

## **APPLICATION REPORT – 21/00624/FULHH**

**Validation Date: 18 May 2021**

**Ward: Chorley North East**

**Type of Application: Householder Application**

**Proposal: Single storey side and rear extensions and conversion of part of garage to habitable accommodation.**

**Location: 3 Tormore Close Heapey Chorley PR6 9BP**

**Case Officer: Mrs Hannah Roper**

**Applicant: Mr Adam Crompton**

**Agent: Mr Michael Beech, BPD Architecture**

**Consultation expiry: 8 July 2021**

**Decision due by: 13 July 2021**

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### **RECOMMENDATION**

1. It is recommended that planning permission is granted subject to conditions.

### **SITE DESCRIPTION**

2. The application relates to a detached property that is the first dwelling on a short cul de sac, Tormore Close, in Heapey. No.2 Tormore Close faces the corner of Tormore Close and Blackbrook Close with the rear elevation facing the side elevation of number 3, albeit slightly angled away.
3. The application property is 'L' shaped with a double garage projecting towards the front of the dwelling accessed at 90 degrees to the front door. The property has a drive to the front and a garden to the rear that rises to the north. A patio area lies to the side/rear of the property adjacent to the boundary with no.2. A 2m high boundary fence lies along the common boundary with no.2 having some conifers/foliage adjacent to this boundary.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

4. The application seeks planning permission for a single storey side extension, following the line of the existing attached garage that projects further towards the west than the main part of the dwelling. It would have a width of 2.4m and a length of 9.1m to tie in with the existing rear elevation of the property. The roof would be hipped with an eaves height of 2.3m and a ridge height of 3.5m.
5. A single storey rear extension is also proposed adjacent to no.4 Tormore Close that project 1.1m and would have a width of 2.9m. It would have a mono pitched roof of eaves height of 2.3m and a ridge height of 3.4m.
6. The application also seeks planning permission to convert one half of the existing double garage into habitable accommodation comprising of a WC and an office. An obscurely glazed

window would be inserted into the side elevation and a window would replace the existing garage door.

## REPRESENTATIONS

7. Representations have been received from the occupiers of neighbouring property at no.2 Tormore Close citing the following grounds of objection:

- The plan and forms are inaccurate and deficient
- Rooflights shown in floorplans but not elevations
- No details of the sewer manhole
- Have answered no to trees and hedges on the form
- No details in regard to Local Authority Employee
- No signature
- There are trees along the boundary
- The main garden and house of number 2 are dominated by the side of number 3 and the trees provide relief
- The proposal would result in a change in view
- House value would be reduced
- The extension would be 'in my face'.
- The roots of the trees would likely be cut
- Excavation will likely be required to be deep give extensions recently completed in the locality
- The relocation of the manhole would likely impact on trees
- Water drains are likely to be impacted
- Currently windows are set back from the fence. The proposed windows would have the light blocked by the trees
- There is potential for high hedge legislation to be brought into force
- The toilet will be close to the to the boundary and will result in noise intrusion.

## CONSULTATIONS

8. Lancashire County Council Highway Services – Have no objection.

9. Heapey Parish Council – No comments have been received.

10. CIL Officers – Comment that the proposal is not CIL liable.

11. Council's Tree Officer – Advises that there may be some impact on roots but it would not be significant. In addition they advise that a Tree Survey would not be justified but has suggested a condition requiring adherence to British Standards for protection.

## PLANNING CONSIDERATIONS

### Design and impact on the dwelling and streetscene

12. *Policy BNE1 of the Chorley Local Plan 2012 - 2026 outlines the design criteria for new development, stating that a proposal should not have a significant detrimental impact on the streetscene by virtue of its density, siting, layout, building plot ratio, height, scale and massing, design, materials orientation, use of materials.*

13. *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.*

14. *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.*

14. The proposed extensions would be located to the rear of the property and as such would not be visible within the streetscene. Wider views would be screened by the extended property at no. 2 Tormore Close and its outbuilding.
15. From the frontage the conversion of the garage would be visible, with the garage door being replaced by a window. Matching material could be secured by condition and as such it is not considered that any part of the proposal would be out of keeping with the existing property, streetscene or surrounding locality.

#### 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 overbearing.*
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 single storey extensions shall not project further than 3 metres beyond a '45-degree' guideline drawn on plan from the near edge of the closest ground floor habitable room window on an adjoining/affected property.*
18. With regard to the proposed extension adjacent to no.4, this is modest in size and scale. No.4 has no windows in the gable end and the proposed extension would not project beyond the rear elevation of this dwelling. As such, there would be no detrimental impact as a result of the proposal.
19. With regard to no.2 Tormore Close, the proposed side extension would bring the side elevation closer to the common boundary with this property. As existing, the property already has side facing habitable room windows, however they are set back from the boundary. The proposed extension would introduce two windows in the side elevation. These would be located approximately 0.5m from the common boundary and would look directly onto the boundary fence. Amendments have been made to the proposed scheme such that these windows do not protrude higher than 2m above ground level and as such would not protrude above the boundary fence and due to the close proximity to the boundary treatment would not permit views up and over it. As such it is considered that the proposed scheme would not result in a significant loss of privacy for the occupiers of no.2 or an overbearing impact given the boundary treatment, the height of the proposed extension, the distance to the rear elevation and the offset nature of the dwellings. As such the proposal is considered to be acceptable in respect of amenity considerations.

#### Impact on trees

20. *Policy BNE10 of the Chorley Local Plan 2012 – 2026 states that proposals which would result in the loss of trees and/or involve inappropriate works to trees which contribute positively to the character of the landscape, a building, a settlement or the setting thereof will not be permitted. Replacement planting will be required where it is considered that the benefit of development outweighs the loss of some of the trees or hedgerows.*
21. A number of conifers are located within the garden of no.2 Tormore Close adjacent to the common boundary. Due to concerns raised regarding these trees by the neighbour the Council's Tree Officer has visited the site. He considers that there would only be minimal

impact on these trees as a result of the proposal and that requesting a Tree Survey would not be justifiable in this instance. He has however requested a condition requiring that they are protected in accordance with British Standards during the construction of the extension.

#### Highway safety

22. 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 (amongst other things) that the residual cumulative highways impact of the development is not severe and it would not prejudice highway safety, pedestrian safety, and the free flow of traffic.

23. The proposal involves the conversion of part of the existing garage into habitable space comprising an office and a WC.

24. LCC Highways have raised no concerns with regard to highway safety as a result of the proposal but have requested that amenity issues as a result of the conversion are considered as the remaining garage space would be of insufficient size to be classed as a parking space resulting in a deficiency of spaces compared to standards set out in the Chorley Local Plan..

25. The proposal involves conversion of half of the existing double garage, which has a wall partially through the centre. A single garage should have dimensions of 6m x 3m to accommodate a modern car. On this basis and given the wall between the spaces, then neither space within the garage would be of sufficient size to be classed as a parking space on the basis of current standards.

26. The driveway of the property would remain unaltered and there would be no increase in the number of bedrooms at the dwelling. As such the loss of the garage is considered to be acceptable. A condition requiring the retention of the remaining garage is recommended.

#### **CONCLUSION**

27. 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, trees or highway safety. It is, therefore, considered that the development accords with policies BNE1, BNE10 and 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.

#### Suggested conditions

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

Title	Plan Ref	Received On
Proposed single storey side infill extension to detached house	1009/TCH/PL1 Rev D	22 July 2021
Site Location Plan	1009/TCH/LP	18 May 2021
Site Block Plan	1009/TCH/BP	18 May 2021

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

2. 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.*

3. The external facing materials, detailed on the approved plans, shall be used 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: To ensure that the materials used are visually appropriate to the locality.*

4. All trees on, or adjacent to the boundary, shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standards.

*Reason: To safeguard the trees on the adjacent site.*

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, all garages shown on the approved plan shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority in consultation with the Highway Authority.

*Reason: To ensure the provision and retention of appropriate parking levels in the interests of residential amenity and highway safety.*

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order, with or without modification), no additional windows or doors, other than those expressly authorised by this permission, shall be inserted or constructed at any time in the side facing elevation of the extended property.

*Reason: To protect the amenities and privacy of the adjoining property.*

7. Due to their relative height directly adjacent to the boundary with number 2 Tormore Close, the window to the WC and any glass to the side facing door shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority.

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

## **RELEVANT HISTORY OF THE SITE**

There is no recent relevant planning history.