

APPLICATION NO	PA/2009/1094
APPLICANT	Mr H Patel
DEVELOPMENT	Planning permission for minor alterations to previously approved application PA/2009/0222 to include widening an access and changes to existing boundary treatments
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) specifies that a high standard of design is expected in all developments.</p> <p>Policy DS5 (Residential Extensions) permits extensions/-alterations to dwellings provided that they do not result in unacceptable loss of daylight or result in overshadowing, overbearing or loss of privacy.</p>
CONSULTATIONS	Highways: No objections.
TOWN COUNCIL	Object on the grounds that the new wall is retrospective and that the new concrete driveway will create drainage problems.
PUBLICITY	<p>Neighbouring properties have been notified and two letters of objection have been received raising the following issues:</p> <ul style="list-style-type: none"> • the development is out of keeping with the character of Greenhill • new external lights will cause light pollution and waste energy

- the increase in ground level results in loss of privacy due to overlooking from the patio area and relocated patio doors
- the conifers that the wall replaced were higher and provided privacy and prevented overlooking
- the side-facing utility window should have been obscure glazed

ASSESSMENT

The proposal involves alterations to the design of a recently approved detached dwelling. The alterations include a rooflight in a single-storey garage, re-siting of patio doors from the rear elevation to a side elevation, erection of a boundary wall in place of a the original boundary fence, concreting over the front garden and driveway and widening the access.

The main issues in determining this application are whether the alterations to the dwelling have an adverse impact on the residential amenities of neighbouring properties and on the overall character of the area.

Planning permission was granted (PA/2008/0412) to erect a replacement dwelling on this site, subject to conditions, which included a restriction on new windows in the property to avoid overlooking to neighbouring dwellings. A further application was made (PA/2009/0222) to relax this condition to allow rooflights to be inserted in the main roof of the dwelling which was approved by committee in May 2009.

Building work has now commenced on site, but the applicants have changed some aspects of the proposal which require a further application. As described above, these changes relate to the repositioning of patio doors, a new rooflight in the garage, concreting of the drive and a slight widening of the access. A conifer hedge has been removed and a new boundary wall ranging from 0.9 to 1.45 metres high on the applicants' side has been constructed.

The town council have objected to the proposal on the grounds that the application is retrospective and that the concreting of the driveway will create drainage problems. However, the fact that an application is retrospective is not reason in itself to refuse permission. All applications are judged on their planning merits, not whether they have commenced or not. In relation to drainage issues, a condition has been suggested that requires a scheme to

be submitted to demonstrate that adequate drainage will be provided to this hard surfaced area.

Two letters have been received from neighbours concerned about the alterations that have been made to the original scheme. Concern has been raised that the erection of such a large area of wall will be out of keeping with the character of Greenhill and that the number of lights on the property will create light pollution. The wall, however, is highest to the side and rear of the property, and lowest at the front. Due to this, it is not considered that the wall is out of keeping with the character of the area. The original property had a small wall on the site frontage and, under normal circumstances, a wall on the frontage up to a height of 1 metre would be permitted development. In relation to the lights on the property, domestic lighting is not usually considered to create light pollution. The lights on the property are domestic in nature and not considered to be out of keeping.

Concern has also been raised about the repositioning of the patio doors from the rear to the side elevation, and that, together with the ground level of the new dwelling and removal of the conifers, creates overlooking to the dwelling to the north. The patio doors to the rear sun lounge originally faced directly into the applicants' garden. They have now been repositioned to face the dwelling to the north (13 Greenhill) and now gain access to a formal patio area. As the ground level of the new dwelling is higher than 13 Greenhill, the neighbours are concerned that, together with the removal of the conifers from the boundary, privacy to the rear part of their property is now lost. Concern has also been expressed that the ground level of the new property has been raised, which increases the problem of overlooking. From information submitted with previous applications, it is evident that the ground level of the application site is higher than 13 Greenhill, as Greenhill itself slopes upwards. However, the applicants maintain that the ground level of the property being built is the same as the original dwelling, which was referred to in the original application.

With regard to the relocation of the patio doors, it is considered that although they now face the neighbour's property, as opposed to the applicants' garden, this change is acceptable and will not significantly reduce the amenities of the neighbour to the extent that planning permission should be refused. The new patio doors are set in from the boundary by 6 metres and are approximately 8.6 metres from the wall of the neighbour's

dwelling and this is considered to be a sufficient separation distance. In addition, the back door to the property also exits onto the patio area, therefore it is not considered that the repositioned patio doors will lead to an increase in the use of this part of the garden, as it was always intended to be a frequently used part of the dwelling, being the rear entrance to the property.

In relation to the other changes, the rooflight in the garage is on the rear roof slope and is not readily visible from any public view, therefore it is considered that this will not have an impact on the character of the development or residential amenities. The alterations to the driveway are also acceptable subject to a satisfactory scheme for drainage being submitted. On balance, therefore, it is considered that the proposal is acceptable and is recommended for approval.

RECOMMENDATION

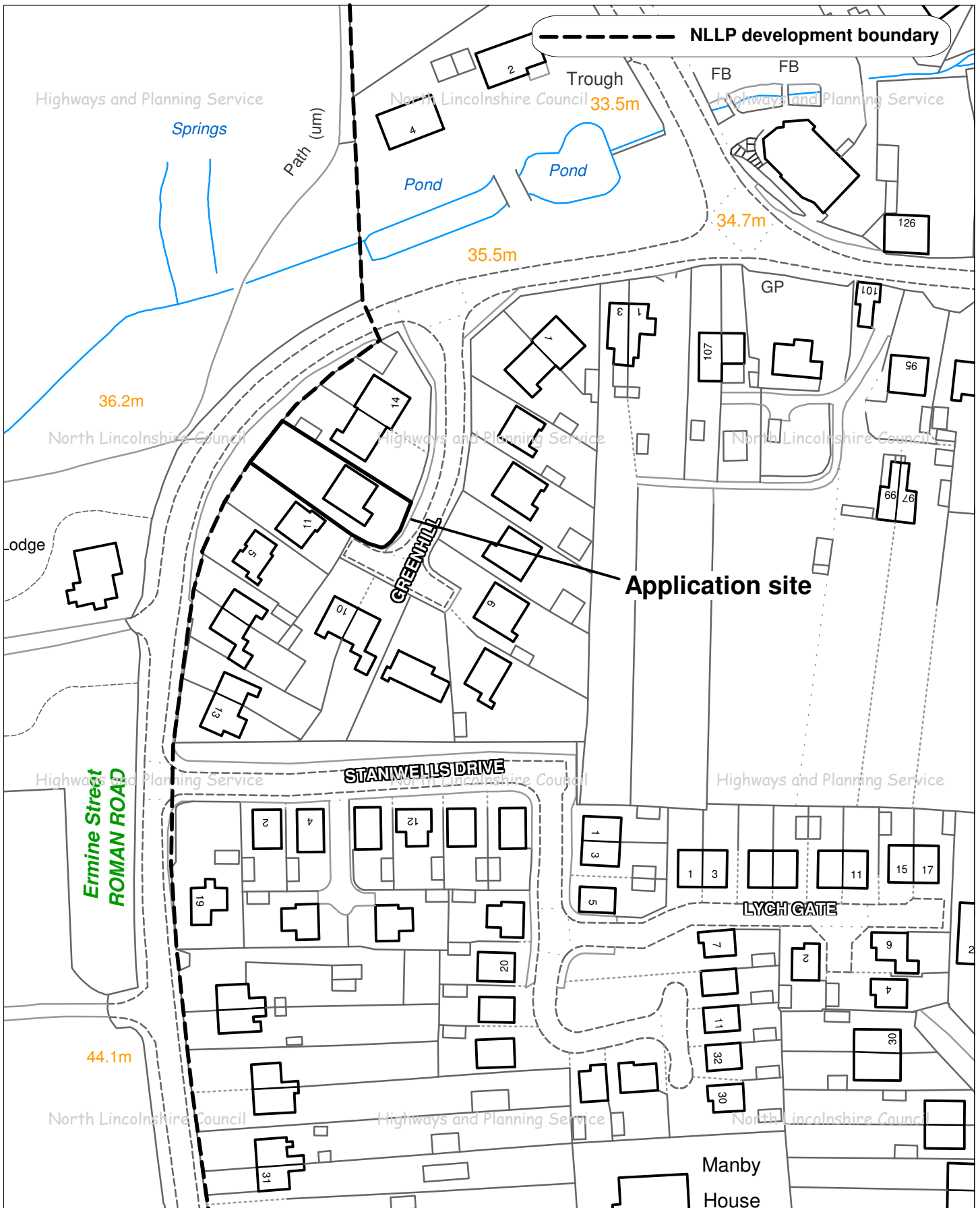
Grant permission subject to the following conditions:

1.

Within one month of the date of this permission, details shall be submitted to the local planning authority and approved in writing for a scheme to show how surface water drainage from the new concrete area at the front of the property will be managed. The development shall only proceed in accordance with the approved scheme and shall be fully implemented prior to the occupation of the dwelling.

Reason

To prevent pollution of the water environment and to comply with policy DS13 of the North Lincolnshire Local Plan.



Drawing Title: 2009/1094

OS Grid Ref: SE95680855

Drawn by: KC

Scale: 1:1250

Date: 23/11/2009



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Highways and Planning Service

Service Director,
G Pople