



PLANNING COMMITTEE: 18th January 2024

Report of: Corporate Director of Transformation, Housing and Resources

Contact for further information:

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SUBJECT: PLANNING APPLICATION REF: 2023/0847/FUL

PROPOSAL: Part retrospective application for construction of rear elevation dormer.

APPLICANT: Mr Lee Kreidli

ADDRESS: 15 Skelmersdale Road, Bickerstaffe, Ormskirk L39 0EZ

REASON FOR CALL IN: Application has been called in by Cllr Rigby to consider the impact on neighbouring residents. Residents are concerned with loss of privacy through overlooking and impact upon the street scene and the Green Belt.

Wards affected: Bickerstaffe – Rural South Ward

1.0 PURPOSE OF THE REPORT

- 1.1 To advise Planning Committee on an application which seeks retrospective permission for the construction of a rear elevation dormer extension with 3 windows for bedrooms and a bathroom.
- 1.2 The application was originally submitted, and neighbours consulted upon what turned out to be inaccurate and unrelated plans. The application was put on hold until correct plans were submitted. Neighbours were then reconsulted.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

- 2.1 **APPROVE** subject to conditions.

3.0 THE SITE

- 3.1 The site relates to a detached residential dwelling, no.15 Skelmersdale Road in Bickerstaffe. The western boundary of the elongated garden abuts the equally elongated rear garden boundaries of two pairs of semi-detached and one detached dwellinghouse on Lyelake Lane and the rear access track to the row of six terraced houses fronting onto Skelmersdale Road a length of approximately 65.5 metres. The driveway abuts the side boundary with no.11 Skelmersdale Road; the end terrace.
- 3.2 The site is located within the rural area of Bickerstaffe close to the roundabout interchange with junction 3 on the M58.
- 3.3 Within the group of dwellinghouses occupying the corner of Lyelake Lane and Skelmersdale Road are a mix of terraced on the corner and beyond there is a mix of detached and semi-detached properties. With the exception of the terraced dwellings all the gardens are, to varying degrees, long and narrow.
- 3.3 Opposite the site is a mix of farmland, garage service area and convenience coffee shop.

4.0 PROPOSAL

- 4.1 Planning permission is sought in part retrospect for the construction of a rear elevation dormer.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 2020/0995/FUL – PERMITTED
Single storey extension to side elevation and single storey to rear.
- 5.2 2020/0393/FUL – WITHDRAWN
Two storey extension to side elevations.

6.0 OBSERVATION OF CONSULTEES

- 6.1 None

7.0 OTHER REPRESENTATIONS

- 7.1 2 neighbour objections have been received and can be summarised as follows:
- oversized dormer not in keeping with the local community/ housing in the street.
 - scale of the building appears excessive
 - the large windows will result in a loss of privacy and neighbour amenity by being overlooked directly into our kitchen, downs stairs bathroom, back yard and garden.
 - Inappropriate in the Green Belt, can be seen on Skelmersdale Road and Lyelake Lane.

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8.0 SUPPORTING INFORMATION

The original plans submitted have been superseded by the following which were submitted on the 11th of December 2023.

- Dwg.no.023-18C Original floor
- Dwg.no.023-18A Original elevations south and west
- Dwg.no.023-18B Original elevations north and east
- Dwg.no.020-18D Proposed first floor and loft floor layout plan

Submitted on the 12th of December 2023

- Dwg.no.023-18D Proposed elevations south and west
- Dwg.no.023-18D Proposed elevations north and east

Submitted on the 13th of December 2023

- Dwg.no.023-18E Site layout plan

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 small rural area of Bickerstaffe as designated in the West Lancashire Local Plan 2012-2027 DPD.

9.3 National Planning Policy Framework (NPPF)

- Chapter 12 Achieving well-designed places
- Chapter 13 Protecting the Green Belt

9.4 West Lancashire Local Plan Policies

- Policy SP1 A Sustainable Development Framework for West Lancashire
- Policy GN3 Criteria for Sustainable Development

9.5 Supplementary Planning Document

- Design Guide (January 2008)
- Green Belt (October 2015)

10.0 ASSESSMENT

Principle of development

10.1 The proposed development relates to a householder extension on a dwellinghouse within a group of dwellinghouses within the rural settlement of Bickerstaffe, and consequently there are no objections in principle to the proposed extension, subject to compliance with the relevant policies of the Local Plan. The report moves on to address the impact of these works further and the main considerations for this application are:

- Impact on the Green Belt
- Visual amenity / character of the street scene
- Impact on residential amenity

Impact on the Green Belt

- 10.2 Regardless of the principle of development being considered acceptable, there is still a need to consider the potential impact on the openness of the Green Belt.
- 10.3 Paragraph 154 in the NPPF states that “A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt.” There are 7 exceptions to this rule and (c) applies; 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.”
- 10.4 Policy GB4 of the Green Belt SPD provides guidance on construction of alterations and extensions within the Green Belt.
- (a) The existing building is lawful and permanent in nature;
- (b) The total volume of the proposal, together with any previous extensions, alterations and non-original outbuildings, would not result in an increase of more than 40% above the volume of the original building.
- (c) The design of the extension or alteration is in keeping with the original form and appearance of the building and does not materially harm the openness of the Green Belt through excessive scale or bulk, or by virtue of its location. It should also be in keeping with the character of the area and appropriate in terms of design and materials.
- 10.5 In respect of (a), the building is permanent in nature and is lawful with the exception of the part constructed dormer subject to this application.
- 10.6 In respect of (b), the original volume is considered to comprise of the dwellinghouse, garage and small outbuildings at the rear of the dwelling and an outbuilding within the garden. This information has been attained from the Council’s records shown on an 1890s OS map and aerial photograph from the 1960s. These features have been altered over time and I have found no record to clarify the original volume. Therefore, the original volume is calculated on what is known from previous alterations, the sales particulars and existing built form on site. Nevertheless, the cumulative volume increase, rear dormer, single storey ground floor extension and the outbuilding would exceed the 40% threshold of policy GB4.
- 10.7 In respect of (c), read in conjunction with the preceding paragraphs, Figure 3 on page 21 of the GB SPD considers the impact of extensions upon the perceived openness of the Green Belt. Within the preceding paragraphs it is stated that, *prominent or easily visible expansion of a building will detract more from the perceived openness of the Green Belt than would a more concealed or compact form of expansion. For example, the infilling of space between existing parts of the building, so that no further outward projection is involved would often have no material effect on the perceived openness of the Green Belt. Most outwardly*

projecting extensions are likely to detract to some degree from the perceived openness of the Green Belt. In some cases, very small outward additions to an already disproportionately extended building may often have no further material impact on the perceived openness of the Green Belt and may be allowed. However, it is not possible to set out prescriptive rules in this respect and every case will be examined on its own merits.

- 10.8 Nevertheless, as a result of the increased volume on site, the proposal would not comply with Policy GB4 and therefore would be considered inappropriate. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 10.9 It is considered that the dormer will not detract from the openness of the Green Belt, due to it not extending beyond the rear elevation or side elevations of the original footprint of the dwellinghouse. Whilst it will result in a slight increase to the original ridge height of the dwelling, this is considered to be de minimis in the context of the existing streetscene which portrays a variety of built form. I consider this to be a modest addition to a dwelling which is positioned in a continued run of residential properties and therefore not prominently positioned. As such the harm identified to the openness of the Green Belt is considered to be limited.

Design / Visual amenity / character of the street scene

- 10.10 Along with the Council's SPD Design Guide, Policy GN3 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 One of the plans originally submitted on the 19th of September 2023 dated October 2020 no.01 shows drawings at odds with each other. The section drawing shows what has been part constructed, and the elevation drawings show something similar to the plans assessed within this report. The builder has commenced following the sectional drawing.
- 10.12 The design incorporates render to the sides that will match the host buildings colour and texture, and false eaves will be added to take account of the original design features. In addition, the windows have been brought in line with existing fenestration.
- 10.13 I am satisfied that the amended plans submitted on the 11th of December 2023 accurately take account of the development commenced on site.
- 10.14 In respect of the visual impact on the character of the streetscene, the initially proposed hung tiles were considered to adversely impact upon the open visual by virtue of introducing the uncharacteristic dark colour at that height below the grey flat roof; The comparative design is rear dormer on no.39. The now proposed rendered walls will appear characteristic within the gable against the open sky back drop, similar to the rear dormer on no.29. Therefore, I am of the opinion that the dormer will not cause harm in respect of design or visual amenity.
- 10.15 In respect of wider visual impact, the rear elevation is barely visible from the public right of way that is a quarter of a mile north of the site. In any views travelling south

on Lyelake Lane, where visible the dormer will be seen against the backdrop of the roof, and adjacent roofs. There is an eclectic mix of rear dormers and extensions that increases towards the end dwelling on Skelmersdale Road, no.39, which is highly visible and of a greater scale in height.

10.16 I am satisfied that the design, scale and external finish are acceptable and sympathetic to the host dwellinghouse and character of the locality and accord with Policy GN3 of the Local Plan.

Impact on residential amenity

10.17 Chapter 12, paragraph 135 (f) of the NPPF states that policies and decisions should ensure that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience; And the need to consider internal spaces.

10.18 Planning Practice Guidance (PPG) states that achieving good design “is about creating places, buildings, or places that work well for everyone, look good, and will adapt to the needs of future generations.”

10.19 Local Plan Policy GN3 allows development provided it retains or creates reasonable levels of privacy, amenity and sufficient garden/outdoor space for occupiers of the neighbouring properties.

10.20 Residential amenity impact can be assessed in terms of privacy, loss of sunlight/daylight.

10.21 The adjacent dwellinghouse to the east, no.17, is separated from the dormer element of the host dwelling by approximately 7.4m. There is an outrigger from the rear elevation of no.17 and associated outbuildings adjacent the boundary fence. There is also a side elevation first floor window fitted with clear glass. The rear dormer elevation of the host dwelling is set back from the rear elevation of no.17.

10.22 The adjacent dwellinghouse to the west, no.11, is separated from the dormer element of the host dwelling by approximately 10m. The rear elevation is forward of the rear elevation of no.15. There is an outbuilding and a garage towards the end of the garden and beyond the rear boundary fence.

10.23 In respect of loss of, or reduced light, I consider that by virtue of the north facing rear elevations and separation distances there would be no impact on either neighbour.

10.24 In respect of overlooking, it is accepted that there may be a perception of being overlooked by the new windows when the extension is complete. However, the new windows do not introduce any new overlooking over and above currently exists from the first floor windows, which is of an indirect nature and comparable to that experienced on other properties. This is not considered to result in a level of harm that might restrict the neighbours enjoying their outside space.

- 10.25 The rear elevations and gardens of other neighbours on Lyelake Road are at the nearest point 53m away and the proposal would cause no harm to residential amenity of these dwellings.
- 10.26 In respect of existing and future users, the proposal provides additional bedrooms within this substantial planning unit without increasing the footprint or reducing the parking capability. The applicant has 7 children, and the extension results in a family dwellinghouse that can accommodate a large family.
- 10.27 Therefore I conclude that the proposal would not cause undue harm to residential amenity through loss of light or privacy and that the proposal accords with the NPPF and Policy GN3.

Parking

- 10.28 Policy GN3 and IF2 require development to provide sufficient off-road parking. The extension increases the number of bedrooms from 4 to 6. For dwelling houses with more than 4 bedrooms the parking requirement is 3. The existing large garage and driveway can accommodate 3 vehicles therefore the proposal is acceptable in accordance with Policy IF2.
- 10.29 Comments have been received which raise concerns regarding cars parking along Skelmersdale Road. It is evident that there are no on street parking restrictions by way of double yellow lines, and that properties along this stretch may park their vehicles outside their properties without obstruction to the highway. Nevertheless, it is considered above, that sufficient off-street car parking in line with policy requirements can be accommodated within the site.

11.0 CONCLUSION

- 11.1 Given the above I consider that the proposal satisfactorily meets the requirements of Policies SP1, GN3, IF2 of the West Lancashire Local Plan 2012-2027 DPD and should be recommended for approval.

12.0 RECOMMENDATION

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 Local Plan 2012-2027 Development Plan Document:

SP1 - A Sustainable Development Framework for West Lancashire

GN3 - Criteria for Sustainable Development

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.

Conditions:

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

Received by the Local Planning Authority on 11.12.2023

Dwg.no.023-18C Original floor

Dwg.no.023-18A Original elevations south and west

Dwg.no.023-18B Original elevations north and east

Dwg.no.020-18D Proposed first floor and loft floor layout plan

Received by the Local Planning Authority on 12.12.2023

Dwg.no.023-18D Proposed elevations south and west

Dwg.no.023-18D Proposed elevations north and east

Received by the Local Planning Authority on 13.12.2023

Dwg.no.023-18E Site layout plan

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.

2. The walls of the rear dormer extension hereby permitted shall match the render on the existing dwellinghouse in colour and texture.

Reason: To ensure that the external appearance of the building 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

13.0 SUSTAINABILITY IMPLICATIONS

- 13.1 There are no significant sustainability impacts associated with this report and 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.