

APPLICATION NO	PA/2011/1198
APPLICANT	Mr M Mortuza
DEVELOPMENT	Planning permission to retain an extension and replacement fence (resubmission of PA/2010/1206 dated 15/12/2010)
LOCATION	98 Cliff Gardens, Scunthorpe
PARISH	SCUNTHORPE
WARD	Town
SUMMARY RECOMMENDATION	Refuse permission
REASONS FOR REFERENCE TO COMMITTEE	Applicant request to address the committee

POLICIES

Regional Spatial Strategy for Yorkshire and the Humber: No specific policies apply.

North Lincolnshire Local Plan: Policy DS5 (Residential Extensions) states that residential extensions 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.

Supplementary Planning Guidance 1 (SPG1) (Design Guidelines for Home Extensions) sets out the detailed criteria for assessing matters such as loss of daylight/sunlight and privacy. It also states that the proposal should be sympathetic in design, scale and materials to the existing dwelling and its neighbours.

Policy DS1 (General Requirements) requires a high standard of design in all developments and poorly designed developments will be refused. The following criteria will be used to assess each proposal:

- (i) the design and external appearance should reflect or enhance the character, appearance, and setting of the immediate area
- (ii) the design and layout should respect and, where possible, retain or enhance the existing landform
- (iii) no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, including overlooking or overshadowing
- (iv) amenity open space should be retained where possible
- (v) no pollution of water, air or land should result.

North Lincolnshire Core Strategy: No specific policies apply.

CONSULTATIONS

Highways: No objections or comments.

PUBLICITY

Neighbouring properties have been notified. Three letters of support were submitted with the planning application from properties directly adjacent to and opposite the application site. All three letters state that the occupiers of these properties have no objections to the extension, that it does not impact on their residential amenity and that it is an improvement on the old outbuilding to the rear of the dwelling.

ASSESSMENT

The application site is a two-storey semi-detached dwelling located within a residential area of Scunthorpe. The dwelling is a corner property fronting onto Cliff Gardens with a south-facing rear garden. Neighbouring properties are predominantly two-storey semi-detached residential properties. There is an existing fence running along the party boundary between 98 and 100 Cliff Gardens, approximately 1.5 metres in height. A single-storey extension has been erected on the rear elevation of the dwelling without planning permission. This extension is 5.63 metres deep and runs across the whole width of the dwelling (5.36 metres). This application seeks planning permission to retain the extension and also to retain a 1.8 metre high replacement fence along the eastern boundary of the property, running along Auckland Road.

There has been a previous application on the site (PA/2010/1206) to retain the extension and to erect a boundary wall. This previous application was refused on the grounds that the extension has a detrimental impact upon the residential amenity of the adjoining dwelling (100 Cliff Gardens) by virtue of loss of light and overshadowing. There have been no amendments to the previous application other than a replacement fence has now been erected along the eastern boundary as opposed to a wall. The applicant has re-applied for the same proposal, including retention of the fence, along with a request to address the Planning Committee.

The main issue to consider in the determination of this planning application is whether the extension that has been erected has a detrimental impact upon the residential amenity of the adjoining semi-detached property to the west.

The proposed extension is single-storey, runs the full width of the existing property and extends approximately 5.6 metres from the rear elevation. This is a very long extension and the adjoining property has a large habitable room window in its rear elevation close to the party boundary.

Supplementary Planning Guidance 1 (SPG1) sets out the detailed criteria of how loss of light is assessed with regard to residential extensions. The proposed extension fails the 45 degree test as set out in policy SPG1 of the North Lincolnshire Local Plan by approximately 4 metres. SPG1 does allow for some leniency when applying this test to properties with south-facing gardens, such as the application site, as these properties receive more direct sunlight throughout the day. However, it is considered that the proposed extension fails the test by such a degree that even with a south-facing rear elevation the adjoining property will experience an unacceptable degree of light loss as a result.

Whilst no objections have been received from adjacent properties, and several letters of support have been submitted with the application, the extension has a significant impact upon the amenity of 100 Cliff Gardens. This loss of amenity applies not only to the current residents of the property who have supported the application, but also any future residents of the property, who would have to live with the impacts of the extension. The extension needs to be reduced in depth or designed away from the party boundary to protect the residential amenity of the adjoining dwelling.

The local planning authority has no objection to the replacement 1.8 metre high boundary fence along the eastern boundary of the application site.

RECOMMENDATION Refuse permission for the following reasons:

The proposed extension, by virtue of its size, scale and proximity to the party boundary, would result in an unacceptable loss of light to 100 Cliff Gardens to the west. The proposal is therefore contrary to policies DS1, DS5 and SPG1 of the North Lincolnshire Local Plan.



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Regeneration and Planning

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