Agenda Item	Committee Date	Application Number
A15	20 September 2010	10/00772/FUL

Application Site	Proposal
26 Forgewood Drive Halton Lancaster Lancashire	Retrospective application for raising of roof height of existing garage
Name of Applicant	**Name of Agent**
John Toder	
Decision Target Date	**Reason For Delay**
27 September 2010	None
Case Officer	Ms Petra Williams
Departure	No
Summary of Recommendation	Grant Planning Permission

1.0 The Site and its Surroundings

This application has been brought before Members as the applicant is an employee of the City Council.

1.1 The site that forms the subject of this application is a detached chalet style, dormer bungalow which is situated within a small residential development which is located on the southern side of Low Road in Halton. The property has a dash render exterior and upvc windows and doors and occupies an elevated position on Forgewood Drive. There is an attached flat roofed garage to the western elevation which is access via driveway and a timber and trellis boundary which ranges from 1 metre to 1.8 metres in height along the western (side) boundary.

1.2 Neighbouring properties along this length of Forgewood Drive are of a similar type to the application property with attached garages to the side. The eastern (side) elevation of the neighbouring property to the west (no.24) is 2.9 metres away from the garage of no. 26. The eastern elevation of no. 24 contains the main access door to the property as well as one kitchen window which directly faces the flat roofed garage of no. 26. This arrangement is mirrored at other properties of this design in Forgewood Drive but the side outlook is compensated by the existence of two other kitchen windows to the rear which face the rear garden and agricultural land which lies to the south of the application site.

1.3 The site lies within a Countryside Area and projects into land allocated as a County Geological Heritage Site.

2.0 The Proposal

2.1 The application seeks retrospective planning permission for an increase in the roof height of the flat roofed garage by 300mm. The garage roof has also been extended 1.4 metres to the rear and 2.7 metres to the front and is currently supported by timber posts in anticipation of future extensions to the garage which can be carried out under permitted development rights. The garage walls have been increased by three brick courses and the roof is now in line with the eaves of the main dwelling and has been finished with white upvc facia to match existing.

3.0 Site History

3.1 None.

4.0 Consultation Responses

4.1 The following responses have been received from statutory consultees:

Statutory Consultee	Response
Parish Council	No comments received within consultation timescale

5.0 Neighbour Representations

5.1 The neighbouring occupiers of 24 Forgewood Drive have submitted objections to this application on the following grounds:

- Reduction in light to kitchen and hallway.
- Reduced natural view (not a planning consideration).
- Possible reduction is saleability of property (not a planning consideration).
- Possible increase in noise and appropriateness of the use of rooms within the development (this application relates to the increase in roof height only so this point is not relevant).
- Redirection of waste pipe from our property (not a planning consideration).

5.2 The applicant has submitted a letter of reply to the neighbouring objections and makes the following points:

- The application is retrospective due to the applicants understanding that the proposed garage extension would fall within permitted development.
- The roof has been constructed in advance of the extension as this element was a priority due to water ingress to the garage.
- The neighbour's side kitchen window is east facing and has never been a main source of light.
- The aspect from the neighbour's side kitchen window has always overlooked the side dormer and garage of the application site. This view is little changed as a result of the development.

6.0 Principal Development Plan Policies

6.1 Lancaster District Core Strategy (LDCS):

Policy SC1 (Sustainable Development) - seeks to ensure new development proposals are sustainable in terms of both location and design.

Policy SC3 (Rural Communities) - seeks to build healthy sustainable communities by empowering rural communities to develop local vision and identity, identify and need local needs and manage change in the rural economy and landscape. Development should protect, conserve and enhance rural landscapes and the distinctive characteristics of rural settlements.

Policy SC5 (Achieving Quality in Design) - seeks to ensure that new development contributes to the

positive characteristics of its surroundings and the quality of life of the District by improving the quality of development and promoting good urban design. This policy supports regional and national agendas for raising the profile of good design in spatial planning.

6.2 Saved policies of the Lancaster District Local Plan (LDLP):

Policy E4 (Countryside Area) – Within the countryside development will only be permitted where it is in scale and keeping with the character and natural beauty of the landscape, is appropriate to its surroundings in terms of siting, scale, design, materials, external appearance and landscaping, would not result in a significant adverse effect on nature conservation or geological interests.

Supplementary Planning Guidance Note 12 - Residential Design Code – SPG12 is aimed primarily at new housing development. However the design principles relating to new buildings are also intended to apply to house extensions. Consideration must be given to the quality of the aspect from each dwelling by avoiding intrusive overlooking of other properties; and recognition must be given to the scale and density of the immediate surroundings.

6.3 National Planning Statements

In addition to the above local planning policies the following National Planning Policy Statement (PPS) is relevant:

PPS1 (Sustainable Development) - sets out the overarching planning policies on the delivery of sustainable development, advocating high quality design, accessibility to services and facilities, reducing the need to travel, inclusiveness, efficient use of land and improvements and enhancing biodiversity and landscape character.

7.0 Comment and Analysis

7.1 The increase in roof height is the only issue for Members to consider in determining this application as the planned future extensions under the garage roof do not require the benefit of planning permission. Previously standing at 2.3 metres high, the flat roofed garage is now 2.6 metres high. The increase in height requires planning permission under Part 1, Class A (b) of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 which states that development is not permitted if *"the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse"*. Permission is required because the garage is original to the property.

7.2 It is worth noting that had the applicant chosen to demolish the existing garage he would have been able to replace it with an extension with an eaves height of 3 metres without the need for planning permission.

7.3 Objections raised by neighbouring occupants refer to a reduction in natural light to the kitchen and hallway as a result of the development. However at 300m the increase in height is considered as negligible and it is the Case Officer's opinion that the development has had minimal impact on the reduction of light into the kitchen of no.24. Furthermore the window in question (which faces the garage) is one of three windows to the kitchen, and the hallway (behind the main entrance door) is not a habitable room.

7.4 The proposal has no impact upon the designated County Geological Heritage Site. The work which has been carried out is acceptable in terms of scale, design and materials and complies with the provisions of LDCS Policies SC1, SC3 and SC5 saved LDLP policy E4 and SPG12 as well as PPS1.

8.0 Planning Obligations

8.1 There are no planning obligations to consider.

9.0 Conclusions

9.1 The development under consideration is regarded as minor in nature and it is considered that the increase in roof height has had no detrimental impact on the residential amenities of the neighbouring occupants, the surrounding street scene or wider Countryside Area. Members are

therefore advised that this application can be viewed favourably.

Recommendation

That Planning Permission **BE GRANTED**.

(No planning conditions are required because the development has already been undertaken and is to an acceptable standard and design).

Human Rights Act

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

Background Papers

None.