

**Item 3\***                      **15/00067/FUL**  
**Case Officer**                **Iain Crossland**  
**Ward**                            **Wheelton And Withnell Ward**  
**Proposal**                      **Erection of detached summer house in front garden**  
**Location**                      **1 Victoria Terrace**  
    **Victoria Street**  
    **Wheelton**  
    **Chorley**  
    **PR6 8HE**  
  
**Applicant**                      **Mrs Rosemary Gilmore**  
**Consultation expiry:**      **30<sup>th</sup> April 2015**  
**Decision due by:**            **7<sup>th</sup> May 2015**

Delegated		Delegated following Chairs Brief		Committee	X
Date:					

	Case Officer	Authorising Officer
Date		

**Recommendation**

It is recommended that this application is refused

**Executive Summary**

The main issue to consider is whether the proposal would result in harm to the character and appearance of the surrounding area.

### Representations

<b>Wheelton Parish Council</b> - No objections but request that local residents are consulted.
<b>In total 2 representations have been received which are summarised below</b>
<b>Objection</b>
Total No. received: 2
<ul style="list-style-type: none"><li>• This proposed development would be completely out of character with the rest of Victoria Terrace, Hill House and the rest of Victoria Street.</li><li>• The structure would be beyond the building line.</li><li>• The site plan on the Council's website is materially incorrect as it substantially understates the size of the footprint of 1 Victoria Terrace.</li></ul>

### Consultees

<b>Consultee</b>	<b>Summary of Comments received</b>

## **Assessment**

### The Site

1. The application site is an end terraced dwelling of traditional character located in a prominent position on the edge of Wheelton village. The dwelling is faced in stone with a roof laid in slate. There is a large garden to the front of the house, which slopes downwards towards the highway, and a yard to the rear. Character of the local area is that of a rural village surrounded by open countryside. The site is located within the settlement area of Wheelton village and is adjacent to a Grade II listed building.

### The Proposal

2. This application relates to the erection of a detached summer house in the front garden of 1 Victoria Terrace. The outbuilding would have an octagonal footprint with a width of 2.5m and depth of 1.8m. There would be pitched roof with a ridge and eaves height of 2.43m and 2m respectively and would be faced in painted timber and glazing.

## **Assessment**

The main issues are as follows:-

Issue 1 – Impact on character and appearance of the locality

Issue 2 – Neighbour amenity

Issue 3 – Impact on a designated heritage asset

### Principle of the Development

3. The National Planning Policy Framework (The Framework) states that applications should be considered in the context of the presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved without delay.
4. In October 2013, the Local Plan Inspector issued her partial report on the findings into the soundness of the Chorley Local Plan 2012-2026 which is a material consideration in the consideration of any planning application. In summary, the plan is considered to be legally compliant. In relation to soundness, the plan is considered sound, with the exception of matters relating to Gypsies and Travellers.
5. Paragraph 18 of the Partial Report states: “For the avoidance of doubt, the Plan may not be adopted until it has been changed in accordance with all the main modifications set out in the Appendix to this partial report and any which may be specified in the Appendix of my forthcoming supplementary report. However because of the very advanced stage in the examination process that the main modifications set out in the Appendix have reached, significant weight should be attached to all policies and proposals of the Plan that are amended accordingly, where necessary, except for matters relating to Gypsies and Travellers.”
6. Paragraph 18 of the Partial Report states: “For the avoidance of doubt, the Plan may not be adopted until it has been changed in accordance with all of the main modifications set out in the Appendix to this partial report and any which may be specified in the Appendix of my forthcoming supplementary report. However, because of the very advanced stage in the examination process that the main modifications set out in the attached Appendix have reached, significant weight should be attached to all policies and proposals of the Plan that are amended accordingly, where necessary, except for matters relating to Gypsies and Travellers.” The Council accepted the Inspectors modifications for Development Management purposes at its Executive Committee on 21st November 2013.
7. The Council accepted the Local Plan Inspector’s modifications for Development Management purposes at its Executive Committee on 21st November 2013. It is therefore considered that significant weight can be given to her report, and to the policies and proposals of the emerging Local Plan, as amended by the main modifications.
8. Further consideration has been given to matters relating to Gypsies and Travellers, and the Local Plan Inspector’s Supplementary Report on Gypsy and Traveller and Travelling

Showpeople was issued (08 May 2015) and it concludes that the part of the Chorley Local Plan dealing with Gypsy and Traveller and Travelling Showpeople policy and site allocation is also sound, providing a number of main modifications are made.

9. It is therefore considered that significant weight can be given to the policies and proposals of the emerging Local Plan, as amended by the main modifications.
10. The application site is located in the core settlement area of Chorley. The emerging Chorley Local Plan 2012 - 2026 states that within the settlement areas excluded from the Green Belt, and identified on the Policies Map, there is a presumption in favour of appropriate sustainable development.
11. The emerging Chorley Local Plan 2012-2026 states that planning permission will be granted for new development including 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. Domestic outbuildings are not specifically referred to in The Framework, or emerging Chorley Local Plan 2012-2026. Guidance is, however, set out in the Householder Design Guidance Supplementary Planning Document (SPD).
12. The Householder Design Guidance Supplementary Planning Document (SPD) states that outbuildings should generally be sited in an inconspicuous position. The siting and design of outbuildings needs particular care in rural areas, where they can be particularly prominent and in the context of listed buildings. Paragraph 8.2 states that *it will rarely be acceptable to site outbuildings in front of the original property as they would then be too prominent and conflict with any established building lines*. Proposals should be constructed in a style that reflects the original building, its setting and the residential amenities of neighbours.

#### Impact on character and appearance of the locality

13. The proposed outbuilding would have the appearance of a fairly typical domestic summerhouse and would be of modest scale. It would be located within a front garden of a residential dwellinghouse and would be positioned between the dwelling and highway at Victoria Street. It would be approximately 4.5m from the front elevation of the dwelling and approximately 4m from the highway. There is a significant reduction in levels from the front elevation of the house down to the highway and as such the outbuilding would be clearly visible in the street scene.
14. Despite the modest scale of the proposed outbuilding it would result in the development of an unusual feature in the context of a front garden, and would be particularly conspicuous in this location, given its elevated position, siting beyond the building line and open aspect to the front. It would be visible from Victoria Street (to the front of the site and to the east), from the entrance to Millbrook Close and from distance along Blackburn Road and nearby public footpaths. Although it is acknowledged that the front garden of 1 Victoria Terrace has evolved over time, with the aid of previous extensions and landscaping works, to function in a similar manner to a rear garden, other neighbouring properties have not developed in this way and retain more typical garden frontages. Victoria Terrace has a traditional character, which is of value to the character of the surrounding area.
15. It is noted that there is some well-established planting and landscaping to the front of the property, which would help to filter views of the proposed summerhouse to some extent. This planting could, however, be cleared or cut back at any time and would not mitigate the harmful impact upon the street scene.
16. The proposed outbuilding would constitute an incongruous feature in the street scene, by virtue of its siting and prominent position such that it would be harmful to the character and appearance of Victoria Terrace as a collective, and therefore harmful to the character of the area.

#### Impact on neighbour amenity

17. The proposed summerhouse would be located approximately 1.5m from the boundary with 2 Victoria Terrace and approximately 6m from the property itself. Due the scale of the proposed summerhouse and degree of separation there would be no impact on light or outlook in relation to this property. The outbuilding is not considered to be a habitable room and its impact on privacy is therefore considered acceptable.
18. The proposed summerhouse would be located approximately 15m from Hill House to the west. Due the scale of the proposed summerhouse, its positioning and degree of separation there would be no impact on light, outlook or privacy in relation to this property.

#### Impact on a designated heritage asset

19. Hill House is located approximately 7m to the west of the application site. This is a grade II listed building and, as such, is considered to be a 'designated heritage asset' as defined by Annex 2 of the Framework. It is noted that a number of alterations to 1 Victoria Terrace have been carried out that have a greater impact upon Hill House than the current proposal, and that the proposed summerhouse would be modest in scale and well separated from Hill House. It is considered that the impact of this proposal upon the designated heritage asset over and above that which already exists through other surrounding development would be negligible.
20. As a result the proposed development would not impact upon the current setting any further and accordingly the remaining significance of the setting to the designated heritage asset would be sustained. Consequently it is considered that the proposal is acceptable in relation to policy BNE8 of the Chorley Local Plan 2012 – 2026.

#### **Overall Conclusion**

21. It is not considered that there would be any unacceptable impact on neighbour amenity or the designated heritage asset, however, the proposed development would by virtue of its siting and prominent positioning result in an incongruous feature in the street scene that would be detrimental to the character and appearance of the area. It is therefore recommended that the application should be refused.

#### **Planning Policies**

22. In accordance with S.38 (6) Planning and Compulsory Purchase Act (2004), the application has been determined in accordance with the development plan [the Central Lancashire Core Strategy (2012) and the Adopted Chorley Borough Local Plan Review (2003) unless material considerations indicate otherwise. Consideration of the proposals has had regard to guidance contained with the National Planning Policy Framework (the Framework), the development plan and the emerging Local Plan 2012-2026. The specific policies/ guidance considerations are contained within the body of the report.

#### **Planning History**

Ref: 06/00689/FUL Decision: PERFPP Decision Date: 29 September 2006  
Description: Demolition of existing garage and conservatory, and erection of single storey front, side and rear extensions (inclusive of replacement garage and conservatory),

Ref: 07/00725/FUL Decision: PERFPP Decision Date: 19 July 2007  
Description: Erection of single storey side and rear extensions

**Reason for refusal**

<b>No.</b>	
1.	The proposed development would by virtue of its siting and prominent positioning result in an incongruous feature in the street scene that would be detrimental to the character and appearance of the area. The proposal is therefore contrary to The National Planning Policy Framework, BNE1 of the emerging Chorley Local Plan 2012 – 2026 and the Council's adopted Householder Design Guidance Supplementary Planning Document.