

<b>APPLICATION NO</b>	<b>PA/2009/1028</b>
<b>APPLICANT</b>	Mr A Waite
<b>DEVELOPMENT</b>	Planning permission to retain a replacement conservatory and a domestic garage to the rear
<b>LOCATION</b>	33 Buckingham Street South, Scunthorpe
<b>PARISH</b>	<b>SCUNTHORPE</b>
<b>WARD</b>	Crosby and Park
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Exception to policy
<b>POLICIES</b>	<p><b>Regional Spatial Strategy for Yorkshire and the Humber:</b> No specific policies apply.</p> <p><b>North Lincolnshire Local Plan:</b> Policy DS1 provides general design guidance in relation to all new development.</p> <p>Policy DS5 provides specific design guidance in relation to residential extensions.</p> <p>Policy SPG1 provides detailed guidance in relation to design issues for residential extensions.</p>
<b>CONSULTATIONS</b>	<b>Highways:</b> Views awaited.
<b>PUBLICITY</b>	<p>Neighbouring properties have been notified. One letter of objection has been received raising the following material planning considerations:</p> <ul style="list-style-type: none"> <li>• loss of privacy</li> <li>• surface water run-off into adjoining property</li> </ul>
<b>ASSESSMENT</b>	<p>The proposal comprises two components: the first is to replace the existing garage to the rear of the property; and the second is to retain the existing conservatory located to the rear of the dwelling.</p> <p><b>The main issues associated with this proposal are whether the extensions are acceptable in planning policy terms, and if so, whether the impact on the</b></p>

**amenity of the locality and the amenity of neighbours is acceptable.**

The site lies within the development boundary of the Scunthorpe and Bottesford Urban Area. In principle residential extensions in this area are considered to be acceptable. The property is a terrace.

This is a re-submission of PA/2009/0497 which was refused permission on 11 June 2009 for the following reason:

‘The conservatory, due to its siting and design, would result in demonstrable loss of amenity to the adjoining residential dwelling located to the north of the application site. The conservatory causes loss of outlook to the northern neighbour's lounge window and loss of privacy by virtue of overlooking into the northern neighbour's kitchen window and private garden area. The proposal is therefore contrary to policies DS1, DS5 and SPG:1 of the North Lincolnshire Local Plan.’

The applicant has re-submitted with a proposal to now insert obscure glazing and install guttering and has, on this basis, asked for the decision to be reviewed.

The proposed garage is located to the rear of the property and is accessed by a ‘ten-foot’. The existing garage is dilapidated and the proposal would be an improvement on the existing situation. There are other similar garages in the vicinity. The garage, although visible from the rear of the surrounding properties, would not have an adverse impact on residential amenity. This part of the proposal is considered acceptable.

The conservatory has been erected on site and is substantially complete. The conservatory is located to the rear of the property and is 3.9 metres deep and 1.6 metres wide. It is located on the boundary of the property. The applicant is proposing to obscure glaze the northern elevation of the conservatory and reduce the size of the conservatory by 0.1 metre to remove any encroachment and to allow guttering to be installed on the conservatory. In addition, the applicant is willing to provide a 2 metre high close-boarded fence of two-panel width from the end wall of the conservatory along the boundary to preserve privacy.

The neighbour to the north of the application site has a lounge window in the rear elevation and a kitchen window directly opposite the conservatory. The council's 45

degree rule set out in SPG1 is breached from the lounge window. This will always occur with a terraced property of this nature.

The conservatory faces west and under permitted development rights a conservatory of 3 metres deep could be erected on the site without the need for planning permission. Therefore, only the additional 0.9 metre depth of the conservatory requires planning permission. The majority of the conservatory will be glazed which will allow light into the neighbour's lounge window. In terms of the impact of the kitchen window, this north side of the conservatory will now be obscure glazed. This will preserve privacy. A 2 metre close-boarded fence of two panels width from the end of the conservatory down the boundary of the properties will further improve the privacy to the adjoining property.

The installation of guttering onto the conservatory will prevent surface water run-off into the adjoining property. On balance, the proposed extension is considered to be acceptable in this case.

## **RECOMMENDATION**

### **Grant permission subject to the following conditions:**

1.

Within one month from the date of this permission, the northern elevation of the approved conservatory shown on the approved drawing shall be glazed in obscure glass and retained as such at all times.

#### **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.

2.

Within one month from the date of this permission, two panels' width of 2 metre high close-boarded fencing shall be installed from the western elevation of the conservatory along the northern boundary of the application site.

#### **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.

3.

Within one month from the date of this permission, guttering shall be installed on the conservatory to the satisfaction of the local planning authority and retained as such thereafter.

**Reason**

In order to prevent surface water run-off into the adjoining property in accordance with policy DS1 of the North Lincolnshire Local Plan.



**Application site showing position of proposed garage and conservatory hatched**

Drawing Title: 2009/1028

OS Grid Ref: SE88921177

Drawn by: KC

Scale: 1:1000

Date: 25/09/2009



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**Highways and Planning Service**

Service Director,  
G Pople

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