

APPLICATION NO	PA/2008/0412
APPLICANT	Mr H Patel
DEVELOPMENT	Planning permission to erect a replacement dwelling (re-submission of PA/2007/2016)
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 H5 (New Housing Development) states that new housing should be in keeping with the scale and character of the settlement and immediate environment; have an area of private amenity space; and not result in overlooking, loss of privacy, loss of light or other loss of amenity to existing dwellings.</p> <p>Policy H8 (Housing Mix and Design) applies and states that new residential development will be permitted provided that it respects and reflects the form, scale, massing, design, detailing and materials of the local environment.</p> <p>Policies ST2 (Settlement Hierarchy), H1 (Housing Development Hierarchy) and DS1 (General Requirements) also apply.</p>
CONSULTATIONS	Highways: Advise conditions.
TOWN COUNCIL	Object on the grounds that the proposed replacement dwelling would be out of keeping with and overlook neighbouring properties, constitute over-development of the site, and be too close to adjacent dwellings.
PUBLICITY	Neighbouring properties have been notified and one letter has been received objecting to the proposed replacement dwelling on the grounds that its height and siting would

result in overshadowing and loss of light to habitable room windows.

ASSESSMENT

The application site is currently occupied by a dormer-style bungalow that has dormer windows to the front and rear elevations. The height of the existing dwelling is approximately 8.6 metres. The site is accessed off Greenhill to the east. There is a difference in ground levels, the application site being approximately 0.5 metre higher than 13 Greenhill, located to the north.

A previous planning application (PA/2007/2016) was refused on the grounds that the replacement dwelling would result in loss of light and overshadowing to habitable room windows on the southern and eastern elevations of 13 Greenhill, located to the north.

The main issues in determining this application are whether the proposed dwelling would:

- **result in loss of light or overshadowing to habitable room windows on the objector's property;**
- **be out of keeping with the street scene;**
- **result in overlooking of neighbouring properties; and/or**
- **constitute over-development of the site and be too close to neighbouring properties.**

The proposed replacement dwelling would be sited on a similar footprint to the existing dwelling, with the exception of a new garage proposed along the southern elevation. A bay window is proposed to the front elevation which will project 1.4 metres forward of the existing dwelling. By applying the tests for loss of light and overshadowing (in accordance with the council's supplementary planning guidance), and taking into account differences in ground levels and the re-siting of the dwelling, it is considered that loss of light and overshadowing to habitable room windows in the objector's property would be no more than at present.

The proposed dwelling is not considered to be out of keeping with the street scene as the property adjacent to the site (11 Greenhill) is two-storey and is located on higher ground. Furthermore, the living accommodation in the roof space that formed part of the planning application

that was refused has been removed from this application and there are other two-storey dwellings within Greenhill.

There are no habitable room windows proposed in the side elevations of the proposed dwelling, only in the front and rear elevations. This is consistent with the arrangement of windows in the existing dwelling and would not result in overlooking of neighbouring dwellings. Furthermore, a condition can be imposed that prevents any new windows being created in the walls and roof planes.

The replacement dwelling would be larger than the existing dwelling but only 0.6 metre higher in elevation. It would not be sited any closer to 13 Greenhill and would not impact upon the living conditions of 12 Greenhill to the south. Off-street parking for vehicles would be provided within the site and there would be approximately 184 square metres of private amenity space to the rear of the proposed dwelling.

The council's Environment Team has recommended that a bat survey be undertaken prior to any development taking place. The bat survey has now been completed and is satisfactory.

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 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 ten 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.

All relevant debris shall be removed from the site within three months of the demolition work commencing.

Reason

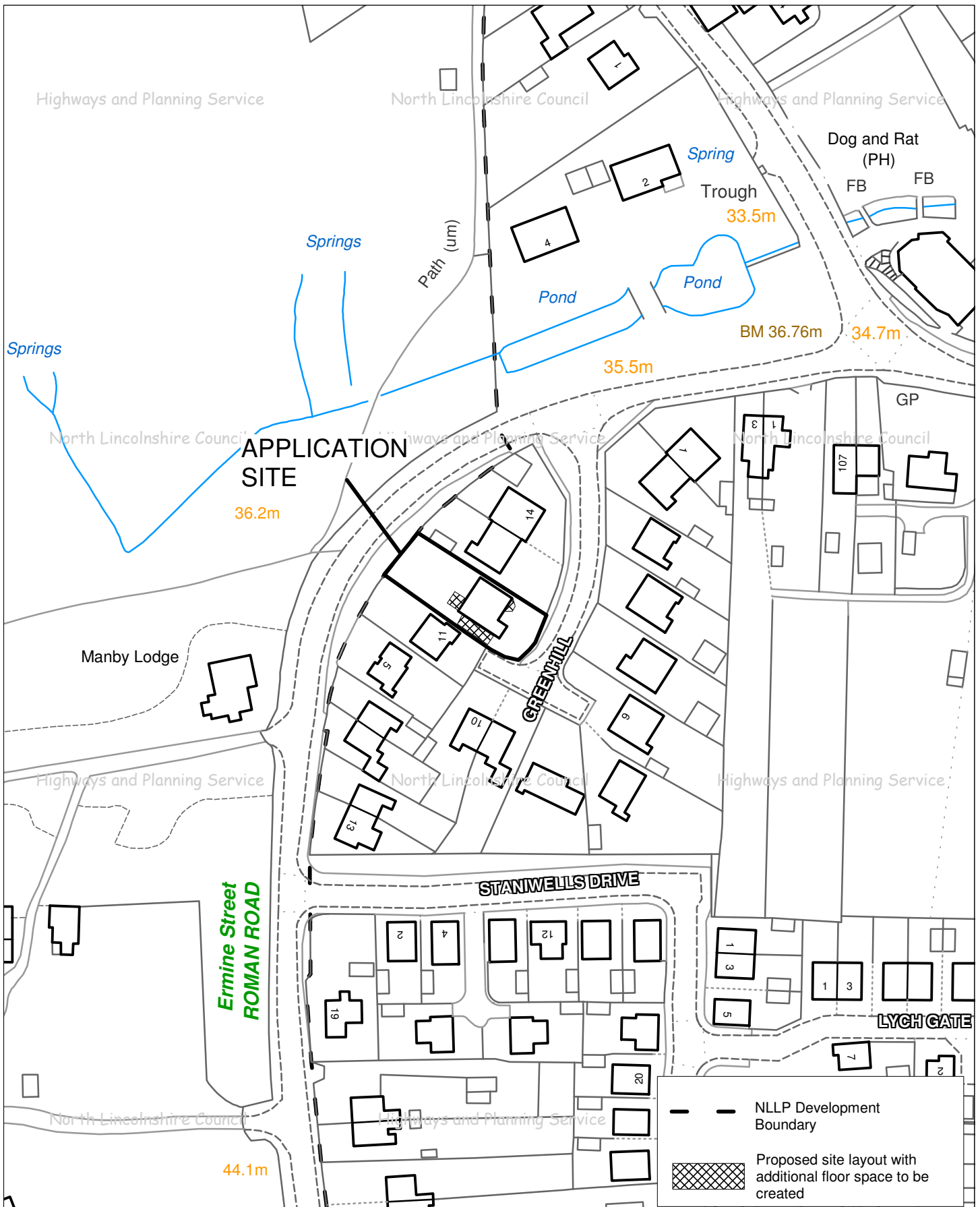
In the interests of residential amenity in accordance with policy DS1 of the North Lincolnshire Local Plan.

5.

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.

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: 2008/0412

OS Grid Ref: SE95640858

Drawn by: SJ

Scale: 1:1250

Date: 25/04/2008



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Highways and Planning Service

Service Director,
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