



**PLANNING COMMITTEE: Thursday,
15 February 2024**

Report of: Corporate Director of Transformation, Housing and Resources

**Relevant Portfolio Holder: Councillor Deputy Leader & Portfolio Holder for
Planning & Community Safety**

Contact for further information:

Case Officer: Liam Murray (Extn. 3450) (E-mail: liam.murray@westlancs.gov.uk)

SUBJECT: PLANNING APPLICATION REF: 2023/0713/FUL

PROPOSAL: Alterations to landscape including hot tub with canopy, fences and gate posts. New porch, gothic style fascias to gable ends and bay window extension upon garage (Retrospective). The installation of a rendered brick and tiled roof passage connecting the house to the games room (retained as built). Basalt cobbles to form the driveway and rendered gate posts.

APPLICANT: Mr David Hughes

ADDRESS: 55 Granville Park, Aughton.

REASON FOR CALL IN: Application has been called in by Cllr David Westley to consider the impact on the Granville Park Conservation Area.

Wards affected: Aughton & Holborn

1.0 PURPOSE OF THE REPORT

1.1 To advise Planning Committee on an application which seeks retrospective approval regarding a new porch, gothic style fascias to gable ends and fencing along the south elevation. Approval also sought for link between dwellinghouse and detached garage, rendered gate posts and basalt cobbles to form driveway.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

2.1 That planning permission is granted subject to conditions.

3.0 THE SITE

3.1 The application relates to a detached two-storey dwellinghouse located on Granville Park, Aughton, in the Granville Park conservation area. 55 Granville Park is located at the end of a no throughway road with public footways passing on either side of the property. The dwelling is and site is of a significant size. Due to its positioning, access to the site is from the side (eastern) elevation as opposed to the front (southern) elevation.

3.2 There are protected trees on site under TPO no 2/2017.

4.0 PROPOSAL

4.1 The proposal seeks retrospective approval regarding a new porch, gothic style fascias to gable ends and fencing along the south elevation. Approval also sought for link between dwellinghouse and detached garage, rendered gate posts and basalt cobbles to form driveway.

4.2 The proposal has changed description through the application process, with the applicant and agent agreeing to remove the retrospective works regarding the bay window on the detached garage.

5.0 PREVIOUS RELEVANT DECISIONS

5.1 78/1978 - Detached bungalow, garage and access

5.2 1998/0038 - Provision of living accommodation in roof space including dormer extensions in front & rear elevations. Pitched roof to existing garage and conversion to granny flat. Alterations to bay windows on rear elevation – Granted

5.3 1998/0070 - Conservation Area Consent – Demolition of existing chimney stack - Granted

5.4 2003/1303 – Detached garage. Erection of side boundary fencing and brick gate posts (max. 1.8m high)

5.5 2020/0904/FUL- Two storey side and front extension and single storey rear extension – Granted

5.6 2022/0617/FUL - Alterations to landscape including hot tub, fences, gate posts & gates. New porch, finishes to elevations and conversion of the garage to games room including bay window extension to front (part retrospective) – Refused

6.0 OBSERVATION OF CONSULTEES

6.1 Environmental Health Officer

09/10/2023

Environmental Protection do not raise any objections to this application. It is noted that a close boarded fence is proposed to be placed inside of the current one, this is welcomed as it will reduce noise breakout from hot tub area.

6.2 Principal Drainage Engineer

07/02/2024

Confirms no objection to the proposal of a new driveway subject to the imposition of a condition requiring a surface water drainage strategy.

7.0 OTHER REPRESENTATIONS

7.1 Aughton Parish Council (23/1/23)

No objections but request that it is ensured the proposal will not harm the character of the conservation area.

8.0 SUPPORTING INFORMATION

8.1 Heritage statement.

8.2 Arboricultural survey.

9.0 RELEVANT PLANNING POLICIES

9.1 National Planning Policy Framework (NPPF)

Achieving well designed places

9.2 West Lancashire Local Plan (WLLP)

SP1 – Sustainable development framework

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.

9.3 Supplementary Planning Document – Design Guide

9.4 Granville Park Conservation Area Character Appraisal

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

10.1 The main considerations for this application are:

Design / layout / impact on conservation area

10.2 Policy GN3 of the West Lancashire Local Plan 2012-2027 (DPD) 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, its surroundings and also in the case of extensions or alterations to existing buildings the proposal should relate to the existing building, in terms of design and materials.

10.3 Policy EN4 states that “development should accord with the objective to preserve or enhance the character or appearance of the Conservation Area and in particular harmonise with its surroundings in terms of scale, mass, form, materials, and

overall design quality". In addition development should respect the setting of, and important views into and out from, conservation areas.

- 10.4 As defined under S.69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, conservation areas are areas of "special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance". There is a need to consider whether the proposal would meet the statutory duty to preserve or enhance the character or appearance of the Conservation Area.
- 10.5 Under the statutory duty, imposed by Section 72(1) of the P(LBCA) Act 1990, I need to give "special attention to the desirability of preserving or enhancing the character or appearance of that area".
- 10.6 The proposal site is located in the Granville Park Conservation Area which has a diverse selection of designs throughout with pre-war architecture and more modern architecture. The property at 55 Granville Park is highlighted in the Granville Park Conservation Area Character Appraisal (CA) as being constructed post-war to 1979. Originally designed in a mock Arts & Craft style, the various recent additions have incorporated a more Victorian-Gothic appearance.
- 10.7 This application can be broken into two distinct categories, the retrospective works which include the erection of a wooden canopy to the front of the property (south elevation), a porch / entrance and new fencing along the boundary of the southern elevation and the installation of a bay window upon the front elevation of the converted garage. The second category is for proposed works, which includes a proposed linkway between the primary dwellinghouse and the detached garage, basalt cobbles to form the driveway and the rendering of the gate posts.
- 10.8 Firstly, I will address the retrospective works before moving onto the proposed works. The wooden canopy to be erected to the front of the property will be used to cover an outdoor hot-tub area. This design and siting was deemed acceptable in principle as highlighted in comments provided in the case officer report for application 2022/0617/FUL. This remains the case as even though the position of the canopy will technically be beyond the front elevation, due to the positioning of the site and surrounding properties this section is tucked away and is not clearly visible from the streetscene or public view. It is therefore considered that this aspect is in compliance with policies GN3 and EN4.
- 10.9 Comments received as part of the same previous application (2022/0617/FUL) highlighted that the new porch can be seen as an acceptable addition to the property as its design is sympathetic to the design of the overall property with its gable roof and tall slope. This opinion remains and the porch is seen as an acceptable addition to the property and is in compliance with policies GN3 and EN4.
- 10.10 The new fencing along the southern boundary was deemed incongruous as part of 2022/0617/FUL. For this application, the height of this fence has been reduced to 2m. This is only an increase of 0.2m on the existing boundary fence. The panelling on the new boundary fence will be vertical closed panelling as opposed to horizontal closed panelling. The CA comments on the appearance of properties within the conservation area from the streetscene, in that properties should be partially visible, and glimpses of properties should be visible from the public

viewpoints. The reduction in height of the fencing allows for glimpses from the south elevation which has a footpath running alongside it, and the use of closed panelling will not reduce the visibility of the property as the existing fencing is also closed panelling. The changes made to the fencing from previous applications ensures the character of the conservation area is protected and remains in compliance with policies GN3 and EN4.

- 10.11 The previous application raised concerns regarding the bay window extension in so far as it included a non-conservation style rooflight upon the front elevation. The bay window extension has been included within this application, however the window as built has been altered to remove the rooflight. This is seen as a betterment to the as built form. The conservation officer previously noted that this element would be highly visible from public view. However, upon further reflection it is considered that views to this part of the site would be fleeting in passing, and only experienced on direct approach when entering the driveway. The property whilst located within the conservation area is situated at the end of a road, terminating there. The property sits at an angle to the road, with footpaths running parallel to the side boundaries of the property. The position of the garage along with the bay window is such that it too would be at an angle where direct visibility would be difficult. As such, given the location of the property and the existing obscurity of the site as a whole, it is not considered that the presence of the bay window extension would harm the character and appearance of the conservation area to the extent that it warrants a refusal of the application.
- 10.12 The proposed works for this application include rendering to the gate posts. Doing so will not harm the visual amenity of the property or the wider area as the dwelling at 55 Granville Park is rendered and is visible from the streetscene. Additionally, there are other examples of rendered gateposts throughout the Granville Park conservation area. I am satisfied that the aspect of the proposal is in compliance with policies GN3 and EN4.
- 10.13 The proposed works to the driveway will see the removal of the existing gravel and its replacement with basalt cobbles. There is a variety of driveway construction elsewhere in the conservation area, including examples of tarmac, paved and cobbled layouts. As such, whilst the introduction of cobbles will change the immediate appearance of the property, they will overtime assimilate and contribute towards the overall appearance of both the dwelling and surrounding area. I am therefore of the view that the proposed works to the driveway comply with policies GN3 and EN4 with regards to the design and appearance within the context of the conservation area.
- 10.14 Lastly, a single storey linkway is proposed between the side extension (granted under 2020/0904/FUL) and the converted games room (former detached garage). The linkway will be located to the rear of the games room obscuring it from view of the streetscene via the gate. Additionally, the fencing along the southern and north-eastern boundaries will screen views of the linkway further. The scale is subservient and the design is of a sympathetic nature with a pitched roof. The roof tiles will match the tiles of the property with slate and the walls will be rendered to match the primary dwelling. As such the introduction of a small single storey linkway in this location is not considered to demonstrably harm the host dwelling or that of the conservation area and would comply with policies GN3 and EN4.

Impact on residential amenity

- 10.15 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.
- 10.16 It is not considered that the proposed works will present any harm to the residential amenity of the surrounding properties. However, the retrospective elements have some potential to impact the residential amenity of the surrounding properties. These being the erected canopy covering a hot-tub area, and the new close boarded panel fencing. Environmental Health have provided comments on these two aspects. The erection of the new fencing within the old fencing will reduce breakout noise from the hot-tub area ensuring no significant impacts on the residential amenity of neighbouring properties. In turn the addition of a hot tub within private garden areas is not uncommon and its use is clearly associated and incidental to the dwellinghouse. It is therefore not considered that the addition of a hot tub will result in greater harm or disturbance to that which currently exists while using the outdoor space.
- 10.17 I am satisfied that both the retrospective and proposed works are in compliance with policy GN3 with regards to the impact on residential amenity of the neighbouring properties.

Impact on Trees

- 10.18 Policy EN2 of the Local Plan states that development involving the loss of, or damage to, woodlands or trees of significant amenity, screening, wildlife or historical value will only be permitted where the development is required to meet a need that could not be met elsewhere, and where the benefits of the development clearly outweigh the loss or damage.
- 10.19 As part of the application an arboricultural survey has been provided that has assessed whether any works will be needed on the trees within the site and the impact any works may have. The trees labelled T1 (sycamore) and T2 (cypress) are the two trees that will potentially be impacted by the proposed works of the linkway and the basalt cobbling of the driveway. T1 is located approximately 3m off the garage. The root protection zone extends under the existing garage and driveway, however the survey notes that T1 is already heavily compacted due the existing gravel driveway. T1 is in any case in good condition and shows good vigour.
- 10.20 As these proposed works are limited to ground floor levels, there is little risk presented to the canopy of the protected trees on the site. However, there is potential risk to the root spread of both T1 and T2 from the change to basalt cobbles. Additionally, a section of the linkway (where it adjoins the detached garage) will impact upon the root spread of T1.
- 10.21 This harm has been assessed within the survey and mitigating measures in the form of a minimal dig solution are recommended to avoid damage to the rooting environment. As such the integrity of the trees identified will be safeguarded to prevent long term damage subject to the imposition of a condition.

10.22 Subject to comments received from the arboricultural officer, I am satisfied that the proposal is in compliance with policies GN3 and EN2 of the WLLP and will not result in undue harm to protected trees within the site.

Parking provisions

10.23 Policy IF2 of the Local Plan provides the requirement details of car parking provisions for residential development. The conversion of the garage to a habitable room would remove some of the available parking on site however, I am satisfied there is sufficient space within the site for the required amount of parking. The proposal complies with Policy IF2 of the WLLP.

11.0 CONCLUSION

11.1 It is considered that the design of both the retrospective and proposed works should be viewed as acceptable within the context of the property itself and the wider conservation area, particularly due to the limited views of the property from the ground level. The proposed fencing will ensure that noise disturbance is reduced when the outdoor space and hot tub is in use therefore safeguarding the residential amenities of neighbouring properties. As such it is considered that the works will preserve the character and appearance of the conservation area and will not result in unacceptable incursion of the amenity of neighbouring properties in accordance with policies GN3 and EN4.

11.2 With regards to the impact on protected trees within the site, it is considered that the supporting tree survey has assessed the potential impact of the proposed works, namely the replacement driveway and linkway extension. The two trees identified have a root spread which extends under the driveway area, however the survey notes that the existing gravel driveway has already heavily compacted the trees identified, which are noted to be in good condition despite this. The survey recommends that a minimal dig solution is implemented during the replacement of the driveway, and in doing so will ensure the rooting environment of the trees identified are safeguarded. It is considered that a condition is required to reflect this. As such the proposed works are considered acceptable and would ensure the protection of trees in accordance with policy EN2.

11.3 I therefore recommend accordingly.

12.0 RECOMMENDATION

12.1 That any planning permission be granted subject to the following conditions:

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

Site location plan

Site plan showing Proposed & Retrospective works

Site plan prior to approval of 2020/0904

Issue 2 AW166

AW255

Issue 3 AW156

Tree and Landscape Management Survey ref. SMN dated September 2023

received by the Local Planning Authority on 01/08/2023, 16/08/2023 & 17/06/2023

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

- 2) Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the extension have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, size, colour and texture of the materials including the method of jointing of any stone or brick work and coursing of any roof work.

The development shall be carried out using only the agreed materials and method of construction and shall be retained at all times thereafter.

Reason: To preserve the character and appearance of the Granville Park Conservation Area and to comply with Policy EN4 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

- 3) No site clearance, preparatory work or development shall take place until a Method Statement detailing mitigation measures to be taken during construction to protect the health of the existing trees has been submitted to and approved in writing by the Local Planning Authority. The measures contained in the approved Method Statement shall be fully implemented during construction.

Reason: To protect the existing trees on site and thereby retain the character of the site and the area and to ensure the development complies with the provisions of Policies GN3 and EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

- 4) The driveway hereby approved shall not be replaced until a strategy for the surface water drainage has been submitted and approved in writing by the Local Planning Authority. The surface water drainage strategy must take account of the government guidance on the permeable surfacing of front gardens. It shall be clearly demonstrated that the surface water runoff will be effectively managed within the site boundary and will not be allowed to flow on to the highway or surrounding property. The drainage scheme must be completed in accordance with the approved details.

Reason: To prevent any increase in flood risk on or off site and to ensure the site is properly drained in the interest of local amenity to comply with Policies GN3 and IF3 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.