

16/00580/FULHH

Case Officer Thomas O’Kane

Ward Chisnall

Proposal Erection of single storey side and rear extension with alterations to hardstanding at front following demolition of detached garage and rear conservatory

Location 49 Chorley Lane

Applicant Mrs Elayne Piwowar

Consultation expiry: 21st October 2016

Decision due by: 5th September 2016 (Extension of time until 28th October 2016)

Recommendation
Permit Full Planning Permission (PERFPP)

This application was deferred at the previous committee for a site visit. The comments of Charnock Richard Parish Council that were on the addendum for the November committee have been added to this report.

Executive Summary

Planning permission is sought for the erection of a single storey side and rear extension with alterations to hardstanding at the front. This is following the demolition of an existing detached garage and rear conservatory. Concerns were raised regarding the terracing effect of the proposals and the impact on No. 51, particularly for the lounge window on the side elevation. The applicant has made amendments to the side extension to ensure that it does not cause a terracing effect. The new access onto Chorley Road was omitted due to the concerns raised by the Highways Officers. The amount of light received into the lounge window is already limited given the orientation of the windows for this lounge. As the proposals are not located due south and the side window is restricted in outlook due to the siting of the applicant’s dwelling, it is considered that the proposals would not cause any unacceptable loss of light or outlook to this side window.

Representations

Charnock Richard Parish Council –

Charnock Richard Parish Council originally stated they had no objections to the application, however they reconsidered the application in the light of new information received since their initial observations were submitted, and they are now very much opposed to the proposal. They therefore object strongly to the application on the grounds that the imposition of a blank brick wall so close to the property line of the neighbours home and, adjacent to the neighbours window, would constitute a significant loss of amenity for the neighbour at No 51 Chorley Lane. Furthermore, the brick wall would block light into the only window into this room at No.51 Chorley Lane. The Parish Council are also extremely concerned that the volume of the proposed extension is significant and would result in No.49 and No.51 Chorley Lane almost joining up and looking like a pair of semi-detached houses, giving a terracing effect. These two houses have been detached dwellings since they were built and the proposed extensions at No 49 will materially, completely and detrimentally alter the existing street scene.

Objections

Total No. received: 2

- No ownership of hedge and boundaries or measurements so it is difficult to measure
- Loss of light, particularly to a lounge window;
- View of wall outside back door
- Restricting parking to side of property
- Overbearing at the rear
- Garage is not large enough
- Close to boundary (concerns with scaffolding)

Councillor Whittaker requested that the application be determined by the Planning Committee.

Consultees

Consultee	Summary of Comments received
Parish Council	No Objections (following reconsultation)
Waste and Contaminated Land	No Comments (for original scheme – none received for amended scheme)
Lancashire County Council Highways –	Concerns raised over provision of second access with regards to highway safety. The proposed garage is not of dimensions to be considered a space. Approval of proposals is not recommended unless the vehicle access can be reduced to one and the garage is of size to be considered an off street space (note amended plans have been received so only one access point is proposed).

The Site

1. This application relates to a detached residential bungalow located on a linear row of housing on Chorley Lane, Charnock Richard. The dwelling is set back from the highway with no dwellings located to the rear

The Proposal

2. Planning permission is sought for the erection of a single storey side and rear extension with alterations to hardstanding at the front. This is following the demolition of an existing detached garage and rear conservatory,
3. The extension would be set back from the front elevation by approximately 2 metres, where it would extend 12 metres in length towards the rear and wraparound the rear elevation. It would project a maximum of 4.78 metres beyond the rear elevation. The height to the eaves would match the existing dwelling, with a height to the ridge of 4.20 metres, 0.50 metres below the ridge height of the host dwelling.
4. Additional hardstanding is proposed at the front of the dwelling to provide additional off street parking for the property.
5. A porch is proposed on the front elevation; however the dimensions on the plans indicate that this could be built without planning permission under Permitted Development Rights, therefore the porch is considered acceptable.
6. The scheme was amended during the application process, the modifications include a setback achieved from the front elevation and set down from the ridge for the side extension, which meant that the application footprint at the rear increased to compensate. Members should note that the proposals for the insertion of dropped kerb and new access (thereby giving the property two access points from Chorley Old Road) have been removed following concerns raised by the LCC Highways. The access to the property will therefore remain as exists

Assessment

Principle of the development

The main issues are as follows:

Issue 1 – impact on character and appearance of the locality

Issue 2 – Impact on neighbour amenity

Issue 3 – Impact on highways/access

Impact on character and appearance of locality

7. *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.*
8. *Policy BNE1 of the Adopted Chorley Local Plan 2012-2026 states that the proposal must not have a significantly detrimental impact on the existing building, neighbouring buildings or on the street scene by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, materials, orientation, use of materials.*
9. *The Householder Design Guidance SPD requires that extensions are subservient to the existing dwelling and set down from the ridgeline of the existing dwelling. In addition the*

SPD requires extensions to respect the scale, character, proportions of the existing dwelling and surrounding area.

10. The proposed scheme has been amended to ensure that the proposals are set back from the front elevation. Although the side extension will be built on the side driveway of the existing property and if a similar extension was repeated on no. 51 next door this would result on the properties essentially joining up, the setback of the side extension along with its reduced ridge height would still allow the original properties to be viewed in the streetscene. They would not appear to have been designed and built as a pair of semi-detached bungalows and therefore would not result in a terracing effect of the kind the Householder Design Guidance seeks to avoid.
11. It is of note that the proposals would appear subservient to the host dwelling.
12. The majority of the scheme would be located at the rear, with a roofscape lower than the host dwelling and as such it is considered that the proposals would not affect the character of the wider area. The external wall and roof materials are to match the existing dwelling.
13. Having regard to the above, the proposed development is not considered to be in accordance with Policy HS5 of the Chorley Local Plan 2012 – 2026 and the guidance set out within the Householder Design Guidance SPD.
14. Therefore in regards to impact on character and appearance in the locality, the proposals are acceptable.

Impact on neighbours

15. *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.*
16. *In addition, it states that extensive overshadowing of a neighbouring building or amenity space is unacceptable. 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.*
17. With reference to No. 51, the outlook from the rear of this dwelling to the east is already obscured to a large degree by the siting of their own detached garage. As such the proposal it is not considered to cause any unacceptable harm to views from the rear windows.
18. With regards to the side window facing the applicant's dwelling, this window is for a lounge which also enjoys outlook through a front bay window. Following concerns raised by the neighbour and Ward Councillor, Officers visited the objector's dwelling to further understand the relationship of the proposals with regards to the amount of light received for this lounge.
19. Officers note that this side window is north east facing, while a larger window to the front of this dwelling for this lounge is north-west facing. It is considered that this front window is the principal outlook, with this side outlook considered 'secondary'. Therefore the amount of sunlight that this room already receives is restricted through the orientation of these windows. The outlook of this side window is already restricted outlook due to the siting of the applicant's dwelling.

20. While there is no doubt that proposals would come closer towards this side window and would restrict some outlook and light from the current situation, given that the window is secondary to the room it is not considered that the impact would be so detrimental in terms of light; outlook or considered overbearing that the application could be refused on these grounds.
21. If the proposal did not include the wraparound extension to the rear it is possible a side extension could be built in the location proposed under Permitted Development Rights which would have a very similar impact on this window and this must be taken into account. It is not unusual for side extensions to be built on properties such as this when there are side windows in the neighbouring property looking onto a driveway.
22. With regards No. 47, Officers noted a conservatory to the rear of this dwelling. The proposals would not breach the 3 metre 45 degree guidance when measured from the near edge of this conservatory. Therefore the proposals are considered to not cause any undue amenity impacts upon either neighbouring dwellings.
23. Windows are only proposed on the rear elevation, with none proposed on either the side elevation or the front elevation of the proposed extension. There are no dwellings located to the rear and therefore there are no issues with privacy at the rear.
24. Having regard to the above, the proposed development is considered to be in accordance with policy HS5 of the Chorley Local Plan 2012 – 2026 and the guidance set out within the Householder Design Guidance SPD.
25. Therefore with regards to amenity, although the proposal will have some impact on the neighbouring property no. 51 it is not considered it is so detrimental that the application could be refused on these grounds.

Impact on parking Provision highway safety

26. *Policy HS5 of the adopted 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. In addition, the Householder Design Guidance SPD states that off-street parking should generally be provided at a ratio of 2 spaces for a two or three bed dwelling, and 3 spaces for a larger property, including garages. It also states that car parking spaces occupy a space of 2.5 metres by 5.5 metres and spaces in front of a garage should be 2.5 metres by 6 metres.*
27. Concerns were raised by the Highways Officer relating to the provision of a second access point to the property. The applicant has amended the scheme to ensure that the existing access remains as the sole access to the dwelling. The concerns raised by the Highways Officer regarding the garage (and one of the representations of objection) are noted but are not considered a reasons for refusal could be justified on these grounds, given that the applicant has offset the loss of hardstanding on the existing side driveway through new hardstanding at the front of the property. It is not unusual for properties to have garages that they do not use or are not able to use due to their size for parking, as many people prefer to use a garage for storage. The issue is whether the proposal has sufficient parking or not for the size of the property. Even with the side extension the site could accommodate at least two off-street spaces to the front of the property which is in accordance with Policy ST4 of the Local Plan 2012-2026 for three bedroom dwellings and the Householder Design Guidance SPD such as this, so is considered acceptable.

28. Concerns were raised over the parking of the occupants of the neighbouring dwelling. This is not considered a sufficient reason for refusal as the neighbour is currently reliant on the use of the applicant's land to exit their vehicle and the applicant could erect a fence on the boundary which would result in a similar scenario.
29. It is therefore considered that the proposal would not cause any significant harm to highway safety and accords the policy ST4 of the Chorley Local Plan 2012 – 2026.

Other Matters

30. The remaining concerns raised by the objectors relate to distances and ownership of hedges. The distance can be identified on the scale plans. The ownership of hedges is not a material planning consideration that can be taken into account in coming to a decision.

Overall Conclusion

31. The proposed development would not result in any significant harm to 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. The proposed development would therefore be in accordance with Policies BNE1 and HS5 of the Chorley Local Plan 2012-2026 and the Householder Design Guidance SPD. Consequently, it is recommended that the application be approved.

Planning 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.

Planning History

None

Suggested Conditions

No.	Condition									
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p><i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>									
2.	<p>All external facing materials of the development hereby permitted shall match in colour, form and texture those on the existing building, unless alternatives are submitted to an agreed in writing by the Local Planning Authority, in which case the development shall be carried out in accordance with the alternative approved details.</p> <p><i>Reason: In the interests of the visual amenity of the area in general and the existing building in particular.</i></p>									
3.	<p>The approved plans are:</p> <table border="0" data-bbox="363 790 1361 902"><tr><td data-bbox="363 790 730 824">Title</td><td data-bbox="730 790 1018 824">Plan Ref.</td><td data-bbox="1018 790 1361 824">Received on:</td></tr><tr><td data-bbox="363 824 730 857">Existing and Proposed</td><td data-bbox="730 824 1018 857">16012-01 Rev D</td><td data-bbox="1018 824 1361 857">17th October 2016</td></tr><tr><td data-bbox="363 857 730 891">Plans and Elevations</td><td></td><td></td></tr></table> <p><i>Reason: To define the permission and in the interests of the proper development of the site.</i></p>	Title	Plan Ref.	Received on:	Existing and Proposed	16012-01 Rev D	17 th October 2016	Plans and Elevations		
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4.	<p>The extended parking area shown on the plans hereby approved shall be surfaced or paved, drained and made available in accordance with the approved plan prior to the occupation of any of the extension hereby permitted; such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015.</p> <p><i>Reason: To ensure provision of adequate off-street parking facilities within the site.</i></p>									

