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**Report of: Corporate Director of Place & Community**

**Contact for further information:**

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**SUBJECT: PLANNING APPLICATION REF. 2022/0455/FUL**

**PROPOSAL: Construction of a single storey flat roof extension, two storey side extension to the rear of the existing garage, a first floor front extension partially over the flat roof garage, a new front porch, alterations to the front elevation (elevational materials and new glazing), roof dormer to the south elevation. Juliet balcony to existing rear first floor window.**

**ADDRESS: 10 Old Rectory Green, Aughton**

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## **1.0 PURPOSE OF THE REPORT**

- 1.1 To advise Planning Committee on an application which seeks construction of a single storey flat roof extension, two storey side extension to the rear of the existing garage, a first-floor front extension partially over the flat roof garage, a new front porch, alterations to the front elevation (elevational materials and new glazing), roof dormer to the south elevation. Juliet balcony to existing rear first floor window.
- 1.2 The development is considered acceptable in design terms. The proposal would not lead to an unreasonable loss of light, privacy or amenity for neighbouring properties or have a detrimental impact upon the character of the host building or character of the street scene. The drainage system is outside the footprint of the existing and proposed building and any detailed considerations can be dealt with through the Building Regulations during construction. The application is therefore considered to be compliant with the relevant policies in the NPPF, the adopted West Lancashire Local Plan, and the West Lancashire Design Guide SPD.

## **2.0 RECOMMENDATION TO PLANNING COMMITTEE**

- 2.1 **Approve subject to conditions**
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## **3.0 THE SITE**

- 3.1 The site relates to a detached two-storey dwellinghouse located to the north-western side of the cul-de-sac of modern residential properties in a mix of styles, the application site is one of three properties of the same style. The property is located within an established residential area of Aughton.

## **4.0 PROPOSAL**

- 4.1 The application seeks planning permission for construction of a single storey flat roof extension, two storey side extension to the rear of the existing garage, a first-floor front extension partially over the flat roof garage, a new front porch, alterations to the front elevation (elevational materials and new glazing), roof dormer to the south elevation. Juliet balcony to existing rear first floor window.

## **5.0 PREVIOUS RELEVANT DECISIONS**

5.1 None

## **6.0 OBSERVATION OF CONSULTEES**

6.1 Councils Principal Engineer – No objection raised since clarification of paving of front driveway

6.2 Environment Agency – No objections. The applicant should ensure they have all the relevant permissions and consents, should they be considering breaking ground or potentially building near or over the asset.

## **7.0 OTHER REPRESENTATIONS**

7.1 Aughton Parish Council – neither objects nor supports application. In view of the issues of culverts and watercourses in this location, members considered the Environment Agency and United Utilities' comments should be considered before any further progress was made. Pre-application engagement would have been helpful prior to submission of the proposal to ensure compliance with Local Plan Policy and the NPPF. An organised site visit is considered desirable to enable the Planning Committee Members to view the cul-de-sac location and the effect on residential amenity, including full discussion on the drainage, culverts, and watercourses.

7.2 One letter of representation has been received which can be summarised as:

- Culvert and watercourse run through No. 10
- Concerns development built close the culvert
- Old Rectory Green subject to flooding
- Visual impact on street scene
- No evidence of local distinctiveness
- Extensions to the side and dormer do dominate the existing building
- Not subservient
- Extensions harm the symmetry and discord in both appearance and materials
- Original building all but disappeared

## **8.0 SUPPORTING INFORMATION**

8.1 Planning statement (14/04/2022)

## **9.0 RELEVANT PLANNING POLICIES**

9.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan 2012-2027 Development Plan Document provide the policy framework against which the development proposals will be assessed.

The application site is located within the small rural village and adjacent the St Michaels Conservation Area as designated in the West Lancashire Local Plan Proposal Map.

9.2 The National Planning Policy Framework (NPPF) relevant sections are:  
Chapter 12 – Achieving well designed places.  
Chapter 15 – Conserving and enhancing the natural environment

## Chapter 16 – Conserving and enhancing the historic environment

- 9.3 West Lancashire Local Plan 2012-2027 DPD  
SP1 – A sustainable Development Framework for West Lancashire  
GN1 – Settlement Boundaries  
GN3 – Criteria for Sustainable Development  
EN2 – Preserving and Enhancing West Lancashire’s Natural Environment  
EN4 – Preserving and Enhancing West Lancashire’s Cultural and Heritage Assets  
IF2 – Enhancing Sustainable Transport Choice

Supplementary Planning Document – Design Guide (January 2008)

### **10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY**

10.1 The main considerations for this application are:

- Impact on the character and appearance of the Conservation Area
- Impact on neighbouring properties
- Design and character of area
- Impact on trees
- Highways and Access
- Drainage

#### **Impact on the character and appearance of the Conservation Area**

- 10.1 Policy EN 4 (2i) confirms a presumption in favour of the conservation of designated heritage assets. Development will not be permitted that adversely affects listed buildings, a Scheduled Ancient Monument (SAM), a conservation area, historic park or garden or archaeological remains.
- 10.2 The application concerns a modern, 2 storey detached dwelling located within the Old Rectory Green cul-de-sac. Old Rectory Green comprises a mix of detached properties of various type, scale and brick finish. The southern limit of the St. Michael's Conservation Area abuts the north/eastern boundary of the rear gardens of Old Rectory Green, but the properties together with the application site sits outside of the designation.
- 10.3 With consideration to the St. Michael's Conservation Area which comprises the Grade I Listed St Michael's Church, views to the application site would be fleeting at best. The site itself would not be seen in isolation due to the surrounding built development to which it relates and would be physically distanced from the Church due to the large intervening field. There is also an existing band of mature trees which further assists in providing screening to the rear of Old Rectory Green. As such, it is not considered that the proposed works would harm the setting of the Grade 1 Listed St Michael's Church or the wider setting of the Conservation Area. The works would be well contained and would assimilate with the surrounding built form of development and is therefore considered to be compliant with Policy EN4 of the Local Plan and the requirements of the NPPF.

#### **Impact on neighbouring properties**

- 10.4 Policy GN3 of the Local Plan states that new development must retain or create reasonable levels of privacy and amenity for occupiers of the proposed and neighbouring properties.

- 10.5 I note the concerns raised by the neighbouring property in terms of flood risk, appearance/character of dwelling/street scene and existing culvert/watercourse.
- 10.6 The neighbour to the south of the application site is No. 11 Old Rectory Green at first floor level the proposal includes removal of the existing dormer window in this side elevation and replacing it with a smaller dormer further to the rear of the main dwelling, it is proposed on the plans the two side facing windows of the dormer will be fitted with obscure glass given the nature of the rooms (En-suite) therefore I do not consider that any significant loss of amenity would result.
- 10.7 The first-floor element of the proposed two storey side extension to the rear of the existing garage would include a Juliet balcony that would face the rear garden of the application site. The neighbour No.11 is currently in the process of building a first floor side extension on this elevation and given the location of this the existing tree coverage along the boundary it is not considered that any significant loss of amenity would result.
- 10.8 The proposal would introduce a Juliet balcony on the rear elevation at first floor level of the main dwelling but given the orientation of the property with No. 11 I do not consider this will create any additional overlooking impacts compared to the existing rear window in this location.
- 10.9 Owing to the separation distance to neighbours opposite the site and the orientation of the neighbour to the north-east No. 8 Old Rectory Green it is not considered that any significant harm would result to the living conditions of residents
- 10.10 Overall it is considered that the proposal would not result in any significant loss of residential amenity in terms of poor outlook, loss of light or loss of privacy. The proposal is therefore considered to comply with Policy GN3 of the Local Plan in this respect.

### **Design and character of area**

- 10.11 Policy GN3 along with the Council's SPD Design Guide requires that new development should be of a scale, mass and built form, which responds to the characteristics of the property and its surroundings. The key elements of the design are considered below and consist of the site layout, front elevation, side extension and rear extension.
- 10.12 The Council's SPD Design Guide gives further advice for extensions to dwellings and states that extensions should be: *"subservient in size, scale and mass to the original dwelling and never dominate or be disproportionate to the existing dwelling and should have a built form which relates to the character and appearance of the existing property"*.
- 10.13 The proposal for a first-floor front extension partially over the flat roof garage would finish in line with the first-floor element of the front elevation and whilst this does not conform to the guidance contained in the 'Design Guide', in that it is not set back, it is not considered to result in an unbalanced appearance.
- 10.14 The proposed two-storey side extension would be set well back from the front elevation and incorporate a lower ridge height than the existing and such would appear subservient to the main dwelling. The proposed materials would introduce render and part brick finishes to the new and existing parts of the site. The street scene is varied and there is a mix of property styles with some properties within the

cul-de-sac having partial rendering. Finally, as seen from the front, the roof tiles, grey aluminium windows and doors, materials and features blend the proposed extension in with the host property and improve the overall appearance.

- 10.15 The proposal for a single-storey flat roof extension would be located to the rear of the dwelling and owing to its location it would not be readily visible from the public highway. The proposed materials would be render finish.
- 10.16 Whilst the proposed development would be relatively significant and would alter the appearance of the property, I am of the view owing to varied house design within the street scene, the proposed development would not impact detrimentally upon of the character of the host building or result to any significant harm to the character of the street scene. The proposal is therefore considered to comply with policy GN3 of the Local Plan and the SPD Design Guide.

### **Impact on trees**

- 10.17 Policy EN2 of the West Lancashire Local Plan (2012-2027) DPD states that development proposals should avoid encroachment into the canopy area or root spread, or trees considered worthy of retention. There are trees to the rear of the site protected by a Tree Preservation Order.
- 10.18 The proposed site plan indicates an area close to the trees covered by a TPO at the rear of the site and the trees in No. 11 as a no dig area and show protective fencing that will be used to protect the RPA of the existing trees.
- 10.19 In relation to the two trees in close proximity to the proposed two-storey side extension which are located within the side/front garden area of No. 11 Old Rectory Green. I have consulted with the Council's Arboricultural Officer who has raised no objection as it is anticipated the proposed development would have no notable conflict with the retained trees. The development is therefore considered to comply with Policy EN2 of the Local Plan.

### **Highways and Access**

- 10.20 Policy IF2 of the Local plan recommends properties with four or more bedrooms have three off-street parking spaces per dwelling. However, though there are only two off-street spaces, the existing dwelling has four bedrooms, as would the extended dwelling. I am satisfied the proposed garage although a little shorter in length than the recommended figure of 6.0m it has extra width at the front of the garage to accommodate any cycle storage. Sufficient parking on the existing drive remains to accommodate two-street parking spaces. The proposal in my view would comply with Policy IF2 in the Local Plan.

### **Drainage**

- 10.21 Policy GN3 of the West Lancashire Local Plan 2012-2027 DPD states that development should not result in unacceptable flood risk or drainage problems.
- 10.22 Neighbours have raised issues about drainage problems in the area and public sewers passing through the application site. The Environment Agency have been consulted as part of the application due the proposed development being located close to a culvert and main river, they have raised no objections to the application however advise that the applicant should ensure they have all the relevant

permissions and consents, should they be considering breaking ground or potentially building near or over the asset.

10.23 The Councils Principal Engineer has also been consulted who initially raised an objection as it was unclear from the submitted plans if the existing front paving was to be replaced, the agent has confirmed in an emailed received by the Local Planning Authority on 18<sup>th</sup> August 2022 the front driveway will not be replaced or extended, as such, the Councils Principal Engineer has raised no objection to the proposal.

10.24 Given the above it is considered that any detailed construction considerations in relation to the culvert/main river will be dealt with through the Building Regulations. Therefore, the proposal will not have a significant impact on drainage or give rise to increased flood risk and is considered to be compliant with GN3 in the Local Plan and the Council's Design Guide Supplementary Planning Document.

## **11.0 CONCLUSION**

11.1 The proposal is not considered to adversely impact on the setting of the Conservation Area or that of the Grade I Listed Building St Michael's Church. The proposal is considered to be acceptable in design terms and would not lead to an unreasonable loss of light, privacy or amenity for neighbouring properties or have a detrimental impact upon the character of the host building. The drainage system is outside the footprint of the existing and proposed building and any detailed considerations can be dealt with through the Building Regulations during construction. The application is therefore considered to be compliant with the relevant policies in the NPPF, the adopted West Lancashire Local Plan, and the West Lancashire Design Guide SPD.

## **12.0 RECOMMENDATION**

12.1 That planning permission be approved subject to the following conditions and reasons:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with details shown on the following plans:

Plan reference:

Dwg No. 4112-22-03 D – Proposed plans and elevations received by the Local Planning Authority on 21<sup>st</sup> June 2022.

Dwg No. 4112-22-04 C – Proposed site plan received by the Local Planning Authority on 22<sup>nd</sup> June 2022.

Reason: For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

3. The materials to be used on the external surfaces of the development (brickwork, cladding and roofing materials along with materials used in any hard surface) shall be as outlined on the following plans and documents:

Materials section of the submitted application form;  
Dwg No. 4112-22-03 D - Proposed plans and elevations;

Reason: To ensure that the external appearance of the building(s) is satisfactory and that the development therefore complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

4. The roof area of the single-storey rear extension hereby permitted shall not be used as a verandah, balcony or raised platform.

Reason: To protect the privacy and amenity of adjacent residential properties and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

#### Note(s)

1. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:
  - on or within 8 metres of a main river (16 metres if tidal)
  - on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
  - on or within 16 metres of a sea defence
  - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
  - in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if tidal) and the applicant does not have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

#### Reason for Approval

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policy/Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:

SP1 – A sustainable Development Framework for West Lancashire  
GN1 – Settlement Boundaries  
GN3 – Criteria for Sustainable Development  
EN2 – Preserving and Enhancing West Lancashire’s Natural Environment  
EN4 – Preserving and Enhancing West Lancashire’s Cultural and Heritage Assets  
IF2 – Enhancing Sustainable Transport Choice

together with Supplementary Planning Guidance and all relevant material considerations. The Local Planning Authority considers that the proposal complies with the relevant Policy criteria and is acceptable in the context of all relevant

material considerations as set out in the Officer's Report. This report can be viewed or a copy provided on request to the Local Planning Authority.

### **13.0 SUSTAINABILITY IMPLICATIONS**

13.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder.

### **14.0 FINANCIAL AND RESOURCE IMPLICATIONS**

14.1 There are no significant financial or resource implications arising from this report.

### **15.0 RISK ASSESSMENT**

15.1 The actions referred to in this report are covered by the scheme of delegation to officers and any necessary changes have been made in the relevant risk registers.

### **16.0 HEALTH AND WELLBEING IMPLICATIONS**

16.1 There are no health and wellbeing implications arising from this report.

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### **Background Documents**

In accordance with Section 100D of the Local Government Act 1972 the background papers used in the compilation of reports relating to planning applications are listed within the text of each report and are available for inspection in the Planning Division, except for such documents as contain exempt or confidential information defined in Schedule 12A of the Act.

### **Equality Impact Assessment**

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore, no Equality Impact Assessment is required.

### **Human Rights**

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from Article 8 (the right to respect for private and family life, home and correspondence) and Article 1 of Protocol 1 (the right of peaceful enjoyment of possessions and protection of property).

### **Appendices**

None.