



PLANNING COMMITTEE: 5 October 2023

Report of: Corporate Director of Housing, Transformation and Resources

Contact for further information:

Case Officer: Daniel Fitzpatrick 01695 585374

E-mail: Daniel.Fitzpatrick@westlancs.gov.uk

SUBJECT: PLANNING APPLICATION REF: 2023/0491/FUL

PROPOSAL: Internal reconfiguration, garage conversion, partial demolition and reconstruction as well as erection of new single storey extension

APPLICANT: Mr P Williams

ADDRESS: 20 Gregory Lane

REASON FOR CALL IN: Application has been called in by Cllr Westley to with concerns regarding the loss of the garage and its proposed conversion to a study, questioning why the study needs a separate entrance and an installation of its own toilet.

Wards affected: Halsall.

1.0 PURPOSE OF THE REPORT

1.1 To advise Planning Committee on an application which seeks permission for Internal reconfiguration, garage conversion, partial demolition and reconstruction as well as erection of new single storey extension.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

2.1 To grant planning permission subject to conditions.

3.0 THE SITE

3.1 The site relates to a detached two-storey dwelling located on Gregory Lane, Halsall. The dwelling has hardstanding and a small garden to the front, with a larger garden to the rear.

4.0 PROPOSAL

4.1 Internal reconfiguration, garage conversion, partial demolition, and reconstruction as well as erection of new single storey extension

5.0 PREVIOUS RELEVANT DECISIONS

5.1 1984/0137 - Garage / utility room extension. APPROVED

5.2 2023/0043/LDP - Certificate of Lawfulness- Proposed two storey rear extension, loft conversion with dormer to rear and erection of new porch. SPLIT DECISION – LOFT CONVERSION, DORMERS, AND PORCH APPROVED.

6.0 OBSERVATION OF CONSULTEES

6.1 None.

7.0 OTHER REPRESENTATIONS

7.1 Five Neighbour and Interested party representations raising concerns which can be summarised as:

- Design
- Overlooking
- Overshadowing
- Impact on the Green Belt
- Impact on the streetscene
- Parking provision
- Use of conversion

8.0 SUPPORTING INFORMATION

8.1 Volume Calculations (31.05.2023)

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 site is located within the Green Belt as designated in the West Lancashire Local Plan (WLLP) DPD.

National Planning Policy Framework

Achieving well designed places

Protecting Green Belt Land

West Lancashire Local Plan (2012-2027) DPD

Policy GN1 - Settlement Boundaries

Policy GN3 - Criteria for Sustainable Development

Policy IF2 – Enhancing Sustainable Transport Choice

Supplementary Planning Document (SPD), Design Guide (Jan 2008)

Supplementary Planning Document (SPD), Development in the Green Belt (October 2015)

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF HOUSING, TRANSFORMATION AND RESOURCES

10.1 The main considerations for this application are:

- Principle of Development / Impact on the Green Belt
- Impact on visual amenity, design, and character of area
- Impact on residential amenity
- Impact on highway safety

Principle of Development / Impact on the Green Belt

10.2 Paragraph 145 of the NPPF advises that the extension or alteration of a building is an acceptable form of development in the Green Belt provided that it does not result in a disproportionate addition over and above the size of the original building. Policy GN1 in the Local Plan states that development proposals within the Green Belt will be assessed against national policy and any relevant Local Plan policies.

10.3 The Council's SPD 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.

10.4 I note the concerns raised by the neighbours and interested parties regarding the impact on the Green Belt. Upon checking the planning history of the site, it appears the existing property was extended under applications 1980/0137 and 2022/0043/LDP. Volume calculations have been submitted showing the proposal will be slightly reducing the volume on site, however, these calculations do not include the front porch, loft conversion or dormers. The volume of the property has been increased already by approximately 93% over the original dwelling, and the proposed work will see the volume reduced slightly to 91% over the original dwelling. Whilst this is still over the 40% guideline figure set out in the SPD, there is no additional impact on the Green Belt.

10.5 I consider the proposal would not cause any further harm to the Green Belt, as it is remodelling/slightly reducing the existing built form.

10.6 The proposed extensions are sited in a very similar footprint to the existing extensions. The only notable change is the removal of the garden room from the left-hand side of the rear elevation, and the erection of the kitchen, living, dining extension on the right-hand side of the rear elevation. Given the existing extensions have previously extended into new areas of the Green Belt, the remodelled extensions and their reduced volume ensures the proposal keeps the built form tightly compact around the existing property in a similar fashion to the existing. I do not believe the proposal would result in any additional harm to the Green Belt through the spread of development, as the rear extensions are a

remodel of the existing volume and do not detrimentally protrude much further from the rear elevation than the existing.

- 10.7 Paragraph 137 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 138 sets out the five purposes of the Green Belt; one of which is to assist in safeguarding the countryside from encroachment. It is my view that the proposal would not result in a detrimental encroachment of residential development into an area of the Green Belt, as the proposal is keeping the additions situated between dwellings, to the rear of the property, and the built form tightly compact around the original dwelling. On that basis I consider the development would not have an adverse impact on the openness of the Green Belt.
- 10.8 However, I consider that the resultant degree of extensions is at the limit of policy allowance and therefore additional development on the site has high potential to unduly impact on the openness of the Green Belt – one of its essential characteristics and one that must be attributed substantial weight. In order to ensure that any further development on the site minimises impact on openness I consider it expedient to remove class E of Part 1 of the TCP (General permitted Development) (England) Order 2015 that potentially would result in a further loss of openness of the Green Belt and potential impact on residential amenity. This does not prevent further development it merely provides an opportunity for the LPA to guide development to minimise any further impact on the Green Belt.

Impact on visual amenity, design, and character of area

- 10.9 Policy GN3 of the Local Plan requires all new development to have regard to the visual amenity of the surrounding area and complement or enhance any attractive attributes through sensitive design including appropriate siting, orientation, scale, materials etc.
- 10.10 I note the concerns raised by the neighbours and interested parties with regard to design and impact on the street scene. The application is for the conversion of the garage extension and a new single storey rear extension that will replace the existing. The proposed materials for the conversion and rear extension will be mostly contrary to the existing dwelling, such as the new agate grey UPVC windows, off white render to the front, side, and rear elevations, and new natural slate roof. Whilst the proposed materials will drastically change the look of the property, they will not damage the look of the property on the street scene, as there are other houses on Gregory Lane finished in white render, with slate roofs, and varying window colours. The proposed work will see a new study created where the existing garage is located, and a large utility and kitchen/dining/living area in the rear extension. There are many dwellings on and surrounding Gregory Lane that have extensions/conversions of varying heights, roof types, and materials meaning the proposal is in keeping. For this reason, I believe the design and finish satisfactorily meet the requirements of policies GN3 in respect to visual amenity design and character of the area.

Impact on Residential amenity

- 10.11 Policy GN3 of the Local Plan states that proposed developments should retain or create reasonable levels of privacy, amenity for occupiers of the proposed and neighbouring properties.
- 10.12 I again note the concerns raised by the neighbours and interested parties relating to overlooking, overshadowing, the garage conversion and new entrance.
- 10.13 The rear extension will be a remodel of the existing single storey extension and only extend slightly further from the rear elevation than the original, by approximately 0.2m. As mentioned briefly in paragraph 10.6, the new kitchen/living/dining extension will be constructed on the right-hand side closest to No.22 Gregory Lane. It will extend from the rear wall by around 7.0m, which is approximately 3.6m more than the existing extension. Whilst this projection is quite large, due to its single storey nature, the fact its stepped away from the common boundary, and lower in height than the existing, I consider the proposal will not be overbearing to, or overshadow neighbouring properties.
- 10.14 The proposal is of single storey nature and will feature bi folding doors located in the side elevation of the rear extension, facing No.18 Gregory Lane. The doors will face into the rear garden area of the property which is screened by an approximately 1.8m high fence, ensuring the doors will not overlook neighbouring properties. There are also windows and doors in the rear elevation on both the ground floor and first floor, however, as these look out on to the existing garden area and do not directly look at neighbouring properties, I do not consider they will detrimentally increase the amount of overlooking.
- 10.15 The new entrance to the study is to be located close to the common boundary, however, whilst I note the concerns of the neighbours, on balance I consider that the door location is acceptable if it is used for the sole purpose of the owner entering the study. Therefore, to ensure that the neighbours are not impacted by people coming to the dwelling for business use, I will control this with a condition. Subsequently, the proposal would accord with Policy GN3 of the Local Plan in this respect.

Impact on Highway Safety

- 10.16 Policy IF2 of the West Lancashire Local Plan 2012-2027 DPD states that development should ensure that parking provision is made in line with the standards set out in Local Plan Policy IF2.
- 10.17 As a result of the proposal, the property would be gaining an extra bedroom downstairs due to the internal reconfiguration making it a four-bedroom property, whilst also losing off street parking with the conversion of the garage to a study. Policy IF2 of the Local Plan states that properties with four or more bedrooms should have three off street car parking spaces. Whilst a parking plan has not been submitted, having visited the site I think it would be too small a space for three cars to park at the front of the property. However, the dwelling is located a short walk/cycle away from Halsall village and has access to many public facilities such as local bus routes, convenience stores, the local church, primary school, and parks. As such it is considered that two parking spaces is sufficient.

10.18 As previously mentioned, I note the concerns of the neighbours with regards to the new access door being located close to the common boundary and I consider that the inclusion of a condition to restrict business/ trade use to the property is justified given the limited parking available at the property and on Gregory Lane. As such, the property is located in a sustainable area and whilst it does not fully meet the parking provision, the proposal in my view complies with Policy IF2 of the Local Plan.

11.0 CONCLUSION

11.1 Given the above, the proposed development is considered to be compliant with the NPPF and Policies GN1, GN3 and IF2 of the West Lancashire Local Plan 2012-2027 DPD and the application is recommended for approval

12.0 RECOMMENDATION

12.1 That the application should be approved subject to the following conditions;

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:

Plan reference

'Site Location Plan - DWG No. TQRQM23150222957883'
received by the Local Planning Authority on 31st May 2023
'Proposed Elevations 01 DWG No: J7_01720_(20)_A008 REV P02'
'Proposed Elevations 02 DWG No: J7_01720_(20)_A009 REV P02'
'Proposed Plans 01 DWG No: J7_01720_(20)_A005 REV P02'
'Proposed Plans 02 DWG No: J7_01720_(20)_A006 REV P02'
'Proposed Plans 03 DWG No: J7_01720_(20)_A007 REV P02'
received by the Local Planning Authority on 18th September 2023

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: 'Application Form - Materials'
Proposed Plans 01 DWG No: J7_01720_(20)_A005 REV P02'

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 garage conversion hereby permitted shall be retained for use by the dwelling at all times and used only for private and domestic purposes and no trade or business use shall be carried out therefrom at any time.

Reason: To safeguard the amenities of occupants of existing dwellings located in the vicinity of the application site and to comply with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

5. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) Schedule 2, Parts 1 A – F and 2 A - B, or any amendments made to that Order, shall not apply:

(iv) no buildings, greenhouses, swimming pools, gates, walls, fences or other structures shall be erected within the curtilage of the dwellings

unless on application to the Local Planning Authority, planning permission for such development has been granted.

Reason: The character and location of the property are such that the Local Planning Authority wish to exercise control over future development in order to protect residential and visual amenity to comply with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

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.