

Item B. 2	08/01171/FUL	Permit Full Planning Permission
Case Officer	Mr Andy Wiggett	
Ward	Heath Charnock And Rivington	
Proposal	Revised elevations to previously approved house	
Location	109 Chorley Road Heath Charnock Chorley PR6 9JT	
Applicant	Mr Mukesh Patel	
Proposal	Revised elevations to previously approved house	
Policy	GN1- Settlement Policy GN5 – Building Design HS4 – Design and Layout of Residential Developments HS6 – Housing Windfall Sites SPD - Householder Design Guidance	
Planning History	07/01365/FUL – Demolish existing bungalow and erect 3 storey detached house – Refused 08/00216/FUL – demolition of existing bungalow and erection of a new two storey dwelling – Withdrawn 08/00549/FUL – demolition of existing bungalow and erection of new two storey dwelling - Approved	
Consultations	Parish Council – Concerned about the scale of the house and its impact on No.107 given that the level of the site has been lowered to keep the ridge height down which could undermine the boundaries. Concerned about large water tank being buried in the rear garden. Coal Authority – Standard comments	
Representations	None yet received	
Applicant’s Case	None stated	
Assessment	When planning permission was granted for the original dwelling, permitted development rights were withdrawn as it was considered that the approved dwelling was at the limits of what the site could sustain in terms of its site coverage and positioning. It was advised that the Local Planning Authority needed to have control over any changes to the approved scheme so that the impact on neighbouring properties could be assessed. This was particularly so with regard to new window openings. Complaints were received that the development being carried out was not in accordance with the approved plans in respect of window openings. Following the advice in PPG18 – Enforcing Planning Control, the developer was requested to submit a planning application so that the relevant issues could be considered. The current application differs from the approved plan in that it proposes to add three new windows on each side elevation. These would serve at the first floor level two bathrooms and be obscure glazed. On the ground floor the windows would serve an	

office, study and two cloakrooms. Again these windows are shown as being obscure glazed. In terms of the Council policies against which this part of the application should be assessed, the approved guidelines for new housing developments states that habitable rooms do not include toilets and bathrooms and as a result the first floor windows in the side elevations are acceptable. With regard to the ground floor windows, these would be behind 2m high close boarded fences and can be conditioned to be obscure glazed and any opening light more than 1.7m above the floor of the room in which it is to be installed. With those safeguards it is considered that the windows will not adversely affect the amenity of the adjoining properties.

The application proposes changes to the rear elevation by adding an additional single pane window and evenly spacing the windows across the upper floor. As the rear elevation is some 36m away from the bungalows to the rear and 12m from the boundary, the Council's guidelines are not compromised by this change. At ground floor, the application proposes to substitute patio windows for conventional 4 pane windows. This is acceptable in relation to the Council's guidelines and will not impact on the amenity of adjoining property when compared with that of the approved windows.

With regard to the comments of the Parish Council, the ground levels of the site have been agreed as part of the planning permission and the water tank is part of the drainage system of the house which requires pumping up into the foul sewer which runs to the rear of the property at a higher level.

Conclusion

The removal of permitted development rights does not remove the right to submit planning applications. The Council took this step so that changes to the house might be assessed with regard to neighbour amenity. It is considered that the changes proposed either meet the Council's guidelines or with appropriate conditions will not result any loss of residential amenity to the adjoining dwellings.

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. All windows in the first and ground floor of the building's northern and southern elevations shall be fitted with fixed obscure glass and obscure glazing shall be retained at all times thereafter. Any opening lights shall be at least 1.7m above the floor of the room in which the window is installed.

Reason: In the interests of the privacy of occupiers of neighbouring property and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.
