

DECISION DATE 5 May 2005	APPLICATION NO. 05/00333/FUL A14	PLANNING COMMITTEE: 27 June 2005
DEVELOPMENT PROPOSED ERECTION OF A TWO STOREY SIDE EXTENSION		SITE ADDRESS 60 MARINE DRIVE, SLYNE WITH HEST, LA2 6EB.
APPLICANT: Mr and Mrs J. Hughes, 60 Marine Drive, Slyne With Hest, LA2 6EB.		AGENT: Cronshaw and Harrison.

REASON FOR DELAY

Deferred by Committee for a site inspection.

PARISH NOTIFICATION

Slyne-with-Hest Parish Council - Do not wish to make any comments on this proposal.

STATUTORY CONSULTATIONS

None.

OTHER OBSERVATIONS RECEIVED

The neighbours at 62 Marine Drive object to the proposal on the grounds of loss of light, security, privacy, and the environmental impact of the extension. They indicate that any two storey extension to no. 60 would be unacceptable to them because of the loss of light which would result, and argue that the effect of the development would affect their entitlements under the Human Rights Act.

REPORT

This application was reported to your Committee at its last meeting. A copy of the relevant report is attached, together with a copy of the Inspector's decision in respect of the earlier version of the proposal.

As indicated previously, the proposal has to be considered in relation to policy H7 of the Lancaster District Local Plan. This is a marginal case, but on balance it is recommended that planning permission for the present scheme should be granted.

HUMAN RIGHTS ACT IMPLICATIONS

This application has to be considered in relation to two sections of the Human Rights Act: Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). It will be noted that the next door neighbours have specifically mentioned the provisions of the Act in their representations. Despite this, there are no special issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATION

THAT PERMISSION BE GRANTED subject to the following conditions:-

1. Standard five year condition.
2. Development to be carried out in accordance with the approved plans.
3. Materials to match existing.
4. Use of garage to be incidental to dwellinghouse as such.