

APPLICATION NO	PA/2009/0222
APPLICANT	Mr Hitesh Patel
DEVELOPMENT	Planning permission to erect a dwelling with four rear-facing rooflights, contrary to the provisions of condition 5 of previously approved planning permission 2008/0412
LOCATION	12 Greenhill, Broughton
PARISH	BROUGHTON
WARD	Broughton and Appleby
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Broughton Town Council
POLICIES	<p>Regional Spatial Strategy for Yorkshire and the Humber: No specific policies apply.</p> <p>North Lincolnshire Local Plan: Policy DS1 (General Requirements) states that a high standard of design is expected in all developments in both built-up areas and the countryside and proposals for poorly designed development will be refused. All proposals will be considered in relation to quality of design, and impact on amenity.</p> <p>Policy DS5 (Residential Extensions) states that planning applications for residential extensions and the erection of garages, outbuildings, walls and other structures will be allowed provided that the proposal does not unreasonably reduce sunlight or daylight, or result in overshadowing, overbearing or a loss of privacy to adjacent dwellings.</p>
CONSULTATIONS	Highways: No objections.
TOWN COUNCIL	Object on the grounds that the original restriction in condition 5 should remain in place.
PUBLICITY	<p>Neighbouring properties have been notified. Three objections have been received raising the following issues:</p> <ul style="list-style-type: none"> • Bedrooms in the roof will create a three-storey dwelling out of keeping with the two storey/bungalows in the area.

- Additional windows will create overlooking; they should be frosted glass/high level windows if approved.
- Additional bedrooms will make a larger dwelling which will increase parking difficulties in the area.

ASSESSMENT

Planning permission was approved, following a committee site visit, for a replacement dwelling in June 2008 (PA/2008/0412) subject to a condition that took away permitted development rights to install any further windows without the need for planning permission. This application is to install four rooflights in the rear elevation: one to serve a bathroom, one to serve a playroom and two to serve a bedroom. The use of the roof space itself for additional living accommodation does not require planning permission.

The main issue in the determination of this application is whether or not the additional windows in the roof space have an impact on the residential amenities of neighbouring properties.

The proposal involves the provision of four additional rooflights in the rear elevation of the dwelling facing Ermine Street. There are no other external alterations involved and the height of the building remains the same as approved in June last year.

Neighbouring residents are concerned that the additional windows will create overlooking, however there are already windows in the rear elevation of the dwelling and it is not considered that these additional windows will reduce residential amenities any further. Neighbours have also expressed concern that the additional living accommodation in the roof will have an impact on the parking in the area, and that what is in effect a six-bedroom house will mean an increase in parking requirements. However, it is only the windows that require planning permission. The use of the roof space for additional living accommodation is not a consideration, and the parking situation is not affected by the addition of extra windows. On balance, therefore, it is considered that the proposal is acceptable and is recommended for approval.

Should this application be granted, then the original condition 5 should be re-imposed to prevent any additional windows being inserted without 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.

Adequate vehicle access and parking facilities serving the existing dwelling shall be retained in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

3.

No loose material shall be placed on any driveway or parking area within 10 metres of the adopted highway unless measures are taken in accordance with details to be submitted to and approved in writing by the local planning authority to prevent the material from spilling onto the highway. Once agreed and implemented these measures shall be retained.

Reason

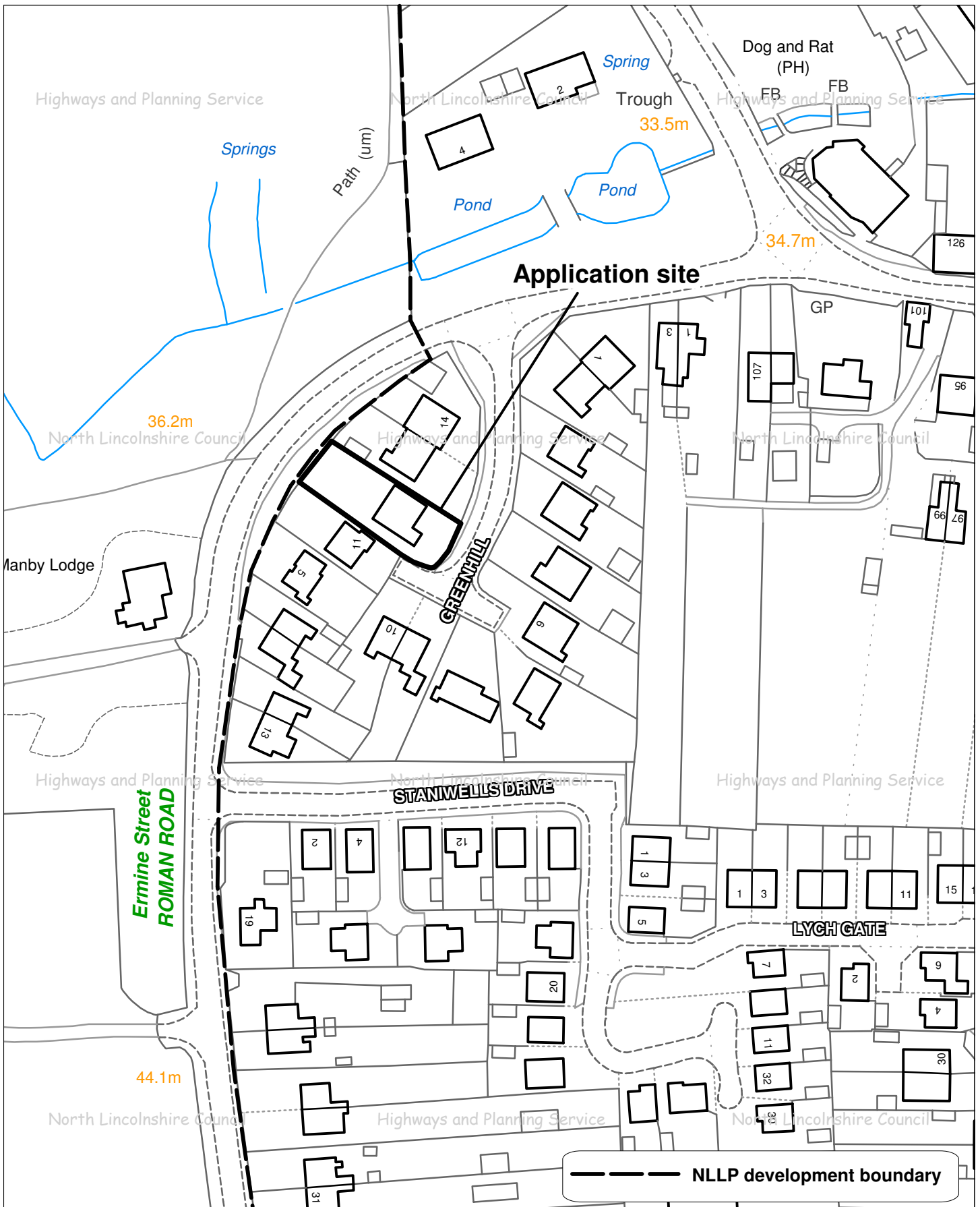
In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan.

4.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order re-enacting that order with or without modification), no new window openings shall be created in the walls and roof planes of the proposed dwelling other than those shown on the submitted plan received by the local planning authority on 27 February 2009.

Reason

In order to protect the living conditions presently enjoyed by the occupants of adjoining properties in accordance with policy DS5 of the North Lincolnshire Local Plan.



Drawing Title: 2009/0222

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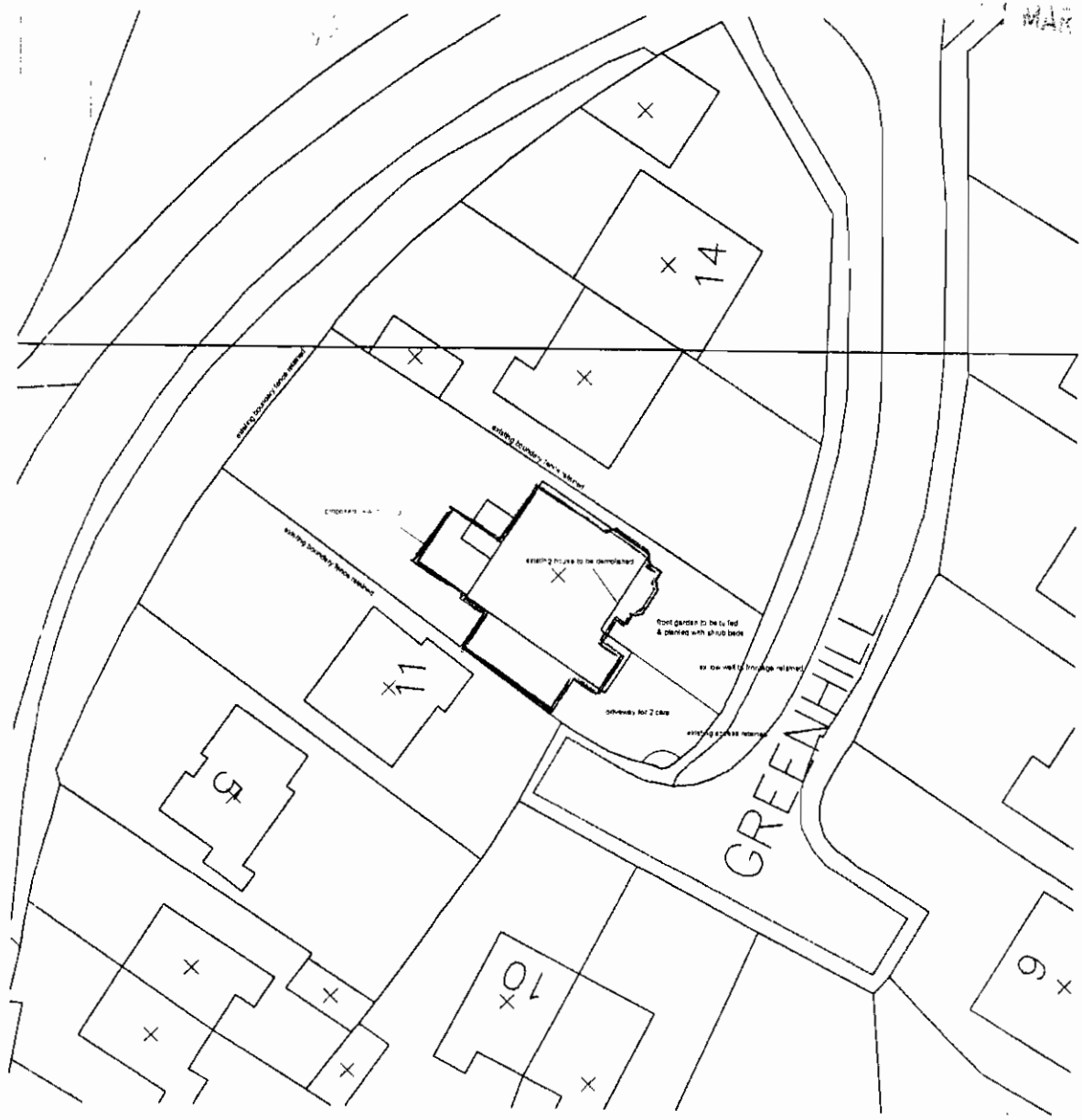


Highways and Planning Service

Service Director,
G Popple

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