



PLANNING COMMITTEE: 16TH MARCH 2023

Report of: Corporate Director of Place & Community

Contact for further information:

Case Officer: Kerry Webster (Extn. 5369)
(E-mail: Kerry.webster@westlancs.gov.uk)

SUBJECT: PLANNING APPLICATION REF: 2022/1154/FUL

PROPOSAL: Increase the ridge above the single storey living room to convert loft space for bedroom and ensuite, replacing the chimney and solar panels to the front and side roof slopes.

APPLICANT: Mr Stuart Smith

ADDRESS: Ellan Vannin, Long Heys Lane, Dalton

REASON FOR CALL IN:

Councillor Whittington to consider the overdevelopment of the site and the impact on the neighbouring property.

Wards affected: Parbold

1.0 PURPOSE OF THE REPORT

1.1 To advise Planning Committee on an application which seeks to increase the ridge above the single storey living to convert loft space for bedroom and ensuite, replacing chimney and install solar panels to the front and side roof slope.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

2.1 That the application be GRANTED subject to conditions.

3.0 THE SITE

3.1 The application site comprises of a detached dwelling set within a large plot. The property is a replacement dwelling house which was granted permission in 1988

and was previously known as Kitchen Cottage. The driveway runs along the side of the property and leads to a large, detached garage to the rear of the site.

3.2 The site is located within the Green Belt as designated in the West Lancashire Local Plan.

4.0 PROPOSAL

4.1 Planning permission is sought to increase the ridge above the single storey living room and the addition of a front dormer to convert the existing loft space for a bedroom and ensuite. In addition, the proposal includes the replacement of the existing chimney and the installation solar panels to the front and side roof slopes.

5.0 PREVIOUS RELEVANT DECISIONS

5.1 2021/0482/FUL Proposed extension – Refused.

5.2 L/2007/1037/DET Erection of detached double garage – Permitted Development.

5.3 8/88/1041 – Detached house with garage – Granted.

6.0 OBSERVATION OF CONSULTEES

6.1 None received at the time of writing.

7.0 OTHER REPRESENTATIONS

7.1 Dalton Parish Council raise objections upon the following grounds:

- Concerns regarding inaccuracies within the Design and Access statement
- Concerns regarding overdevelopment in the Green Belt

7.2 2 no. Letters of objection received upon the following grounds:

- Concerns regarding the increase in both ridge and eaves height having a dominating effect on the neighbouring property
- Concerns that this application would result in an incongruous addition
- Concerns regarding inaccuracies within the planning application documents
- Concerns regarding the overdevelopment in the Green Belt

8.0 SUPPORTING INFORMATION

8.1 Green Belt Assessment – Mark Arrowsmith. Received by the Local Planning Authority on 27th October 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.

- 9.2 The site is located within the Green Belt of Dalton as designated in the West Lancashire Local Plan 2012 – 2027 DPD.
- 9.3 **National Planning Policy Framework (NPPF)**
Achieving well designed places
Protecting green belt land
- 9.4 **West Lancashire Local Plan (WLLP) 2012 – 2027 DPD**
Policy GN1 – Settlement Boundaries Policy
Policy GN3 – Criteria for Sustainable Development Policy
Policy IF2 – Enhancing Suitable Transport Choice
Policy EN2 – Preserving and Enhancing West Lancashire's Natural Environment
- 9.5 **Supplementary Planning Document**
Design Guide (2008)
Development within the Green Belt (2015)

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

- 10.1 The main considerations for this application are:
- Principle of Development – Green Belt*
- 10.2 The National Planning Policy Framework (NPPF) is a key material consideration in assessing the principle of the development. Paragraph 149 in the National Planning Policy Framework states that "A local planning authority should regard the construction of new buildings as inappropriate in Green Belt" unless it falls within one of the 7 exceptions listed. One such exception is for 'The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building'.
- 10.3 The Council's 'Development in the Green Belt' SPD also states proposals for extensions (including domestic outbuildings) to existing buildings in the Green Belt should satisfy the specified criteria which include: the total volume of the proposal, together with any previous extensions, should not exceed 40% of the volume of the original building, and the design of the extension is in-keeping with the original form and appearance of the building and does not material harm the openness of the Green Belt and landscape.
- 10.4 The application property had full planning permission under reference 8/88/1041 to replace the dwelling as a detached house with an attached garage that sat underneath the ground floor. More recently, in 2007 there was an addition of a detached double garage under Permitted Development.
- 10.5 The Green Belt assessment submitted with this application calculates the existing building and detached garage, when taking into consideration the original volume. The submitted statement identifies that there would be a 6.63% increase following the proposed development. This is inaccurate, as the detached double garage was an additional outbuilding following the approved plans for the replacement dwelling in 1988 and is therefore not considered original. However,

when considering the total volume of the existing outbuilding and proposed development, the volume would equate to 39.35%.

- 10.6 Volume is only one aspect of assessing if the development is disproportionate. Other factors are scale, height, projection, site location/context and design. Openness is an essential character of the Green Belt that has both spatial and visual aspects.
- 10.7 The proposed site is located to the north of Long Heys Lane and other neighbouring properties. The application site sits within a large plot with a detached double garage to the rear of the site. The proposed development would not result in any further extension beyond the existing structures and footprint of the dwelling, however it would increase the ridge height and include an addition of a dormer to the front elevation. With consideration to the layout of the site and its immediate surrounding area, the scale and design of the proposed development is not considered to result in a disproportionate addition to the existing dwelling and would otherwise harmonise with its setting.
- 10.8 The proposed development, in combination with the detached double garage, is within the recommended 40% volume increase of the original dwelling and in this context is not inappropriate development in accordance with the National Planning Policy Framework (NPPF). With reference to recent appeals, when a proposal is considered to not amount to inappropriate development, an assessment on the impact of the openness is not warranted, however for completeness, it is not considered that the proposed additions by virtue of their design and scale would impact on the openness of the Green Belt.
- 10.9 Given the above, it is considered that the proposed development is not inappropriate development in compliance with the requirements of the NPPF, Policy GN1 of the West Lancashire Local Plan and the West Lancashire Development in the Green Belt SPD.

Design and Layout

- 10.10 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 site and its surroundings.
- 10.11 The proposed development includes an increase in the ridge height, with a front dormer, to convert the existing loft space into a bedroom and ensuite and replacing the chimney. The materials would include stone to the front and chimney, render to the rear, and slate roof, matching the existing materials already used. I am satisfied that the scale, design and form of the proposal is acceptable and harmonious for the location and existing property and would not result in harm to the host original building nor represent as overdevelopment.
- 10.12 The proposal also includes the addition of solar panels to the front and side roof slopes of the property. There are permitted development rights existing for the installation of domestic solar panels, however, the proposal would exceed the limit under permitted development and therefore requires full planning permission. The applicant property is neither a listed building or located within a conservation area where the character and appearance of the designation's

setting would be most important. Due to the siting of the proposed solar panels, only those to the front elevation will be visible from the street-scene. However, their attachment to the roof may almost level as to not be seen as incongruous and that overall, the existing property is already unique in its appearance and the addition of solar panels to the front and side roof slopes would not detract from the existing setting of the dwelling or surrounding area.

- 10.13 Given the above, there will be some proposed elements that will be visible from the street-scene. However, as front dormers are not uncommon in the immediate vicinity, and the ridge height increase will not appear out of keeping in relation to the neighbouring property at Wood Meadow and that the proposed installation of solar panels will not result in an incongruous addition, the proposed development will not result in an adverse impact on the character and appearance of the property and street-scene and is therefore considered to comply with Policy GN3 of the Local Plan.

Impact on Residential Amenity

- 10.14 Policy GN3 of the Local Plan states that proposed development should retain or create reasonable levels of privacy, amenity and sufficient garden/outdoor space for occupiers of the proposed and neighbouring properties. The Council's SPD Design Guide explains that extensions must have consideration for the amenity of the neighbouring properties in terms of overlooking, overshadowing and overbearing impact.
- 10.15 There is one direct neighbour (Wood Meadow) sitting to the southeast of the applicant site. The proposed development includes an increase in the ridge height and a dormer to the front elevation and replacing the chimney, the latter element being focused to the rear. There will be no further projection from the existing elevations and therefore the distance to the common boundary shared with Wood Meadow remains unchanged.
- 10.16 The ridge height will increase from approximately 5.35m to 6.15m, levelling up to the existing ridge height of Wood Meadow and there will be no further projection from the existing rear elevation. Considering the scale and siting of the applicant property, the proposed ridge height would not result in an overbearing or overshadowing impact but would sit in line with the existing built form.
- 10.17 The proposed development also includes the addition of a dormer to the front elevation, and the addition of three windows to the rear elevation. As the dormer is to the front, with no additional windows to the side elevations, there will be no risk of loss of privacy by way of direct overlooking. Furthermore, the rear will include two roof windows and one window to the centre of the rear elevation. The new windows to the rear elevation will comprise of high-level glazing, minimising the risk of privacy loss, with views remaining over the rear garden which is not dissimilar to the current situation.
- 10.18 With consideration to the above, it is considered that the proposal will not result in any detrimental impact on the living conditions of neighbouring properties and would therefore comply with Policy GN3 of the West Lancashire Local Plan.

Highways

- 10.19 Policy GN3 of the West Lancashire Local Plan 2012 – 2027 DPD states that development should incorporate suitable and safe access and road layout design in line with the latest standards. Parking should be provided in accordance with Policy IF2.
- 10.20 The proposed development would increase the ridge height to be able to convert the loft space for a bedroom and ensuite. Following the development, the property would increase the total number of bedrooms from three to four. According to Policy IF2, a four+ bedroom dwelling has the requirement to be able to accommodate three on-site car parking spaces. The applicant dwelling has a large driveway that runs along the east side elevation and meets a double garage to the rear of the site. It is considered that the existing parking area can accommodate the required number of on-site car parking and that the development would comply with the relevant requirements of local plan policies GN3 and IF2 of the West Lancashire Local Plan.

Other Matters

- 10.21 The application received several letters of objection, raising concerns of overdevelopment in the Green Belt and inaccuracies in relation to the volume calculations.
- 10.22 In 1988 the Council granted full planning permission to demolish the former dwelling and rebuild into the property it is today (excluding the detached double garage that was approved under Permitted Development in 2007). The Council accepts that the 1988 property is now considered as the original and existing dwelling in which original volumes are calculated from. As mentioned previously, the submitted volume calculations have some inaccuracies due to including the detached garage within the original volume, however, based on my own calculations, the proposed development would remain under the 40% threshold in volume when combining the proposed development with the existing detached garage. Furthermore, as the proposal sits within the 40% volume increase, and the proposal would not result in any further extension from the existing elevations, it is considered that the increase in height would not be creating an incongruous addition to the original dwelling.
- 10.23 The proposed increase in the ridge height would result in approximately a 0.8m increase, whilst the eaves to the rear elevation would increase to a maximum height of approximately 5.6m. The increases in height would result in the same ridge height level as the neighbouring property Wood Meadow, although the height of the eaves would sit higher to the rear. The proposed development does not include any further extension than the height increases and sits along the side elevation of Wood Meadow. Therefore, it is not considered that there would be a dominating effect on the neighbouring property.

11.0 CONCLUSION

- 11.1 It is considered that the principle of development in the Green Belt at this site is acceptable. The design and layout of the development would be in keeping with the existing dwelling and would not have any significant adverse impact on

neighbour amenity or highway safety. The proposed development is therefore considered to be compliant with the NPPF and Policies EN2, IF2, GN1 and GN3 of the West Lancashire Local Plan 2012 – 2027 DPD. As such, the application is therefore recommended for approval.

12.0 RECOMMENDATION

Condition(s):

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:

Submitted Application Form;
Site Location (D0211/100);
Existing and Proposed Site Layout (D0211/110, D0211/111);
Existing and Proposed Floor Plans and Roof Plans (D0211/101, D0211/105, D0211/102, D0211/106);
Existing and Proposed Elevation Plans (D0211/103, D0211/104, D0211/108);
Proposed Sections (D0211/109);

Received by the Local Planning Authority on 27th October, 18th and 23rd November 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.

Reason for Approval

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

Policy GN1 – Settlement Boundaries Policy
Policy GN3 – Criteria for Sustainable Development Policy
Policy IF2 – Enhancing Suitable Transport Choice
Policy EN2 – Preserving and Enhancing West Lancashire's Natural Environment

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.

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.

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.