

APPLICATION NUMBER: 2021/38550

Ward:	Lymm South
Date Registered:	27 January 2021
Case Officer:	Colette Redman
Applicant:	Fairhurst
Location:	20 Pepper Street, Lymm, WA13 0JB
Proposal:	Erection of first floor rear/side extension. Re-submission of planning application 2017/30167.

Recommendation: Grant with Conditions

Conditions and/or Reasons

1. The development hereby approved shall be commenced before the expiration of three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

1. The development shall be carried out in accordance with the following documents:

(a) The planning application forms and additional information received by Warrington Borough Council on 03/02/21.

(b) Submitted drawing No's EL01 - 01 Rev 01; EL02-01 Rev 01; GA04 Rev 01; GA11 Rev 02 & RL01 Rev 02 received by Warrington Borough Council on 17/06/22.

Reason: for the avoidance of doubt and to enable Warrington Borough Council to adequately control the development and to minimise its impact on the amenities of the local area and to conform with Policy QE7 of the Warrington Core Strategy.

1. All materials to be used in the approved scheme shall be as stated on the application form and approved drawings and shall not be varied without the prior written approval of the Local Planning authority.

Reason: To ensure that the development will be of a satisfactory appearance and to comply with Policy QE7 of the Warrington Core Strategy and the Warrington SPD: Design and Construction.

DELEGATED DECISION	NO
1. With respect to the Authority, is the applicant and/or agent one of the following: (a) a member of staff (b) an elected member (c) related to a member of staff (d) related to an elected member	
2. Parish Council objection/Ward Cllr call –in within 21 days	NO

OFFICER'S REPORT

1. APPLICATION SITE AND SURROUNDINGS

The application site is a residential dwelling located on the corner of Pepper Street and May Queen Field Drive, Lymm. Based on the available historic mapping, the property was constructed sometime around the year 1960. It has an unusual flat roofed design in contrast to the surrounding area, which is characterised by historic dual pitch properties and modern dwellings of a more traditional appearance. The house is faced with a mixture of render, stone and timber cladding. It is located just within the boundary of Lymm Conservation Area, which ends immediately to the east of the application site.

The application dwelling shares a boundary with No.18 Pepper Street to the west and No.22 Pepper Street to the south. There are no other directly adjoining neighbours due to the location of the site on a corner plot.

2. DESCRIPTION OF PROPOSAL

The proposed development involves the construction of a first floor side/rear extension to form a bathroom and bedroom. The extension would have a width of approximately 3.9m and a length of around 8m along the side elevation. It would have a flat roof to match the existing property and would be faced with a mixture of render and timber cladding.

3. AMENDED PLANS

Amended plans were negotiated and submitted by the applicant and have resulted changes to the original submission, which can be summarised as:

- Removal of proposed ground floor side extension from plans due to prominence on street scene and Conservation Area.
- ii. has been given to the necessity to re-consult on the amended plans received. In this instance it is considered that the proposed amendments do not constitute substantial differences or fundamental change to the originally submitted proposal. The LPA has acted fairly and reasonably taking in to account the duty to fully consider representations from interested parties and considers that nobody has been deprived of the opportunity to make any representations that they may have wanted to make on the application as amended due to the nature of the change/s. Notwithstanding this, all representations received are outlined below and are appraised against planning policy (where they are material in determining the application) within the assessment.

3. LOCAL REPRESENTATIONS

General Public

No comments or objections received.

Parish Council

No comments or objections received.

Ward Councillors

No comments or objections received.

4. RELEVANT SITE HISTORY

Planning Reference	Description of Development	Decision	Date of Decision
2017/30167	Householder - Proposed first floor side extension	Approved with Conditions	11 th May 2017
2007/09886	Single storey rear extension	Approved with Conditions	13 th March 2007
2004/04460	Proposed single storey side extension & two storey rear extension	Approved with Conditions	5 th January 2005

5. PLANNING POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken. Whilst third party representations are regarded as material planning considerations (assuming that they raise town planning matters) the primary consideration, irrespective of the source or number of third party representations received, remains the extent to which planning proposals comply with the Development Plan. The National Planning Policy Framework (NPPF) supports this legislative position and its contents are a material consideration in determining the application.

National Planning Policy Framework 2021 (NPPF)

The Revised National Planning Policy Framework (2021) (NPPF) confirms that decisions should apply a presumption in favour of sustainable development. Paragraph 7 of the document states that the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. This is balanced by Paragraph 9 which states that plans and decisions need to take local circumstances into account, so that they reflect the character, needs and opportunities of each area.

Where there are other specific, relevant, material issues raised in the NPPF these will be discussed within the Assessment below.

As stated above, the NPPF re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan, in the case of Warrington, refers to the Local Plan Core Strategy (2014).

Relevant Policies in the Local Plan Core Strategy (2014)

QE6 – Environment and Amenity Protection

QE7 – Ensuring a High Quality Place

QE8 – Historic Environment

House Extensions SPD

6. EQUALITIES ACT (2010)

In determining this application, the Local Planning Authority has considered the requirements under S149 of the Equalities Act 2010. It is considered that the application has no differential impacts.

7. ASSESSMENT

Principle of Development

The proposed extension would be in keeping with the existing residential use of the application site. Development of this kind is not uncommon and for these reasons the principle of development would be acceptable.

QE7 & QE8 – Impact upon Character of the Area & Historic Environment

Policy QE7 of the Adopted Core Strategy requires that The Council will look positively upon proposals that are designed to be sustainable, create safe and accessible environments; reinforce local distinctiveness; harmonise with the scale and character of existing buildings and be visually attractive as a result of good design.

Policy QE8 of the Core Strategy states that the Council will ensure the character and setting of heritage assets, such as Conservation Areas will be appropriately protected in accordance with the principles set out in National Planning Policy.

The extension would be highly visible from public vantage points on Pepper Street and May Queen Field Drive, due to the property's location on a corner plot and the proposals being visible at the front, side and rear elevations of the dwelling. However, the existing property is set well back from Pepper Street by a minimum of approximately 12m and the front elevation of the extension would be approximately 22m from the highway in this direction. To the side of the application site, the extension would be approximately 2.2m from the edge of the plot. The site is positioned at a much higher ground level than the highway on May Queen Field Drive, and whilst no terracing effect would occur as there is no directly neighbouring property here, this distance to the site edge would retain existing levels of spaciousness and would not cause the extension to appear overly prominent from this viewpoint.

The design of the extension would be in keeping with the existing dwelling through the use of matching facing materials and a flat roof. The previously approved first floor extension (2017/30167) proposed an expansion of the existing balcony so that it would span the width of the dwelling. Apart from this element, the currently proposed scheme would be almost identical in terms of scale and appearance. This has been taken as a material consideration. Overall it is not considered the proposed extension would detract from the character of the existing property and it is considered to have an acceptable appearance in this regard.

The application site is located on the very edge of Lymm Conservation Area and many of the surrounding houses are modern in nature, the house being set away from the main village centre. The proposed extension would not occupy a prominent position within the Conservation Area or wider street scene and would be set well back from the highway. Overall it is not considered the development would cause any unacceptable harm to the character and setting of the Conservation Area, or on the established local character as a whole. There would be no harm to heritage assets. The proposals are therefore in accordance with Policies QE7 and QE8 of the Core Strategy.

QE6 – Impact on Amenity

Policy QE6 states that The Council, in consultation with other Agencies, will only support development which would not lead to an adverse impact on the environment or amenity of future occupiers or those currently occupying adjoining or nearby properties, or does not have an unacceptable impact on the surrounding area.

The House Extensions SPD sets out how the Council will assess the impacts of a development on the living conditions of neighbours. Section 2.2.1 of the SPD states that the 45 degree code will be used to assess the impacts of an extension on the outlook of neighbouring properties. To comply with the 45 Degree Code, extensions should be designed so as not to cross the 45 degree line taken in a horizontal plane and measured from the centre point of the neighbour's nearest primary habitable room window.

The proposed development would comply with this when assessed from No.18 Pepper Street, so would not be highly visible from the principal habitable rooms of this dwelling. The extension would also be located behind an existing first floor element, so would not have an overly prominent impact on the side windows to this property in comparison to the existing situation.

Section 2.2.4 of the SPD describes the minimum separation distances between extensions and neighbouring properties in order to provide an adequate degree of privacy. Principal habitable room windows on an extended property should be not less than 21 metres from habitable room windows in neighbouring houses to ensure reasonable

privacy between neighbours.

The extension would be approximately 48m from properties to the opposing side of Pepper Street, and 28m from the nearest element of No.22 Pepper Street to the rear of the site. Therefore the scheme is considered to maintain an acceptable level of privacy between neighbours. Overall there would be no unacceptable impacts on residential amenity and the development would be in accordance with Policy QE6 of the Core Strategy and the House Extensions SPD.

8. CONCLUSIONS AND RECOMMENDATIONS

The principle of development would be acceptable and there would be no unacceptable impacts on the defined local character, the Conservation Area as a heritage asset, or on the living conditions of neighbours. Therefore it is recommended that planning permission be granted subject to conditions.

Date Report Completed:	23/06/22	Colette Redman
Date Agreed by Section Head:	23 june 2022	Gary Earnshaw