

Application No: S/06/00222/FUL

Date Registered: 13th February 2006

**Applicant:** Mrs Irvine  
81 Caldergrove  
Motherwell  
Lanarkshire  
ML1 1ER

Agent: Sunshine Consents  
79 Baldorran Crescent  
Balloch Crescent  
Cumbernauld  
G68 9EX

**Development:** Erecton of Rear Conservatory

**Location:** 81 Caldergrove  
Motherwell  
ML1 1ER

Ward: 3 Forgewood Councillor Patrick Connelly

Grid Reference: 275320 657495

File Reference: S/PL/13/2(291)

Site History: No previous applications

Development Plan: The site is zoned as HSG 8 (Established Housing Area) in the Southern Area Local Plan Finalised Draft (Modified 2001 and 2004). Policy HSG 13 (House Extensions) is also relevant.

Contrary to Development Plan: No

**Consultations:** None Required

**Representations:** 2 Letters of Representation Received

Newspaper Advertisement: Not Required

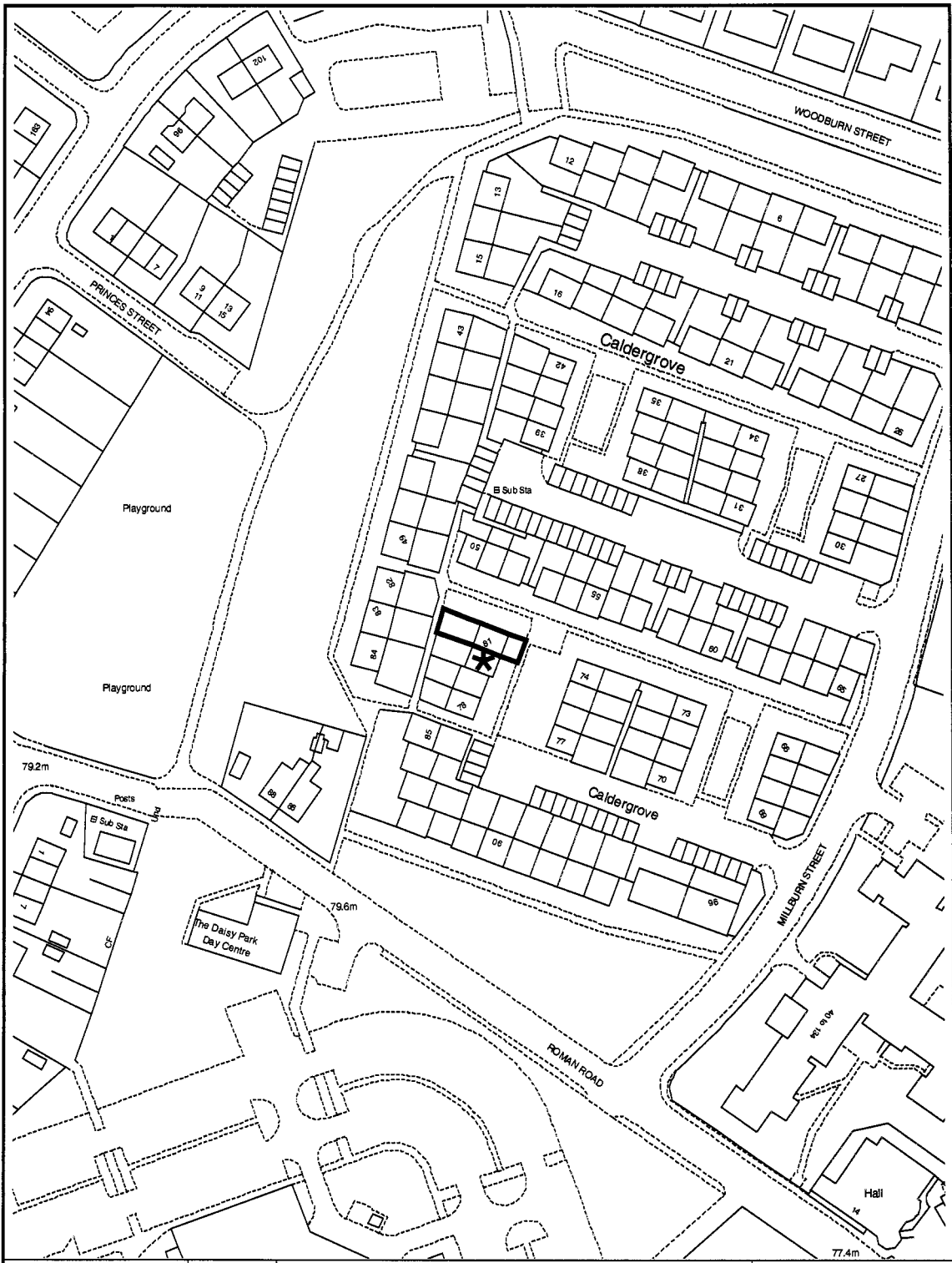
**Recommendation: Grant Subject to the Following Conditions:-**

1. That the development hereby permitted shall be started within five years of the date of this permission.

**Reason:** To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.

2. That the facing materials to be used for the external walls shall match in colour and texture those of the existing building.

**Reason:** To safeguard the residential amenity of the area.



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PLANNING APPLICATION No. S / 06 / 00222 / FUL

ERECTION OF REAR CONSERVATORY

81 CALDER GROVE, MOTHERWELL.

★ Representation

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**Note to Committee:**  
**The objector has requested a site visit and hearing**

**Background Papers:**

Application form and plans received 13th February 2006

Letter from A McShane, 80 Caldergrove, Motherwell, ML1 1ER received 24th February & 9th March 2006.

Southern Area Local Plan Finalised Draft (Modified 2001 and 2004)

Any person wishing to inspect these documents should contact Ms Laura Murray at 01698 302134.

Date: 17 March 2006

## **APPLICATION NO. S/06/00222/FUL**

### **REPORT**

#### **1. Description of Site and Proposal**

- .1 This application seeks planning permission for the erection of a conservatory at the rear of the terraced dwellinghouse at 81 Caldergrove, Motherwell. The dwellinghouse is a two-storey end terraced property situated on a flat level site bounded by dwellings on all sides.
- 1.2 The proposed conservatory will project 3.5 metres from the rear of the dwellinghouse and will measure 3 metres in width and 3.4 metres in height. The conservatory will be 1 metre away from the adjoining property at 80 Caldergrove.

#### **2. Development Plan**

- 2.1 The application raises no strategic issues and the site lies within an area covered by Policy HSG 8 (Established Housing Area) in the Southern Area Local Plan Finalised Draft (Modified 2001 and 2004). HSG 8 seeks to protect the established character and amenity of existing housing areas. Policy HSG 13 (House Extensions) sets the criteria that the Council should take into account in determining such applications and is also of relevance.

#### **3. Consultations and Representations**

- 3.1 No consultations have been carried out on this application.
- 3.2 Two letters of objection have been received from the occupant of the adjacent property in relation to this application and the objections can be summarised as follows:
- (1) The proposed location of the conservatory 1 metre from the common boundary would lead to loss of privacy. The objector requests that the conservatory be repositioned further away.
  - (2) Alternatively it is requested a 2 metre screen fence be erected as part of condition of consent if the conservatory could not be repositioned.
  - (3) The objector requests assurance that all drainage regulations are adhered to and that construction works would not cause any damage to his property.

It should be noted that the objector requests that a Site Visit and Hearing be carried out by the Committee prior to the determination of the application.

#### **4. Planning Assessment and Conclusions**

- 4.1 The application raises no strategic issues and therefore only needs to be assessed against the Local Plan.
- 4.2 In terms of the development plan, Policy HSG 8 of the Southern Area Local Plan Finalised Draft (Modified 2001 and 2004), seeks to protect the established character and amenity of existing housing areas. Policy HSG 13 of the Local Plan, sets out the criteria for the assessment of applications for extensions to dwellings and this is also applicable to conservatories. In this respect, the size, proportions and positioning of the conservatory are relevant and its relationship to neighbouring properties, especially the potential effects on the privacy and amenity of the adjacent dwellings. The conservatory floor level will be 400 mm above ground level and is to be sited 1 metre from the shared boundary with the adjoining property at 80

Caldergrove to accommodate the existing rear door and windows of the existing dwelling. Any overlooking issues would be onto a non-habitable room only. In addition, at present there is existing vegetation measuring over 2 metres in height within the applicant's rear garden dividing it with the neighbour's rear garden area, existing fencing measuring just under 1.2 metres in height also provides a degree of screening between both properties. It is considered that the degree of screening that currently exists within the site is acceptable and there is no need to increase this fence height. It should be noted that the provision of an additional fence is likely to result in the loss of the existing vegetation. Furthermore, due to the positioning of the proposed conservatory, a sunlight / daylight quick test was carried out which confirmed there would be no detrimental impact to the amount of sunlight / daylight currently enjoyed by the neighbouring proprietors. A sizeable amount of rear garden ground will remain from this development. It is therefore considered that the development is consistent with the aims of Policy HSG 13 (House Extensions).

- 4.3 In response to the points of objection given above I would comment as follows: -
- (1) The concerns relating to loss of privacy of the neighbouring dwelling have been considered in paragraph 4.2 above.
  - (2) As indicated at paragraph 4.2 above, the conservatory cannot be repositioned, and the level of screening that currently exists within the site is acceptable for this proposal. The request for additional screening was discussed with the applicant and they have indicated that they would prefer not to provide an additional fence at this location.
  - (3) Drainage issues of type raised by the objector and potential damage to property are not material planning considerations.
- 4.4 In conclusion, it is considered that the proposed conservatory is in accordance with Local Plan Policies HSG 8 (Established Housing Areas) and HSG 13 (House Extensions). It is considered that the conservatory will not cause any significant privacy issues to such an extent that planning permission should be refused. It is therefore recommend that planning permission be granted.