

## APPLICATION REPORT – 21/00281/FULHH

**Validation Date: 9 March 2021**

**Ward: Eccleston, Heskin And Charnock Richard**

**Type of Application: Householder Application**

**Proposal: Alterations to existing detached garage including increasing height of walls, raising of ridge height, extension to front and conversion to habitable accommodation, single storey front extension, single storey rear extension with balcony above, and associated external alterations**

**Location: 12 Langton Close Eccleston Chorley PR7 5UU**

**Case Officer: Eleanor McCleary**

**Authorising Officer: Adele Hayes**

**Applicant: Mrs Adele Headley**

**Agent: Mr Douglas Philip Bertram, D.P.Bertram.Building & Planning Solutions**

**Consultation expiry: 25 June 2021**

**Decision due by: 4 May 2021 (Extension of time agreed)**

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### RECOMMENDATION

1. It is recommended that planning permission is granted subject to conditions.
2. Members are asked to note that Councillor Alan Whittaker have requested that the application is heard at Committee.

### SITE DESCRIPTION

3. The application site is located within the settlement of Eccleston. The existing property is a detached dwellinghouse with a detached garage and is located at the head of a cul-de-sac. There is a garden to the rear, beyond which there is open land.

### DESCRIPTION OF PROPOSED DEVELOPMENT

4. Planning permission is sought for:
  - alterations to the existing detached garage including increasing the height of the walls, raising of the ridge height, extension to the front and conversion to habitable accommodation;
  - a single storey front extension;
  - a single storey rear extension with balcony above; and
  - associated external alterations

### REPRESENTATIONS

5. Representations have been received from 3no. neighbours citing the following grounds of objection:

- Adverse effect on the visual amenity of a neighbouring property through overlooking, loss of privacy, shadowing and reduction of daylight to certain rooms at the rear.
  - Impact on amenity of neighbouring properties in terms of overshadowing and loss of light.
  - Description is misleading – described as rear single storey extension but it is clear that to achieve the proposed dimensions on the first floor balcony, the first floor will also have to be extended to the same degree as the ground floor extension, thus making this a two storey extension as opposed to a single storey extension detailed.
  - Adverse effect on the residential amenity of neighbours due to the impact on highway safety and the convenience of road users in what is a small, congested cul-de-sac. This will also have an impact on means of access and available car parking, which will be especially evident when additional vehicles visit the premises.
  - Time frame for works proposed – work would greatly affect ability to sleep during the day (shift worker) due to the noise of the work taking place close to a neighbour's bedroom.
  - 1no. neighbour has requested that if officers are mindful to approve, they would appreciate the opportunity to address the committee and voice their concerns in relation to the proposed alterations prior to any decisions being finalised.
  - 1no. neighbour is not opposed to the planned alterations to the existing garage as they feel that the impact on surrounding neighbours including themselves will be to a much lesser extent.
6. Following representations made, amended plans were submitted which extended the length of the balcony screening, and provided additional measurements on plan. Further representations were received from 2no. neighbours:
- Amended plans indicate that the total length of the dining room wall is 3950cm on the existing footprint of the property which is also the same for the balcony which is shown as 120cm. The new plan clearly shows a larger balcony, but the measurements are not shown indicating how much longer the downstairs wall will be when it is extended. If, as anticipated, the walls and balcony extend further the same objections remain because, it is felt that this part of the proposed works will have a detrimental impact on natural light to both upstairs and downstairs of their home and will effect enjoyment of their property
  - Concern raised regarding conversion of, and extension to, the garage and impact it could have on access to neighbouring driveways.
  - Safety of children playing due to additional vehicle movements and house being adjacent to a children's play area.

## **CONSULTATIONS**

7. Canal & River Trust – Have stated that this application falls outside the notified area for its application scale.
8. Chorley Council Waste & Contaminated Land Officer – Have confirmed that they have no comments.
9. Eccleston Parish Council – Have commented that concerns have been raised by a neighbour regarding potential overlooking of rear rooms.

## PLANNING CONSIDERATIONS

### Design and impact on the dwelling and streetscene

10. *Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials.*
11. *Policy HS5 of the Chorley Local Plan 2012 – 2026 stipulates that the proposed extension respects the existing house and the surrounding buildings in terms of scale, size, design and facing materials, without innovative and original design features being stifled.*
12. *The Householder Design Guidance SPD requires that extensions are subservient to the existing dwelling and respect the scale, character, proportions of the existing dwelling and surrounding area. In particular the SPD states that the installation of balconies and terraces are almost always problematic and, in many cases, unacceptable. Incorporation of some form of privacy screen could be used with great care, and ideally should be designed into the fabric of an extension rather than be added as an afterthought. In addition, the SPD states that front extensions may be acceptable in streets where there is no distinct building line or form, in a street with a wide variety of architectural styles.*
13. *The existing detached garage would be extended to the front, and the walls and ridge height raised before conversion to habitable accommodation. The proposed alterations would be suitably domestic in appearance and whilst the existing garage door would be removed and a door and windows introduced to the front elevation, the resultant structure would still retain an appropriate degree of subservience to the existing dwelling.*
14. *The proposed extension to the front would result in the existing garage being located further forward, however it would still retain a reasonable set back from the public highway and front elevation of the dwellinghouse, and would not, therefore, appear overly prominent in the streetscene.*
15. *The proposed single storey front and rear extensions would respect the existing property and the surrounding buildings in terms of the scale, size, design and facing materials. Views of the proposed rear extension would be largely obscured from public vantage points.*

### Impact on the amenity of neighbouring occupiers

16. *Policy BNE1 of the Chorley Local Plan 2012-2026 states that planning permission will be granted for new development, including extensions, conversions and free-standing structures, provided that, the development would not cause harm to any neighbouring property by virtue of overlooking, overshadowing or by creating overbearing impacts.*
17. *Policy HS5 of the Chorley Local Plan 2012 – 2026 states that there should be no unacceptable adverse effect on the amenity of neighbouring properties through overlooking, loss of privacy or reduction of daylight.*
18. *The Householder Design Guidance SPD seeks to ensure that property extensions have a satisfactory relationship with existing neighbouring buildings, do not have overbearing impacts on adjacent properties and amenity areas and do not lead to the excessive loss of daylight or overshadowing of habitable rooms and amenity spaces of adjacent properties. Furthermore, it asserts that extensions should be located, and windows orientated, to prevent direct overlooking of habitable rooms or private amenity space that belongs to nearby properties. In particular the SPD states that first floor and two storey extensions should not project beyond a '45- degree' guideline drawn on plan from the near edge of the closest ground floor habitable room window in an adjoining/affected property and single storey extension should not project further than 3m beyond the same line. The SPD also*

*states that balconies or terraces which lead to an unacceptable level of overlooking or are visually intrusive are unacceptable.*

19. Objections have been received from the occupiers of adjacent properties, no.11 Langton Close, and no.12A Langton Close. Both these neighbouring occupiers are concerned that the proposed development would result in an adverse impact on their amenity through overlooking, loss of privacy, shadowing and reduction of daylight.
20. The orientation of the application property is such that the proposed single storey rear extension with balcony above would be built to its western facing rear elevation, adjacent to the boundary with no.11 Langton Close, which is located to the south. This neighbouring property has a single storey rear extension (planning permission ref 15/00136/FUL) which projects from its west facing rear elevation, and which is built in proximity to its northern boundary that is shared with the application property. The neighbouring occupier is concerned that the proposal would have an adverse impact on light to the rear windows which are in proximity to the proposed extension.
21. In order to protect the amenity of neighbouring occupiers, Chorley Council's Householder Design Guidance Supplementary Planning Document (SPD) states that first floor and two storey rear extensions should not project beyond a 45 degree line drawn from the near edge of the closest ground floor rear facing window to a habitable room in a neighbouring dwelling. Given that the proposed single storey rear extension would contain a balcony at first floor it is considered appropriate to apply the guideline for first floor and two storey rear extensions.
22. The proposed extension would not project beyond a 45 degree line drawn from the near edge of the closest ground floor rear facing window in a habitable room in no.11 Langton Close. Measurement has been taken from the rear facing windows in the single storey rear extension at this property. The Council uses the '45-degree' guideline to assess the impact of proposed extensions with the purpose of maintaining satisfactory relationships between existing buildings and proposed extensions, avoiding overbearing impacts on adjacent properties and amenity areas, and preventing excessive loss of daylight or overshadowing of habitable rooms and amenity spaces of adjacent properties. Whilst it is acknowledged that there would be some loss of ambient light to the first floor windows, it is considered, on balance, that the orientation of the extension in relation to the neighbouring property would mean that the resultant overshadowing would not be so significant as to warrant refusal of the application.
23. Privacy would be maintained by the proposed 1.5m high privacy screen and 0.3m wall to the balcony, and with the extension containing a blank side elevation facing onto the common boundary, it is considered that there would be no unacceptable adverse impact on the amenity of the neighbouring occupier at no.11 Langton Close. A suitably worded condition is recommended.
24. The existing detached garage would be altered and extended to provide habitable accommodation following its conversion. The existing detached garage is located to the south of nos. 12A and 12B Langton Close. Whilst it is acknowledged that the proposed alterations to the garage would introduce a greater degree of massing to the boundary with these neighbouring properties, the existing separation distance would remain and, due to the orientation on site, the proposed development would not directly face onto the front elevation of these neighbouring properties. It is considered, therefore, that there would be no unacceptable adverse impact from overshadowing of the front of these neighbouring dwellinghouses. Furthermore, whilst a rooflight is proposed to the side elevation facing onto nos. 12A and 12B Langton Close, it is not considered that this would adversely impact amenity by virtue of overlooking. In addition, a door and 2no.windows would be introduced to the front elevation, and a patio door would be installed to the rear. The front facing door and windows would not directly overlook any neighbouring property, and with open land to the rear, it is considered that the resultant relationships would be acceptable.

25. The single storey front extension would replace an existing porch, and a small, high level, window would be installed in the front elevation. Given that the proposed single storey front extension would have an acceptable relationship with neighbouring properties.
26. With no neighbouring properties located directly to the rear and with a separation distance of more than 7m, it is considered that the proposal would accord with policy.

#### Highway safety

27. *Policy HS5 of the Chorley Local Plan 2012 – 2026 states that permission will be granted provided that the proposal does not have an unacceptable adverse effect on highway safety and policy ST4 of the Chorley Local Plan 2012-2026 and its associated appendix sets out parking standards based on bedroom numbers of a property.*
28. *The Householder Design Guidance SPD states that off-street parking should be provided at a ratio of 2 spaces for a two or three bed dwelling, and 3 spaces for a larger property, including garages.*
29. Following conversion of, and extension to, the existing detached garage it would serve as habitable accommodation. Objections have been received from the occupiers of 2no. neighbouring properties who are concerned that the proposed development would have an adverse impact on highway safety and parking.
30. Whilst the proposed development would result in the loss of 2no. garage parking spaces, the proposed parking layout demonstrates that in-curtilage parking would be provided for 3no. vehicles. This is in accordance with policy.
31. Whilst the safety of children playing is of concern, it is noted that the proposed development is located at the head of a cul-de-sac where there is limited passing traffic, and it is expected there would be low traffic speeds.

#### Other issues

32. Concerns about the parking of construction vehicles and construction hours are noted but given the size and scale of the proposed development it is not considered necessary to require a construction management plan in this instance.

#### **CONCLUSION**

33. The proposed development would not have an unacceptable adverse impact on the character and appearance of the existing dwelling or the surrounding area, nor would it cause any significant harm to the amenity of neighbouring residents or highway safety. It is, therefore, considered that the development accords with policy HS5 of the Chorley Local Plan 2012 – 2026 and the Householder Design Guidance SPD. Consequently, it is recommended that the application is approved.

**RELEVANT POLICIES:** In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/guidance considerations are contained within the body of the report.

#### **RELEVANT HISTORY OF THE SITE**

**Ref:** 93/00114/FUL                      **Decision:** PERFPP                      **Decision Date:** 10 July 1998  
**Description:** Erection of 22 dwellings with associated engineering works

### Suggested conditions

1. The development hereby permitted shall be carried out in accordance with the approved plans below:

<b>Title</b>	<b>Plan Ref</b>	<b>Received On</b>
Location Plan	N/A	9 March 2021
Site Plan	N/A	9 March 2021
Proposed Layout of Parking Areas	DPB/DEH/20/07	16 April 2021
Proposed Elevations	DPB/DEH/20/05 C	10 May 2021
Existing & Proposed Footprint of Property	DPB/DEH/20/16	10 May 2021
Proposed Elevations	DPB/EH/20/04	9 March 2021
Proposed Ground Floor Layout	DPB/EH/20/06 A	16 April 2021

*Reason: For the avoidance of doubt and in the interests of proper planning.*

2. All external facing materials of the development hereby permitted shall match in colour, form and texture to those specified on the application form received 9 March 2021 and no others substituted unless alternatives are first submitted to and agreed in writing by the Local Planning Authority, when the development shall then be carried out in accordance with the alternatives approved.

*Reason: In the interests of the visual amenity of the area in general and the existing building in particular.*

3. The proposed development must be begun not later than three years from the date of this permission.

*Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.*

4. Before the balcony hereby approved is brought into use the 1.5m high obscurely glazed privacy screens as shown on plan reference DPB/DEH/20/05 C shall be installed on the south and west facing elevations of the balcony. The obscurely glazed privacy screens shall be to at least Level 5 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority and it shall be retained at all times thereafter.

*Reason: In the interests of the privacy of occupiers of neighbouring property.*