

Item 4j **11/00994/FUL**

Case Officer **Caron Taylor**

Ward **Euxton North**

Proposal **Application for amendments to the pitch of the roof over the entrance and garage to the front of the property, and application for retrospective permission for the roof pitch over side extension (same plans as submitted for application 11/00262/FUL)**

Location **Woodcock Barn Runshaw Lane Euxton ChorleyPR7 6HB**

Applicant **Mr Michael Catteral**

Consultation expiry: **7 February 2012**

Application expiry: **10 February 2012**

Proposal

1. This application relates to amendments to a previously approved planning application ref: 08/01226/FUL. The extensions were however not built in accordance with the originally approved plans. A change was made to the roof pitch over a side extension and changes were also made to the entrance and roof over garage.
2. In 2009 a retrospective application (ref: 09/00909/FUL) was made to regularise these changes but was refused at Committee. Enforcement notice EN635 was served on the property after being authorised by the Development Control Committee following a site visit. The applicant appealed the refusal of the planning permission (but did not appeal the enforcement notice) but the appeal was dismissed on the impact that the roof over the entrance and garage would be out of keeping with the gentle pitches and altogether more streamlined, profiles of the remaining parts of the roof and as a result the design and final character of the dwelling would detract from its surroundings.
3. An application was submitted (ref: 11/00994/FUL) following the appeal decision proposing to retain the roof over the side extension as built, but to alter the roof over the entrance/garage as built. This was refused by the Council in May 2011 on the following ground:
Although the proposed extended roof does incorporate a shallower roof pitch that is considered to more in keeping with the design of the property in accordance with Policy DC8A of the adopted Chorley Borough Local Plan Review, as a result it is considered the proposal will have a detrimental impact on the neighbouring property 'Pippins'. It will result in an uninterrupted view of a roof plane from the window in the side (west) elevation. This is considered contrary to Policy DC8A of the adopted Chorley Borough Local Plan Review and the Council's adopted Supplementary Planning Document Householder Design Guidance.
4. This application is for exactly the same plans as was refused under 11/00994/FUL. It is understood that the reason for this application is that the applicant left it too late to appeal that refusal and has therefore applied again to enable them to appeal.
5. The following report is therefore the same as for the previous refusal. The neighbour has reiterated the same objection to the scheme.

Main Issues

6. The main issues for consideration in respect of this planning application are:
- Design and appearance of the proposal on the existing dwelling.
 - Impact on the amenity of the neighbour.

Representations

7. One letter of objection have been received from the neighbour at Pippins on the following grounds:
- The Appeal inspector in her report dated 9 November 2010 acknowledged the extensions to Woodcock Barn had not been implemented in accordance with the approved plans. The 'cat slide' required for the main pitched roof which was needed to differentiate the garage from the rest of the dwelling had not been implemented which now left a severe unrelieved slope. The other main change to the roof was to the roof over the garage and entrance. Here a flat section had been extended forwards by approximately 3m further than permitted and now culminates in a short, steeply pitched plane. Although the Appeal inspector found that the change to the pitch of the main roof did not differ from the permitted line to such an extent as to be detrimental, she did find that the amendments to the roof over the garage and entrance caused harm to the character of the existing dwelling and thus the surrounding area.
 - Although the Appeal inspector disagreed with my and the planning councils opinion that the unapproved changes to Woodcock Barn had had a negative and overbearing impact on the neighbouring occupiers at 'Pippins' the new proposed planning application 11/00262/FUL proposes changes to the roof over the entrance and garage to the front of the property which will incorporate a further extension to this flat roof which is already some 3m longer than what was approved in planning application 08/01226/FUL.
 - Notwithstanding the Appeal inspectors report, they strongly feel that the flat roof should not be allowed to be extended further but that the reduced pitch angle required to the front of the roof be created from the existing roof which has already been extended some 3m than what was permitted in the approved planning application. Although the new application to further extend the flat roof would not extend beyond the length of the pre-existing garage the existing extensions have already considerably increased the 'footprint' of the building. They were described by the council planning case officer as being 'over dominant and overbearing,' any further extension would they consider to have a negative impact on Pippins which they consider to be unreasonable and unacceptable. The Appeal officer in her considerations has been commenting on the extensions that have already been implemented and not to the further extensions proposed by the applicant. The applicant has consistently disregarded the councils approved building plans which if left unchecked they feel sends a clear message that no one needs to recognise local or national planning legislation. They ask that this planning application be rejected.

Consultations

8. None received

Assessment

9. Design and appearance of the proposal on the existing dwelling and impact on the amenity of the neighbour.
As stated, there are two aspects to the proposal. The roof over the side extension and the

roof over the entrance/garage. The appeal Inspector concluded that the change as built (without a slight variation in the angle of the main pitched roof) is not significantly different than what was permitted and not harmful to the character of the existing house or the amenity of the neighbour. As the appeal decision is a material consideration in determining the application it is not considered that the Council could refuse the current application to retain the roof over the side extension as built.

10. The Inspector also considered the roof over the entrance/garage and concluded that the flat section of the roof has been extended by approximately 3m further than originally permitted cumulating in a short, steeply pitched roof plane. These elements are significantly out of keeping with the gentle pitches and altogether more streamlined profiles of the remaining parts of the roof and are in a prominent and visible position. The Inspector concluded that the design and final character of the dwelling detracts from its surroundings contrary to Policy DC8A of the Local Plan. However, the Inspector stated that although the increase in the size of the roof makes it a dominant feature she did not consider it has a significant effect on outlook and is not detrimental to the neighbours living conditions.
11. This application, although reduces the pitch of the roof as built so it is slightly shallower at its northern end (the steepness of the roof pitch was an issue raised by the Inspector), also extends the roof 1.7m further north (1.7m in addition to the 3m increase to the plan originally approved). It is this change to what the Inspector assessed that it is important to assess.
12. In terms of design the main concern of the Inspector was that the steepness of the roof pitch as built was out of keeping with the gentle pitches and more streamlined profiles of the remaining parts of the roof. The roof now proposed does incorporate a shallower roof pitch that is more in keeping with the design of the property and the proposal is therefore considered acceptable in this respect.
13. The extension/change to the roof must however be assessed as to its impact on the neighbouring property Pippins. Although the Inspector didn't consider the roof as built has a detrimental impact on this property its extension by a further 1.7m, as now proposed, will result in the view from the neighbour's property being of an almost uninterrupted roof plane. The owner of this property has confirmed this is a bedroom window (it is a habitable room) and it is therefore considered that extending this roof further north will have a detrimental impact on the amenities of this property.
14. The applicant argues that the extension will provide privacy to their own kitchen window from the gable window of Pippins. However the Inspector noted this argument in the appeal decision and did not consider that this benefit was significant. In addition, the relationship between the two windows has existed for many years and was not an argument that was put forward at the time of the originally approved application.
15. Impact on Listed Building
Chorley's Conservation Officer has stated previously that the development does not impact on the nearest listed building Bourne Farm some 90m away and it is not considered the amendment currently under consideration does either. The proposal is therefore considered acceptable in relation to PPS5.

Overall Conclusion

16. The application is recommended for refusal on the grounds that although the proposed extended roof does incorporate a shallower roof pitch that is more in keeping with the design of the property, as a result of the change the proposal will have a detrimental impact on the

neighbouring property Pippins contrary to Policy DC8A and the Council's adopted Supplementary Planning Document Householder Design Guidance.

Planning Policies

National Planning Policies:

PPG2

Adopted Chorley Borough Local Plan Review

Policies: DC1, DC8A

Supplementary Planning Guidance:

- SPD - Householder Design Guidance

Planning History

08/01226/FUL: Various extensions, alterations, and re-modelling of property. Approved 6 February 2009.

09/00909/FUL: Amendments to previously approved planning application ref: 08/01226/FUL to include change to roof pitch over side extension and changes to roof over garage (retrospective application). Refused 27 July 2010. APPEAL DISMISSED.

Enforcement notice EN635: Served 25 October 2010.

11/00262/FUL: Application for amendments to the pitch of the roof over the entrance and garage to the front of the property, and application for retrospective permission for the roof pitch over side extension. Refused 25 May 2011.

Recommendation: Refuse Full Planning Permission

Reasons

1. **Although the proposed extended roof does incorporate a shallower roof pitch that is considered to more in keeping with the design of the property in accordance with Policy DC8A of the adopted Chorley Borough Local Plan Review, as a result it is considered the proposal will have a detrimental impact on the neighbouring property 'Pippins'. It will result in an uninterrupted view of a roof plane from the window in the side (west) elevation. This is considered contrary to Policy DC8A of the adopted Chorley Borough Local Plan Review and the Council's adopted Supplementary Planning Document Householder Design Guidance.**