

No.6	APPLICATION NO.	2018/0241/FUL
	LOCATION	Aughton Institute Bold Lane Aughton Ormskirk Lancashire L39 6SG
	PROPOSAL	New two storey dwelling and integral garage.
	APPLICANT	Mr C Melia
	WARD	Aughton And Downholland
	PARISH	Aughton
	TARGET DATE	20th June 2018

1.0 REFERRAL

- 1.1 This application was to be determined under the Council's delegation scheme, however, Councillor Westley has requested it be referred to Committee to consider the impact on amenity of adjacent residential properties.

2.0 SUMMARY

- 2.1 This is an application for a detached dwelling on a vacant piece of land to the rear of Aughton Institute. Members may recall that planning permission was granted in February 2017 for a similar proposal. This application seeks to amend the scale and design of the proposed dwelling. Satisfactory interface distances have been achieved in order to protect neighbouring residential amenity. In my view the proposal complies with the relevant policies of the Local Plan.

3.0 RECOMMENDATION: APPROVE subject to conditions

4.0 THE SITE

- 4.1 The application site is a vacant piece of land situated to the rear of the Aughton Institute off Bold Lane in Aughton. It is bounded to the north and south by dwellings, to the east by a railway line and to the west by the bowling green associated with Aughton Institute.

5.0 THE PROPOSAL

- 5.1 This application seeks planning permission for a two storey detached dwelling with rooms in the roof space and integral garage. The scale and height of the dwelling has been amended during the course of the application and now proposes a dwelling which will measure 13.5m by 8.2m (approved measurements 13m by 8.5m) with a ridge height of 8.6m (8m previously approved) with a single storey rear extension measuring 13.5m by 4.2m (5m by 4.5m previously approved) and a height of 3.3m. An attached gym, garage and fourth bedroom will measure 6.3m by 9.7m (6.5m by 10m previously approved) with a ridge height of 6m with a two storey link measuring 2m by 2.8m. In summary the recent amendments submitted during the course of this application result in a reduction in the length of the proposed dwelling by 1.3m, the depth by 1.8m and the height by 0.5m.
- 5.2 Access to the site is proposed off Bold Lane, through the Aughton Institute car park adjacent to an established residential access serving number 39. It is proposed to take up a 5m strip of bowling green to the south in order to provide an access driveway; however it is proposed to extend the existing bowling green to the north.

- 5.3 Planning permission has previously been granted for a dwelling on this site under planning reference 2016/1008/FUL. The main differences between the two applications are summarised below:

Increase the ridge height of the main dwelling by 0.6m

Rooms within the roof space with windows

Increase the footprint of the main dwelling (by 0.5m and 0.3m)

Increase the ridge height of the garage annex by 1.5m to accommodate a first floor

Change the triple garage to a large single garage and gym.

Increase in the height of the single storey link to two storey

Change in footprint and design of the single storey extension

Additional windows and roof lights

6.0 PREVIOUS RELEVANT DECISIONS

- 6.1 2017/0468/FUL GRANTED Variation of Condition Number 12 imposed on planning permission 2016/1008/FUL to read 'No development shall take place until full details of the extension to the Bowling Green, including any landscaping details, have been submitted to and approved in writing by the Local Planning Authority. The extension to the bowling green shall be constructed in accordance with a timetable to be agreed with the Local Planning Authority'.

- 6.2 2016/1008/FUL GRANTED Two storey dwelling with integral garage

7.0 OBSERVATIONS OF CONSULTEES

- 7.1 Highways (21.03.18) No Objection

- 7.2 Network Rail (12.03.18) Advice given

8.0 OTHER REPRESENTATIONS

- 8.1 I have received 2 letters of objection from neighbouring properties based on the plans originally submitted.

The landscaping plan shows a privet hedge that runs along my boundary to be retained - this has been removed and shows three large trees will be planted close to my wall which will overhang my property. I have a small garden and this will deprive me of any sunlight.

The hedge belongs to me and the trees will be on my land

Works have begun on site without a root protection plan and hedges have been ripped out

The new dwelling proposes 4 roof windows and three large bedroom windows looking directly into my property reducing my privacy

This new application proposes to increase the ridge height to 9.1m which no longer stays in keeping with the surroundings and especially the dormer bungalow at 11C Bold Lane which is the closest property. On this basis we request that height be maintained to the approved 8m.

The building footprint has also increased by approximately 27%. For a plot of this size and location this should be considered as being out of context with the plot size.

The proposal now includes a further level of accommodation at 2nd floor and the massing has increased significantly. This applications represents a 64% increase in accommodation area and highlights that this proposal is out of context now in terms of height and massing.

The building would be within 1m of our property line and results in loss of light and amenity

No swept path analysis is provided to demonstrate that an emergency vehicle could

access the site and maneuver to leave whilst remaining in forward gear.

A drainage plan should be submitted prior to any commencement. It is difficult to see how this property would connect to a public sewer without significant disruption to the Social Club and access for 39 Bold Lane. Again the 3m no construction zone from United Utilities for the public sewer that runs close to the boundary should be noted.

- 8.2 Aughton Parish Council (17.04.18) – Concern was raised on the previous application about scale and overdevelopment. This latest application shows a significant increase in the height and massing of the proposed dwelling which will result in loss of residential amenity to nearby properties.

9.0 RELEVANT PLANNING POLICIES

- 9.1 The site is located within the settlement of Ormskirk and Aughton as designated in the West Lancashire Local Plan 2012-2027 DPD

West Lancashire Local Plan 2012-2027 DPD

SP1 – A Sustainable Development framework for West Lancashire

GN1 – Settlement Boundaries

GN3 - Criteria for Sustainable Development

RS1 - Residential Development

IF2 – Enhancing Sustainable Transport Choice

EN2 – Preserving and Enhancing West Lancashire's Natural Environment

Supplementary Planning Advice

SPD – Design Guide (January 2008)

SPD – Development in the Green Belt (October 2015)

10.0 OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

Assessment

Principle of Development

- 10.1 The proposed development is situated within the Main Settlement Area of Aughton designated as a Key Service Centre in the Local Plan. The principle of development has been established by the granting of planning permission (2017/0468/FUL) as detailed above. I consider this greenfield site still provides suitable opportunity for residential development.

Design, Layout and Impact on Amenity

- 10.2 There are a mix of dwelling types in the immediate area surrounding the site including detached, semi-detached, and dormer bungalows and the site itself is bounded by new build properties. The siting of this 'L' shaped dwelling remains as previously approved albeit with a marginally larger footprint and with a single storey extension extending across the rear of the dwelling. The height of the main dwelling has been increased by a 0.6m and the height of the triple garage has increased by 1.5m to accommodate living space within the roof. I note concern has been raised about the increased size and mass of the dwelling however, the minimum spacing distances prescribed in the Councils Design Guide are maintained with all neighbouring properties which surround the site. More than 21m would remain between the front elevation of the proposed property and the rear elevation of number 18 Ledson Grove and approx. 29m between the front elevation of the

proposed dwelling and the side elevation of number 39 Bold Lane. Whilst the height of the garage would increase adjacent to the boundary with number 18, I consider sufficient distance exists between the two properties not to result in an adverse loss of light.

- 10.3 I acknowledge the concern raised by number 11C Bold Lane in relation to overlooking and overshadowing. Amended plans received during the application shows a reduction in the length of the main dwelling by 1.3m, the depth by 1.8m and the height by 0.5m. Reducing the depth of the dwelling at first floor achieves a separation distance of 22.8m from the rear elevation at 11C Bold Lane which I consider to be acceptable. Whilst there would only be 19m between the ground floor elevation and number 11C, I am mindful that a 10m garden depth has been retained and a boundary of 2m high will be in situ which will prevent direct overlooking. Whilst I appreciate that there are clear views of the development, the proposal has been reduced in scale and results in only a marginal increase from the approved design. This amended street scene plan illustrates this. Overall, I am satisfied the amended plans reduce the overall impact of the dwelling and that no significant overlooking or loss of privacy will occur as the interface distances are compliant with the SPD Design Guide and Policy GN3, in the Local Plan.

Impact on Trees & Biodiversity

- 10.4 The site has numerous mature trees in and around the footprint of the proposed development as well as on and adjacent to land proposed for the new access. The submitted Arboricultural Impact Assessment indicates that several trees and a hedge will need to be removed to facilitate the development. The majority of these trees are classed as poor quality and the Council's Tree and Landscape Officer is satisfied that their removal is acceptable subject to replacement planting.
- 10.5 There are two trees in particular that are to be retained and protected during the development process. T6 Sycamore and T7 Cypress are off site and are shown to be fenced off. It is also shown that 'pile and beam' foundations are to be installed in the area around T7. The Arboricultural Officer is satisfied that appropriate planning conditions can mitigate the impact of the development on the trees to be retained in and around the site.
- 10.6 It is unfortunate that clearance works have taken place on site to create the new access prior to the discharge of the planning conditions but both the Enforcement Officer and the Tree and Landscape Officer have visited the site to inspect these works and the applicant agreed to cease works. An amended landscaping scheme with maintenance and management plan has been submitted which includes the planting of trees and native hedgerows along the boundary of the site. I have sought the advice of the Tree and Landscape Officer who is of the view that the scheme proposes adequate mitigation for the loss of trees and vegetation across the site and once established will add to the biodiversity of the area as a whole. Concern raised by number 11C regarding the loss of the hedgerow and the planting of trees close to his boundary has been addressed and the amended landscaping scheme proposes a replacement hedgerow. The landscaping scheme will also soften the impact of the development and provide a valuable screen. I therefore consider the proposed development complies with Policy EN2 of the Local Plan.
- 10.7 In terms of impact upon biodiversity, although a number of trees and hedgerow have already been removed from the site, compensatory native planting is proposed so I consider there will be no net loss of ecological value.

Highways

- 10.8 As per the previously approved application, access to the site is proposed through the car park of Aughton Institute. A similar arrangement exists for the neighbouring dwelling, and

whilst the development will result in an increase in cars visiting the site, I do not consider that this will have a detrimental impact upon highway safety due to the limited nature of additional traffic travelling to and from just one additional dwelling. Whilst the garage has been reduced from a three bays to one, I am satisfied there remains enough parking at the front of the site to satisfy the parking requirements and also allow vehicles to turn in order to enter and leave the site in a forward gear. The Highway Authority have been consulted with regard to the application and consider the access and parking arrangements to be satisfactory.

Drainage

- 10.9 The drainage strategy approved under 2016/1008/FUL has been submitted with the application which states that *'The ground strata in the area comprises cohesive soils, which would be of low permeability, and thus soakaways would not be viable on this site. Furthermore, it is understood that the presence of the railway land to the east of the site would preclude the use of infiltration methods of drainage, as Network Rail would object to such a proposal in the proximity of their land'*. The Council's Drainage Engineer has requested to see evidence that a soakaway will not work through an appropriate assessment described above, or a written confirmation from Network Rail regarding the proximity of infiltration methods near their land is unacceptable. He also requires that prior to the commencement of development a surface water drainage scheme, based on the hierarchy of drainage options in the NPPF with evidence of an assessment of the site conditions is submitted to, and approved in writing by the Local Planning Authority. Drainage details will be requested by a planning condition.

Adjustments to the Bowling Green Boundary

- 10.10 Policy EN3 seeks mitigation or alternative provision of recreation facilities on development proposals which result in the loss of existing recreation facilities. It is proposed to take up a 5m strip of bowling green to the south in order to provide an access driveway; however it is proposed to extend the existing bowling green to the north, so no net loss will occur. A condition will be imposed to secure this.

Network Rail & Land Ownership

- 10.11 During the previous application Network Rail raised concern that part of the site appeared to be within their ownership. However the applicant clarified that none of the application site is within Network Rail's ownership and subsequently Network Rail confirmed that there is no land ownership issue in respect of the application and withdrew their objection. This application proposes no changes to the site boundary.

Summary

- 10.12 I consider the proposed development acceptable in principle and that the details accord with Policies GN3, IF2 and EN2 and advice given in the Council's SPD Design Guide.

11.0 RECOMMENDATION

- 11.1 That planning permission be GRANTED subject to the following conditions

Condition(s)

1. The development must be begun not later than the expiration of three years beginning from 10th February 2017.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:-

Plan reference Location Plan 127A received by the Local Planning Authority on 25th April 2018

Plan reference P.978.16.03C received by the Local Planning Authority on 26th April 2018

Plan reference 01C and 06A received by the Local Planning Authority 3rd April 2018

Plan reference 02B, 03A, 04A and 05A received by the Local Planning Authority 9th April 2018

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent Orders or statutory provision re-enacting the provisions of these Orders no extensions or out buildings shall be erected or undertaken without the express written permission of the Local Planning Authority.
4. No development above slab level shall take place until full details and samples of the external brickwork and roofing materials have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
5. No development shall take place until full details of the finished levels of all parts of the site, including the floor levels of all buildings, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with those details.
6. Details of the design and implementation of an appropriate foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. Foul and surface water shall be drained on separate systems. The foul drainage scheme shall be provided in accordance with the approved details prior to occupancy of the dwelling.
7. A surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions should be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 5 l/s. The dwelling shall not be occupied until the approved drainage scheme has been provided.
8. No development above slab level shall take place until full details and samples of the hardstanding have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the proposed hardstanding shall be made of a porous materials or provision shall be made to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house.
9. Within 9 months from the date when any part of the development hereby approved is first brought into use the approved landscaping scheme shall be carried out. All trees and shrubs planted shall comply with BS. 3936 (Specification of Nursery Stock) and shall be planted in accordance with BS. 4428 (General Landscape Operations). All planting shall be maintained and dead or dying material shall be replaced for a period of seven years from the agreed date of planting.
10. No development shall take place until an Arboricultural Method Statement detailing 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. The Arboricultural Method Statement should demonstrate how the operations on site are to take place with due regard to tree protection and, in particular, working in proximity to the Root Protection Area. As described with the AIA, this statement will be required to address the finer details such as: potential for tree root damage by way of - vehicular access in to and out of the site, assessment of any level changes, installation of temporary ground protection, locations of any service runs, installation of any new hard surfacing, car parking and storage areas for any required materials.

11. Prior to commencement of any part of the development hereby approved, including site clearance, ground preparation, or drainage works, a facility shall be provided by which the wheels of all vehicles leaving the site can be cleaned. The wheels of all vehicles leaving the site during all stages of implementation shall be cleaned so that they do not carry any mud, soil, grit or other such materials onto the public highway.
12. No development shall take place until full details of the extension to the bowling green, including any landscaping details, have been submitted to and approved in writing by the Local Planning Authority. The extension to the bowling green shall be constructed in accordance with a timetable to be agreed with the Local Planning Authority

Reason(s)

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. 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. To safeguard the amenity of adjacent properties and the area generally and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
4. 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.
5. 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.
6. This information is required before the commencement of development, to ensure that the site is properly drained in the interest of local amenity and that the development, therefore, complies with the provisions of Policies GN3 & IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document
7. This information is required before the commencement of development, to ensure that the site is properly drained in the interest of local amenity and that the development, therefore, complies with the provisions of Policies GN3 & IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document
8. This information is required to ensure that the site is properly drained in the interest of local amenity and that the development, therefore, complies with the provisions of Policies GN3 & IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document
9. To assimilate the proposed development into its surroundings and to ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
10. This information is required before the commencement of development to allow the Local Planning Authority to have sufficient information to assess the effect on the trees and thereby ensure compliance with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
11. To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard for road users and to ensure that the development complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
12. This information is required before the commencement of development, to ensure this recreation facility is retained and that the development, therefore, complies with the provisions of Policies GN3 and EN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document

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
RS1 - Residential Development
IF2 - Enhancing Sustainable Transport Choice
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. This report can be viewed or a copy provided on request to the Local Planning Authority.