

Item 4b **12/00797/FUL**

Case Officer **Caron Taylor**

Ward **Wheelton and Withnell**

Proposal **Retrospective application for the erection of a detached dwelling with amendments to the previously approved scheme 11/00970/FUL. The amendments comprise an increase in the ridge height of 0.7m; insertion of three roof lights to the rear roof slope and insertion of one second floor window to each side elevation.**

Location **Higher Wheelton Methodist Church, Blackburn Road, Higher Wheelton, Lancashire**

Applicant **Mr David Brown**

Consultation expiry: **12 September 2012**

Application expiry: **5 October 2012**

Proposal

1. Retrospective application for the erection of a detached dwelling with amendments to the previously approved scheme 11/00970/FUL. The amendments comprise an increase in the ridge height of 0.7m; insertion of three roof lights to the rear roof slope and insertion of one second floor window to each side elevation.

Recommendation

2. It is recommended that this application is approved subject to conditions.

Main Issues

3. The main issues for consideration in respect of this planning application are:
 - Background information
 - Principle of the development
 - Levels
 - Design and Impact on the neighbours
 - Traffic and Transport

Representations

4. Four letters of objection have been received from nearby residents on the following grounds:
 - Concerned about the window located on the side of the house on the top floor. The only view from this window is in to their garden (no. 351 Blackburn Road) which impacts directly on their privacy. They can see no purpose to having the window at all, it would appear from what they can see that the three roof lights on the top floor provide sufficient light. They think that if the house had been built to the correct height there wouldn't be this problem;
 - The property is excessively oversized and out of character with the village;
 - Additional windows have been added in the sides which overlook the nearby cottages;
 - The building should be returned to the original planning dimensions and should have been kept within the same height as the properties either side;
 - The property will have a negative impact on residents, blocking their view;
 - The property will have a negative impact on the character of the area by means of its disproportionate scale in relation to neighbouring properties, comments shared by others in the neighbourhood.

5. Higher Wheelton Parish Council has no objection to the application.

Consultations

6. United Utilities

Have no objection to the proposed development, but if possible this site should be drained on a separate system, with only foul drainage connected into the foul sewer.

7. Lancashire County Council (Highways)

The application is relating to retrospective amendments to the fabric of the new detached dwelling and is of no consequence to the highway. As such there is no highway objection.

8. Chorley Council Conservation Officer

State their comments on this application are made with reference to the following policies:

9. NPPF Section 12: Conserving and Enhancing the Historic Environment;
Adopted Central Lancashire Core Strategy DPD 2012: Policy 16: Heritage Assets;
Sites for Chorley: Site allocations and development management policies DPD (emerging LDF) Policy BNE6: Heritage Assets.
10. They state they made comments on the previous application, 11/00970/FUL, regarding the design of this proposal and its impact upon a heritage asset – the locally listed Methodist Chapel that is immediately adjacent to this site. The applicant took on board my initial thoughts, for example regarding the design of the windows, and the end result is quite attractive.
11. They state having seen the substantial complete structure it is indeed a little taller than the, now evidently inaccurate, elevation drawings suggested. The actual difference is, allegedly, 667mm. This was always going to be quite a substantial house that fills the width of the plot. The question now is whether the relationship between the new house and the heritage asset is sufficiently poorer than it would have been if the ridge was set 667mm lower for that relationship to be considered to be unacceptable. Overall, in their opinion the relationship is acceptable.
12. They state they are not convinced that the new window openings in the end elevations at 2nd floor level are strictly necessary, and indeed they may cause problems of overlooking. However they may be being included to satisfy the requirements of building control as means of escape in the event of a fire. The issue of overlooking could therefore be partly mitigated by using obscure glazing.
13. In conclusion they consider the application to be acceptable.

Assessment

Background Information

14. A dwelling was permitted on this site initially in outline (ref: 10/00064/OUT) and then under full permission reference 11/00970/FUL. The dwelling that has been constructed on site is taller than shown on the front and rear elevation plans approved to create a room in the roof. In addition three roof lights have been added in the rear roof slope and an additional window been added in each side elevation in the gable to serve the room in the roof.

Principle of the development

15. The principle of a dwelling on this site has already been established by the previous permission. This report will therefore consider whether changes that have been made are acceptable or not.

Levels

16. The finished floor level of the property remains as per originally approved.

Design and Impact on Neighbours

17. The design of the property is considered acceptable, the issue is whether the changes to its height (and associated chimney) are acceptable in terms of its position on Blackburn Road.

18. The application site is between the former Higher Wheelton Methodist Church building (situated to the northeast) and number 343 Blackburn Road to the southwest. Opposite are the more modern red brick properties of Stocks Close.
19. The height of the dwelling as approved (approximately 0.7m lower than built) would be the ideal height for the property, being closer to the height of number 343 and the Methodist Church building on either side of it. The Council must consider whether the extra height that has been added to the roof of the property is so detrimental to the area that it would warrant refusal of the application.
20. In considering this point the position of the property in relation to its surroundings must be carefully considered. The property has been set back from Blackburn Road, as is number 343 next door to the southwest to allow frontage parking. The older cottages to the southeast are set further forward towards the road as is the former Higher Wheelton Methodist Church building to the northeast. Views of the property in the context of the lower buildings either side are therefore not as obvious due to the set back as it is approached through the village from the southwest and northeast than if it was set further forward towards the pavement and provides some mitigation of its height from longer views.
21. The top of the roof is visible over the church building from the northeast but it is only really noticeable if you are particularly looking for it as travelling along Blackburn Road from this direction. It is not considered so detrimental from this vantage point that the Council could justify a refusal of the application on these grounds.
22. The main views of the additional height of the property are most apparent from close to it, particularly from Stocks Close opposite from where there are views of the property immediately comparable to the lower buildings either side. However, there are a wide variety of properties/buildings in the street including the older cottages on the same side as the application site, the Methodist church building and the newer properties of Stocks Close which are two-storey red brick properties. If the properties on this part of Blackburn Road were all of a very similar style it is considered the Council may have grounds to refuse the current application on being out-of-keeping. However, although the property is higher than the immediate properties, its style and materials are in keeping with the surroundings and it will blend in further over time as its materials weather. Therefore it is not considered that its greater height causes so significant harm from where it is immediately visible against the adjacent lower properties that planning permission could be refused.
23. Three roof lights have been added in the rear roof plane however they are not visible from the front of the property and look towards the rear garden of the property. It is not considered they cause unacceptable overlooking to the rear and could have been added in the previously approved property at a later date without planning permission under Permitted Development Rights.
24. An additional window has also been added in each side elevation in the gable end of the property to serve the room in the roof. These windows could not be added at a later date under Permitted Development Rights without being non-opening and obscure glazed. Higher Wheelton Methodist Church building to the northeast has received planning permission (ref: 10/00063/FUL) to be converted to a dwelling. The additional window in the northeast elevation would look into what will become the garden of this property and given its proximity to the boundary it is considered it would result in unacceptable overlooking. A condition is therefore proposed requiring this window to be changed to be obscure glazed and non-opening to overcome this issue within three months if retrospective permission is granted for the property.
25. The additional window in the southwest elevation would look onto the side wall of number 343 Blackburn Road which has no windows in it at first floor or above. This property has not objected to the application but this should not be considered to allow the window if it is unacceptable. Views from this window into the rear garden of number 343 would be at an oblique angle due to the proximity of the properties. In addition, if someone were to stand at

this additional window the chimney of the application property would protrude immediately to the right further restricting views. However, as the application property is higher it is considered there would be some views over the roof of the neighbour's property. On this basis it is considered the addition window in the southeast elevation should also be required to be obscure glazed and non-opening by condition.

Impact on Local Important Building

26. Higher Wheelton Methodist Church building is on the Council's list of Locally Important Buildings and has permission to be converted to a dwelling as it is no longer in use. The Council's Conservation Officer considers the relationship of the property with the building to be acceptable.
27. It is not considered that the dwelling being higher is so substantially greater that it will have significantly more impact on the church building.

Traffic and Transport

28. The proposed dwelling would have an integral double garage and a large driveway also to the front accessed where the existing field gate is. The garage is of sufficient size to be counted as one parking space and the driveway would serve two cars. The additional height to the property would allow an additional room(s) in the roof which could be used as bedrooms. The property could therefore have four or more bedrooms and therefore the Council's parking standard of three spaces needs to be met. Two parking spaces will be available in front of the property and the property benefits from a double garage. Therefore a condition is proposed requiring the garage to be left available for parking.

Overall Conclusion

29. The application is recommended for approval subject to conditions.

Planning Policies

National Planning Policies:

National Planning Policy Framework.

Adopted Chorley Borough Local Plan Review

Policies: GN5, HS4, TR4

Joint Core Strategy

Policy 17

Planning History

10/00064/OUT Outline application for one detached dwelling (specifying: access, appearance, layout and scale). Permitted 19 March 2010.

11/00970/FUL Full application for erection of a detached dwelling. Permitted 23 December 2011.

Recommendation: Permit Full Planning Permission Conditions

- 1. 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.
- 2. The approved plans are:**

Plan Ref.	Stamp Dated:	Title:
309/BRW/PL	9 August 2012	Planning Layout
309/BRW/LP	9 August 2012	Site Location Plan

Reason: To define the permission and in the interests of the proper development of the site.

3. The external facing materials detailed on the approved plan(s) shall be used and no others substituted.
Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review and PPS5.
4. Notwithstanding the details shown on the submitted plans, the proposed driveway/hardsurfacing to the front of the property shall be constructed using permeable materials on a permeable base, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the boundaries of the property (rather than to the highway), unless otherwise agreed to in writing by the Local Planning Authority.
Reason: In the interests of highway safety and to prevent flooding, in accordance with Policy Nos. GN5 and HS9 of the Adopted Chorley Borough Local Plan Review.
5. The dwelling hereby permitted shall not be occupied until the vehicular access and driveway has been constructed in accordance with the approved plans.
Reason: In the interests of highway safety and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.
6. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s).
Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.
7. The integral/attached garage shall be kept freely available for the parking of cars and shall not be converted to living accommodation, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.
Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review and the parking standards set out in the RSS Partial Review and the emerging Site Allocations and Development Management Policies Development Plan Document.
8. The windows on the second floor in both the northeast and southwest elevations of the dwelling hereby permitted (serving the attic room as shown on approved plan ref: 309/BRW/PL) shall be made non-opening and fitted with obscure glass within three months of the date of this permission. 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. They shall both be retained as non-opening windows with level 3 or equivalent obscure glazing at all times thereafter.
Reason: In the interests of the privacy of occupiers of neighbouring property and in accordance with Policy Nos. GN5 and HS9 of the Adopted Chorley Borough Local Plan Review.
9. Before the access is used for vehicular purposes, any gateposts erected at the access shall be positioned 5m behind the nearside edge of the carriageway. The gates shall open away from the highway.
Reason: To permit vehicles to pull clear of the carriageway when entering the site and to assist visibility and in accordance with policy TR4 of the Adopted Chorley Borough Local Plan Review.
10. Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, concrete, block pavements, or another materials approved in writing by the Local Planning Authority.
Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.