

<b>APPLICATION NO</b>	<b>PA/2009/1086</b>
<b>APPLICANT</b>	Mr P Cannon
<b>DEVELOPMENT</b>	Planning permission to retain a conservatory
<b>LOCATION</b>	102 Westgate Road, Belton
<b>PARISH</b>	<b>BELTON</b>
<b>WARD</b>	Axholme Central
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Belton Parish Council
<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 DS5 provides detailed design guidance in relation to residential extensions.</p> <p>Policy DS1 provides general design guidance in relation to new development.</p> <p>Policy SPG1 provides detailed design guidance in relation to residential extensions.</p> <p>Policy RD10 – the site is located within the open countryside. This policy restricts the size of extensions in the open countryside to 20% of the volume of the original dwelling, exclusive of normal permitted development rights and the original dwelling must form the dominant visual feature of the dwelling as extended.</p>
<b>CONSULTATIONS</b>	<b>Highways:</b> Views awaited.
<b>PARISH COUNCIL</b>	Objection. The size and nature of the building is a nuisance to the neighbours and restricts light. There is no proper rain water drainage resulting in water running onto a neighbour's property. There are no foundations as it is built onto soil using breezeblocks with a tiled roof which could result in damage to the neighbour's wall. It is more of an extension than a conservatory and it is strongly recommended that North Lincolnshire Council inspect this building in greater detail before making a decision.

## PUBLICITY

Neighbouring properties have been notified. Two letters have been received: one confirming no objections and one objecting on the following grounds:

- rainwater will discharge onto neighbouring property
- the building is unsafe
- loss of light

## ASSESSMENT

This proposal is to retain a conservatory on the rear of the dwelling. The conservatory is 4.19 metres wide, 5.02 metres deep and 3.6 metres high. The first 1 metre of the conservatory will be brick with a tiled roof. The remainder of the conservatory will be UPVC with a dwarf wall.

**The main issues associated with this case are whether the proposed conservatory is acceptable in planning policy terms, and if so, whether the impact on neighbours is acceptable.**

The site is located within the open countryside. The size and siting of the conservatory does accord with policy RD10. The conservatory is located to the rear of the dwelling and is not visible in the street scene or from the surrounding countryside.

The neighbouring property to the west has a conservatory at the rear of their property. There is a solid 2 metre high brick wall between both properties. In terms of policy DS5 and advice given in SPG1, the proposed conservatory does not breach the council's 45 degree rule when measured from the neighbour's conservatory.

The conservatory is screened from the neighbour's conservatory by the existing 2 metre high wall. It is not considered that the proposed conservatory will result in demonstrable loss of light to the neighbouring conservatory as the breeze-block wall of the conservatory is only 0.27 metre higher than the existing brick boundary wall. The polycarbonate roof of the conservatory will allow light to the neighbour's conservatory. The proposal therefore accords with policies DS1, DS5 and SPG1 of the North Lincolnshire Local Plan.

Concerns from the parish council and adjoining neighbour relating to surface water run-off are noted. The applicant is intending to place guttering along the side of the conservatory that will be linked into a soakaway. This work has yet to be carried out as the applicant has

ceased all works on site. Planning conditions can be used to ensure that this guttering is installed in order to prevent surface water discharging onto the neighbouring property. Due to the size of the conservatory, Building Regulations is not required. It is therefore the responsibility of the applicant to ensure that the building is safe. The applicant has confirmed that no part of the conservatory will encroach onto the adjoining property.

**RECOMMENDATION**

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

1.

Within one month of the date of this permission the guttering to the conservatory shall be installed and retained as such at all times to the satisfaction of the Local Planning Authority.

Reason

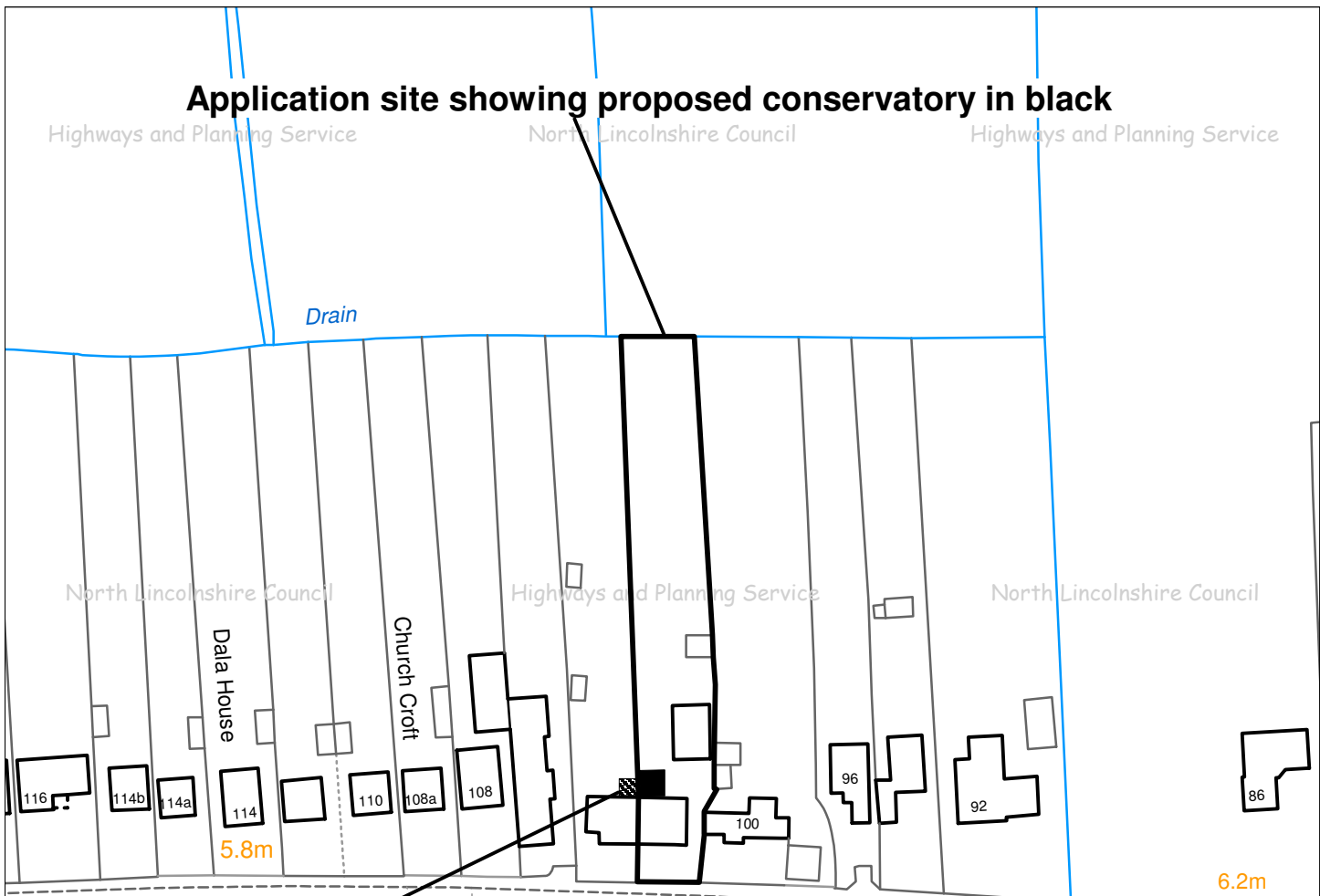
In order to prevent surface water discharging onto the adjoining property.

# Application site showing proposed conservatory in black

Highways and Planning Service

North Lincolnshire Council

Highways and Planning Service

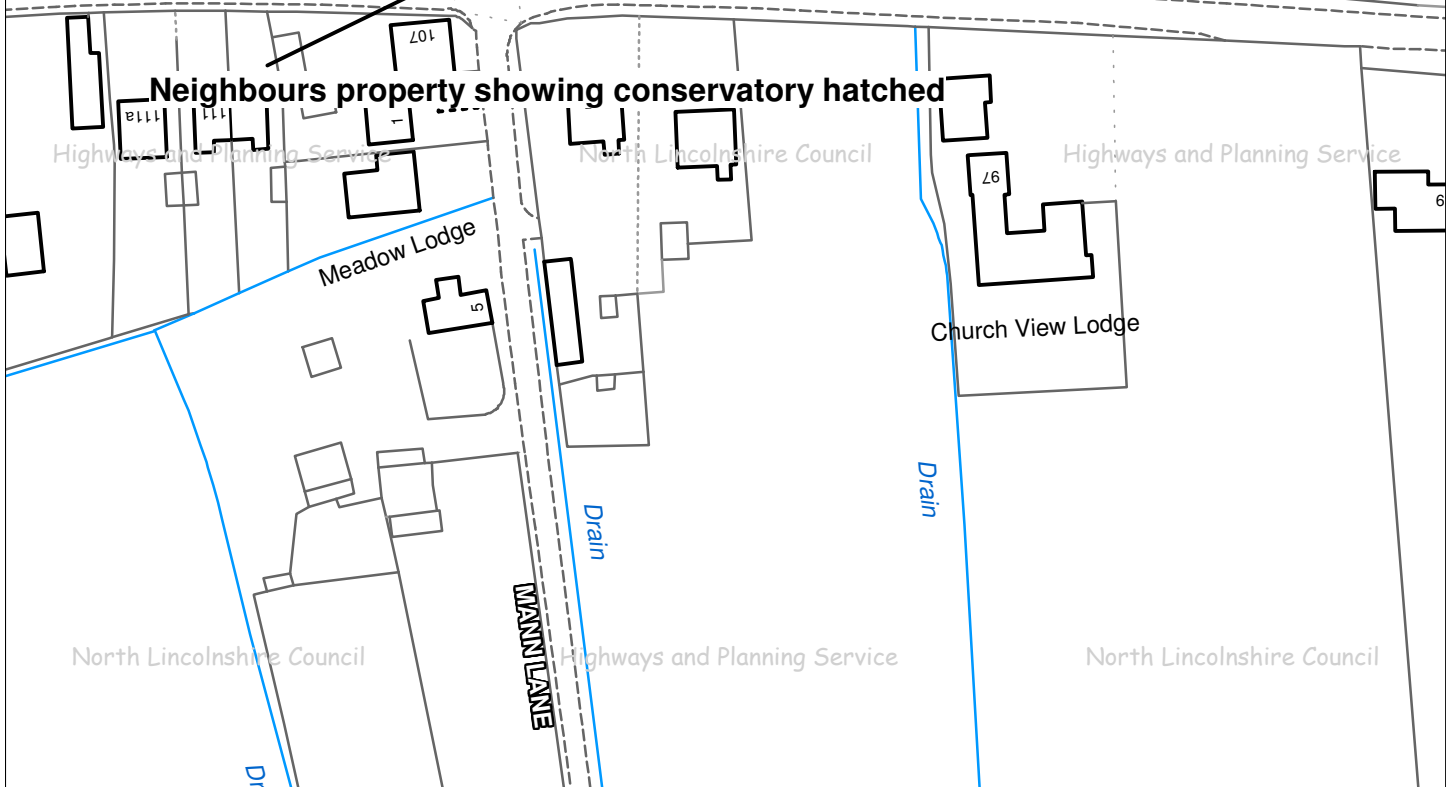


# Neighbours property showing conservatory hatched

Highways and Planning Service

North Lincolnshire Council

Highways and Planning Service



Drawing Title: 2009/1086

OS Grid Ref: SE77660746

Drawn by: KC

Scale: 1:1250

Date: 28/09/2009



Based upon the Ordnance Survey mapping with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. © Crown Copyright.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

NORTH LINCOLNSHIRE COUNCIL 0100023560 2009



**Highways and Planning Service**

Service Director,  
G Pople