

APPLICATION NO PA/2017/199

APPLICANT Mr Nigel Shaw

DEVELOPMENT Planning permission to erect a rear first-floor balcony

LOCATION Trent Leigh, 22 High Street, Burringham, DN17 3LY

PARISH Burringham

WARD Burringham and Gunness

CASE OFFICER Leanne Pogson-Wray

SUMMARY RECOMMENDATION **Grant permission subject to conditions**

REASONS FOR REFERENCE TO COMMITTEE Objection by Burringham Parish Council

POLICIES

National Planning Policy Framework: Paragraph 14 states that at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

North Lincolnshire Local Plan: DS1, DS5, SPG1

North Lincolnshire Core Strategy: CS1, CS2, CS3, CS5

CONSULTATIONS

Highways: No objections.

PARISH COUNCIL

Objects to the proposal on grounds of loss of light and privacy.

PUBLICITY

Neighbouring properties have been notified by letter. No comments have been received.

ASSESSMENT

The application site is a red brick semi-detached house with a detached garage to the side. There is an existing brick conservatory to the rear with a parapet wall. It is proposed to erect a balcony above the conservatory. The balcony would have a 1.1m high wall to the sides with a 0.8m high obscure-glazed privacy screen above and railings to the front. The dwelling to the south has a detached garage on the boundary offering some screening of the garden area. The

adjoining dwelling to the north has a single-storey projection to the rear which projects almost as far as the conservatory. To the rear of the garden is the River Trent and a public footpath running along its bank.

A recent planning application on this site (PA/2016/1958), for a balcony without the privacy screens, was refused on the following grounds:

'The proposed balcony would lead to an unacceptable level of overlooking and loss of privacy to the private garden areas of neighbouring properties. The proposal is therefore contrary to policies DS1 and DS5 of the North Lincolnshire Local Plan.'

The main issues in determining this application are whether the proposal would have an adverse impact on loss of light or loss of privacy to neighbouring properties.

Concerns have been raised by the parish council with respect to overlooking and loss of light. With regard to loss of privacy, due to the layout of the properties, with regard to outbuildings, extensions etc, together with the proposed privacy screen to both sides of the balcony, any potential for overlooking will be minimal and restricted to areas that are not considered to be private garden areas and areas which would be as overlooked by a first-floor extension in this location. The neighbours have raised no objection to the application, nor did they object to the previous application, which excluded the privacy screen. The lack of objection by neighbours should be given considerable weight in determining the application.

In terms of loss of light, there are no windows to neighbouring properties which would be affected by the brick wall to the conservatory or by the glazing. Additionally, due to the path of the sun and height of the proposed wall, it is not considered that the proposed balcony would result in any loss of light to garden areas of the adjacent properties.

The inclusion of the privacy screens has overcome the previous reasons for refusal and a condition is proposed requiring details of the level of obscurity within the glazing to be agreed to ensure that there will be no overlooking. As such the proposal is considered to comply with the policies outlined above and is considered acceptable.

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.

The development hereby permitted shall be carried out in accordance with the following approved plans: 2 of 3 and 3 of 3.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

The materials and finishes of the new areas of brickwork shall match the remainder of the building in colour and texture.

Reason

To ensure that the building is in keeping with its surroundings in the interests of visual amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

4.

No development shall take place until details of the obscure glazing have been submitted to and approved in writing by the local planning authority. The development shall proceed fully in accordance with the approved details and shall thereafter be retained as such.

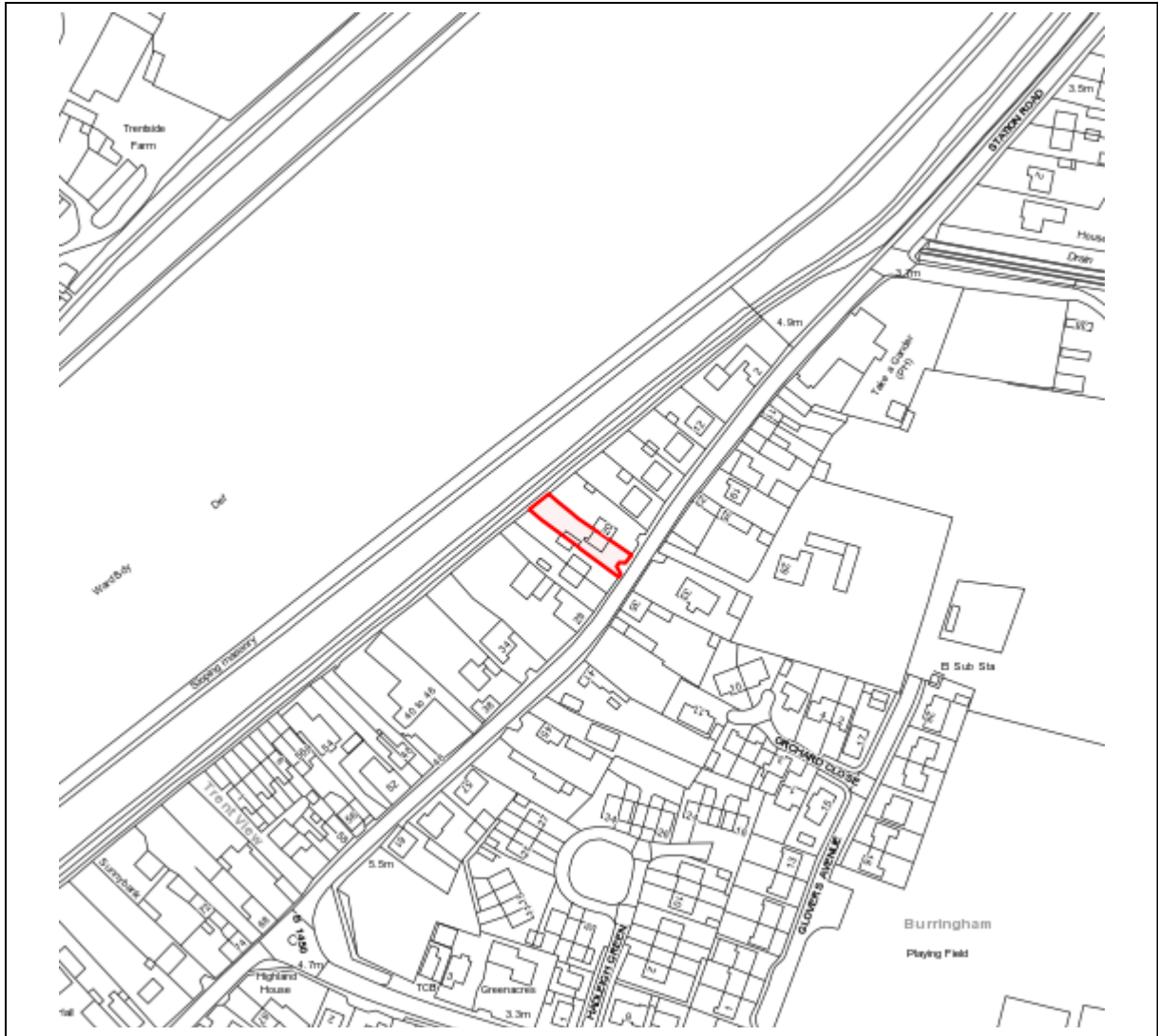
Reason

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

Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

PA/2017/199 – Site Location



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