal is therefore recommended for approval.

## **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:

Dwg. No. 1354.01  
Dwg. No. 1354.02  
Dwg. No. 1354.03  
Dwg. No. 1354.04  
Dwg. No. 1354.05  
Dwg. No. 1354.06  
Dwg. No. 1354.07  
Dwg. No. 1354.08  
Dwg. No. 1354.0  
Dwg. No. 1354.10.

### **Reason**

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

## **Informative 1**

The applicant is advised that as the property will be an HMO that houses five or more people, forming two or more households and sharing at least one amenity, it will be required to be licensed under The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018. Failure to licence this HMO will be an offence under Section 72 of the Housing Act 2004 which can lead to the imposition of a Civil Penalty or Prosecution. A licence application will need to be made and granted by North Lincolnshire Council, prior to occupation. Also, the bin area identified on the plan is

close to neighbouring properties which may give rise to future complaints regarding odour nuisance – this should be taken into consideration when preparing the refuse storage area.

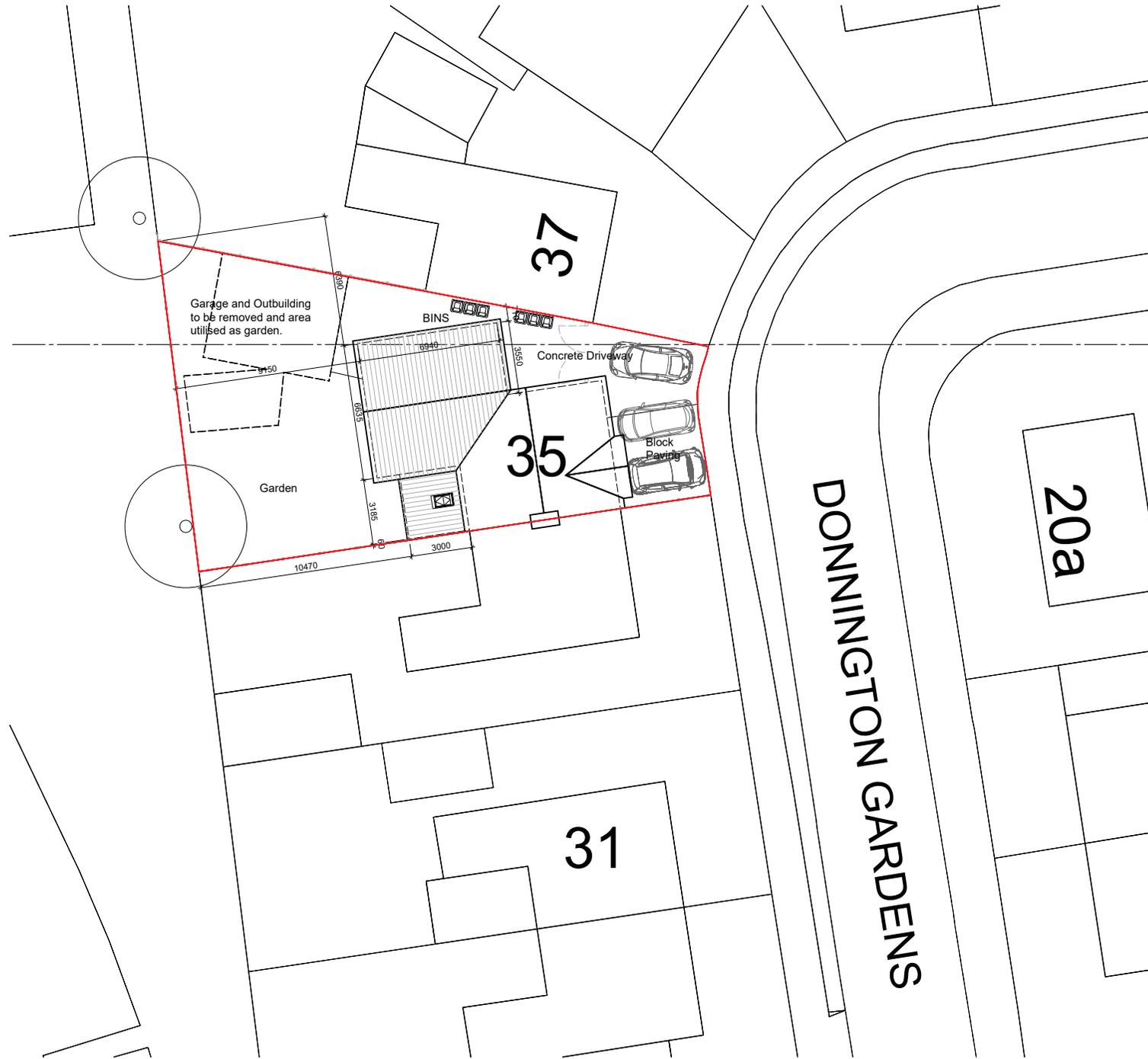
**Informative 2**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 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.



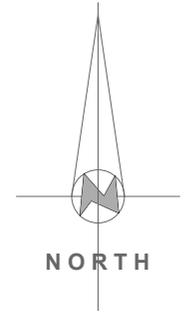
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Site Layout as Proposed



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Revision	Date



Planning Application

Project  
Extension and Alterations to Provide  
6 Bedroom HMO.  
35 Donnington Gardens  
Scunthorpe

Client  
S. A . Zaman

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Date May 2021  
Scale 1:200 @ A3  
Drawn A. Cheffings

Drawing Nr.	Revision
1354.06	-

# PA/2021/1001 Proposed elevations (not to scale)

Dwelling as Proposed

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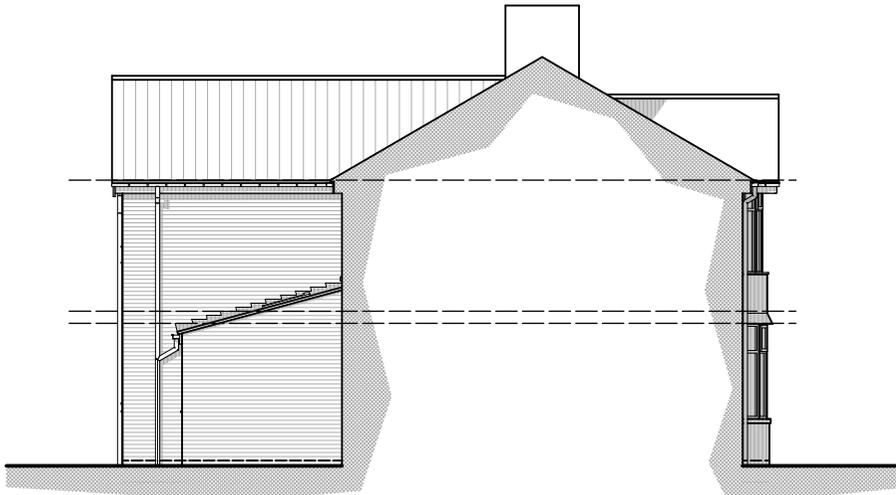
REAR ELEVATION



SIDE ELEVATION



FRONT ELEVATION



SIDE ELEVATION - from adjoining property

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Date May 2021  
 Scale 1:100 @ A3  
 Drawn A. Cheffings

Drawing Nr. 1354.04  
 Revision -