

# APPLICATION NUMBER: 2022/41098

<b>Ward:</b>	Lymm North and Thelwall
<b>Date Registered:</b>	01 March 2022
<b>Case Officer:</b>	Viv Pearson
<b>Applicant:</b>	Mr. THOMAS BURGESS
<b>Location:</b>	44 Whitesands Road, Lymm, Warrington, Lymm, WA13 9LF
<b>Proposal:</b>	two storey side extension following demolition of garage and 1st floor rear extension with new raised decking with additional render to front elevation of main dwelling.

**Recommendation:** Grant

## 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.

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

(a) The planning application forms, design and access statement and additional information received by Warrington Borough Council on 1st March 2022.

(b) Submitted drawing No's;

01 Site Location Plan

02 Existing Elevations

03 Existing Site/Block Plan

04 Existing Ground Floor Plan

05 Existing First Floor and Roof Plan

06 Proposed Ground Floor Plans REV B 1

07 Proposed First Floor Plan REV B

Amended Plans – Proposed Elevations REV D received 01/08/2022

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.

3. 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.

## **INFORMATIVES**

1. The Local Planning Authority operates a pre-planning application advice service. All applicants are encouraged to engage with the Local Planning Authority at pre-planning application stage. As part of the determination of this planning application the Local Planning Authority has worked pro-actively and positively with the applicant ensuring that upon receipt all representations and consultation responses are available to view on the Council's web site. The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the application in order to deliver a sustainable form of development in accordance with the National Planning Policy Framework.

2. In many cases your proposal may also require consent under the Building Regulations 201. Please contact our Building Control Section on 01925 442554 or email; [building.control@warrington.gov.uk](mailto:building.control@warrington.gov.uk) for guidance.

3. The applicant/agent/contractor should be aware of the protected status of great crested newt and if any are found at any stage during the implementation of the proposal then works should cease until the identification of the species is confirmed and advice sought and implemented from a suitably licenced person and the Greater Manchester Ecology Unit are to be

contacted. Greater Manchester Ecology Unit (tameside.gov.uk).

4. The agent/applicant/contractors should contact the Warrington Council Flood Risk team or the Environment Agency to check if any measures are required to be taken during construction of the proposal or in terms of flood resilience adaptations.

<b>DELEGATED DECISION</b>	<b>NO</b>
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	<b>NO</b>
3. Is the application submitted by the Council/on council owned land/other Council interest.	<b>NO</b>

## **OFFICER'S REPORT**

### **2. APPLICATION SITE AND SURROUNDINGS**

A semi-detached, mid-20<sup>th</sup> Century, two storey dwelling with integral garage on Whitesands Road, Lymm, which has been previously extended. It has a modest front and larger rear garden with side access to the rear and a driveway leading from the highway to the integral garage at the side. There also appears to be a garage in the rear garden.

Surrounding properties include a mix of two storey detached and semi-detached dwellings built at different times, with Edwardian semi-detached, modern terraces with two and three stories further to the east of the site all set within gardens with surrounding trees, walls, driveways and hedges. The site is within the Inset and Green Belt Settlement of Culcheth Village as defined under Policy CC1. (i.e. excluded from the Green Belt). \*This is a re-submission of a previously approved scheme with additional proposed cosmetic changes.

### **3. DESCRIPTION OF PROPOSAL**

A two storey side extension is proposed for the western side elevation which would have a projection of 2.2m towards the front and 1.8m towards the rear. The total length of the side element would be 10.3m and the height of the side element would match the height of the main roof at 7.5m, which would incorporate a double pitched roof with hip. The side extension would wrap around to the rear element which would consist of a part single and part two storey extension. The total width of the rear extension would be 7m on the ground floor and 5.1m at first floor level. The roof design at the rear would also incorporate a dual pitched roof with hip for the two storey element and a mono pitched roof for the single storey element. A front canopy roof over the main entrance is proposed which would project 1m from the front elevation by 1.7m wide and could have a tiled mono pitched roof.

Proposed materials would match with the addition of powder coated aluminium and composite door frames, permeable paving and raised composite decking at the rear. The space created internally would consist of a larger kitchen/dining/family room, a study, new staircase, WC and utility room on the ground floor and on the first floor a larger bedroom and new bedroom with en-suite and a new bathroom and staircase on the first floor leading to the loft.

It should be noted that this is a re-submitted application of a previously approved scheme 2021/39549 which is substantially complete. This application seeks to alter the approved facing materials.

### **4. AMENDED PLANS**

Whilst the proposed extensions have been substantially completed, this proposal seeks to introduce the use of a light coloured render in combination with the facing brick. The original proposal consisted of full render to the principal elevation of the main house and that of the approved side extension, however this was considered unacceptable in terms of visual amenity and amended plans were negotiated and submitted by the applicant and have resulted in changes to the original submission, which can be summarised as:

- Reduction in the extent of the proposed render, limited to first floor level of main dwelling, in order to appear less prominent in the streetscene and to comply with SPD.

Consideration 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 into 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.

## 5. LOCAL REPRESENTATIONS

### General Public

The applications were publicised by 5 neighbour notification letters. No objections or comments were received as a result of the publicity given to the application.

### Ward Councillors

No comments were received.

### Lymm Parish Council

The Parish Council responded that they had no objections.

## 6. CONSULTEES

None.

## 7. RELEVANT SITE HISTORY

Reference	<b>96/34705</b>
Address	44, WHITESANDS ROAD, STATHAM, LYMM, WARRINGTON, WA13 9LF
Application Type	Full Planning
Date Registered	19/03/1996
Proposal	PROPOSED CONSERVATORY AND CAR PORT EXTENSION
Decision	Approved with Conditions
Decision Date	10/05/1996
	Appears to have been built
Reference	<b>2021/39549</b>
Address	44, WHITESANDS ROAD, STATHAM, LYMM, WARRINGTON, WA13 9LF
Date Registered	07/06/2021
Proposal	Householder - Proposed two storey side extension following demolition of garage and 1st floor rear extension with new raised decking
Decision	Approved with Conditions
Decision Date	25/10/2021

## 8. PLANNING POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Authority 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 July 2021 (NPPF) (3)

The Revised National Planning Policy Framework (2021) (NPPF 3) 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)

CS1 – Overall Spatial Strategy – Delivering Sustainable Development  
CS5 – Green Belt  
CC1 – Inset and Green Belt Settlement (Lymm)  
QE5 – Biodiversity and Geodiversity  
QE6 – Environment and Amenity Protection  
QE7 – Ensuring a High Quality Place

#### Supplementary Planning Documents

WBC – House Extension Guidelines SPD June 2021  
WBC – Design and Construction SPD (2016)  
WBC – Standards for Parking in New Development SPD (2015)

### **9. EQUALITY 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.

### **10. ASSESSMENT**

A site visit was carried out on the 5<sup>th</sup> May 2022 to assess the impact of the proposed development on visual amenity and neighbouring occupiers.

The key issues are the principle of development and the impact in terms of residential amenity to surrounding occupiers and in relation to the main house in terms of visual amenity in respect of scale, design and appearance and the impact on the character of the area. Whether the proposal would have any impact on a nearby Green Belt is also a material consideration.

#### Principle of Development

Proposals for domestic extensions within Primarily Residential Area are acceptable in principle subject to compliance with Policies set out in Warrington's Local Plan Core Strategy and Supplementary Planning Document – House Extensions and the provisions of the National Planning Policy Framework, along with any other material planning considerations which are applicable to the site.

#### Impact on Green Belt

The site falls within the Inset and Greenbelt Settlement of Lymm and is over 108m from the Green Belt to the north. The proposal would not be visible from the Green Belt which surrounds the inset village and therefore, would not have any significant impact on the visual amenity or character of the nearby Green Belt.

#### Design and Visual Amenity

The proposal is visible from the streetscene and neighbouring properties and is generally of a complimentary scale and design. The proposed windows and doors match the proportions and design of the existing openings, with the exception of the bi-fold doors and the roof lights, which are of modern appearance but are acceptable due to their location at the rear elevation.

The extensions are subordinate in scale to the original house and there is space left at the side for bins to be moved from the rear to the front. The side element is set back around 10cm from the front elevation to give a clean break in accordance with the SPD. Whilst the roof is not set down from the existing ridge, this design is reflective of several examples in the street, none of which adversely affect the character of the area. The roof design harmonises well with the existing dual pitched roof, especially the side extension roof with hip. The roof at the rear is also hipped which is acceptable in terms of design.

The side extension at 2.2m towards the front of the dwelling would not adversely impact the symmetry of the adjoining semi-detached dwelling, which also has a two storey side extension and the side extension is less than half the width of the original house. The 1.1m gap at the side, from the front to the rear, also prevents a terracing effect along the street scene and the proposals accord with the existing design principles of the surrounding dwellings. It has been advised that the garage has been demolished in preparation for the proposals, however this not an influencing factor towards this assessment. The front canopy porch roof is acceptable in design terms due to the pitched roof and minimal projection.

The 3.3m projection at the rear, for the ground floor and first floor, is acceptable in this instance as the adjoining neighbour at No.46 has a rear ground floor extension which reduces any impact to an acceptable degree. The first floor element is set 1.7m from the shared boundary and would not overly dominate the original dwelling at the rear.

In terms of materials, the proposed side extension, which has been substantially completed, has been finished in facing brick which has resulted in a noticeably poor match to those of the existing dwelling. This application proposes facing brick with

the introduction of render.

Following negotiations, a revised proposal was received which proposes the use of light coloured render to the first floor of the principal elevation of the main dwelling. Whilst the use of render is not a characteristic feature in the immediate vicinity, it is acknowledged that there are examples of similar render towards the western end of Whitesands Road and therefore, in this particular instance, the limited and partial use of render in this location is considered acceptable and not out of keeping with the general character of the wider area. On balance, it is considered that, the use of render to the first floor of the existing dwelling will reduce the negative visual impact of poorly matched materials and would be beneficial in terms of the general appearance of the main dwelling and the visual amenity of the streetscene.

Over-all, the proposal will retain a desirable amount of space around the dwelling and the proposed scale, design and materials are acceptable and in keeping with the character and appearance of the dwelling and the surrounding area. The proposal would therefore comply with Policy QE7 of the Local Plan Core Strategy and guidance contained within the House Extension SPD.

### Residential Amenity

No. 46 Whitesands Road, the adjoining semi-detached building, has a ground floor rear extension and the proposed rear elements would not overshadow their rear windows because of this. Also, the proposed first floor element is set away from the shared boundary and therefore complies with the 45 Degree Code when measured from the first floor rear windows for this neighbour. As such there would be no undue harm to the amenities of occupiers of that property.

No. 42 Whitesands Road have previously converted the rear of their garage to a kitchen, which is the nearest rear elevation ground floor window to the proposed side element. The proposals do not overshadow this window. Proposed side windows are not increased in number and the plans state they would be obscurely glazed. The proposed raised decking area, which would match the height of the internal floors at the rear, is proposed. The decking area would be 0.4m in height and would not be overly intrusive in terms of effects to privacy. Decking of 0.3m in height is classed as permitted development and an extra 10cm here, given the distance to neighbouring properties either side, would not be significant. A 1.8m tall fence is proposed above the level of the decking for each of the shared side boundaries at the rear to minimise any potential increase to loss of privacy, which is reflected in the amended plan. There is inevitably some overlooking of neighbouring gardens in this sort of area dependant on fence heights, planting etc and the proposals would not lead to significant losses of privacy to neighbours on either side or to the rear. The neighbours to the front of the site would not be impacted due to the separation distance which is over 26m from the new side element and there would be no adverse increase in loss of privacy or overlooking.

For No. 7 Albany Grove at the rear, their rear ground floor extension dining room window is over 18m away from the new first floor bedroom window, which would be acceptable as the angles involved for the interface distance are oblique. The proposed ground floor element is not extending more than is currently the case on site and the proposed decking only extends 2.6m from this rear extension and overlooking to this neighbour's rear garden would not be adverse due to the intervening distance which exceeds the SPD guideline of 10m from the proposed first floor bedroom window. Regarding potential overshadowing to the rear windows of No. 48, kitchen windows and high level side windows on existing extensions would not be protected via the 45 Degree Code. The proposed first floor rear element is over 15m from the rear dining room window and falls outside of the zone of restriction for the 45 Degree Code and would therefore be acceptable. The distance to that property and the relative orientation is such that there would be no undue level of harm to light or outlook. The residential amenity of the surrounding neighbours is therefore not adversely affected by these current proposals and would therefore be acceptable in accordance with Policy QE6 of the Local Plan and the House Extensions SPD.

### Highways

Due to the nature of this application, Highways have not been re-consulted and their previous comments are extant in relation to the approved plan and resubmitted plans which show that, the number of bedrooms is increasing from three to four and proposed parking provision on site for three cars, which is sufficient.

Whilst, it is acknowledged that the layout does not comply with the SPD, there would be very little room for pedestrians to pass between cars parked in this layout for example, and the whole front garden would be turned to parking which is contrary to the SPD, there are several examples of this type of front garden layout in close proximity to the site and in any event this would likely be done as permitted development. Landscaping is proposed to help negate any visual impacts from the area of parking in the former front garden.

Therefore these plans meet the Council's guidelines for parking and would not result in any negative impact to the highway network.

### Intermediate Risk of Surface Water Flooding

Areas to the front and covering the rear garden of the application site area identified as being at intermediate risk of surface water flooding and are therefore more vulnerable to the impacts of global heating. An informative has been added to the decision.

### Other

Biodiversity/Geodiversity are not adversely impacted from these proposals.

## **11. CONCLUSIONS AND RECOMMENDATIONS**

On the basis of the above assessment the principle of development is acceptable and it is considered that the proposed development at the application site is consistent with the Overall Spatial Strategy and accords with Policy CC1, QE5, QE6 and QE7 of the Warrington Local Plan and the House Extension SPD and would not adversely affect residential or visual amenity or the Highway network. Accordingly, the application is recommended for approval subject to conditions.

## 12. PLAN EXTRACTS

Site photos are included in a separate document.

<b>Date Report Completed:</b>	02/08/2022	<i>Viv Pearson</i>
<b>Date Agreed by Section Head:</b>	2 august 2022	Gary Earnshaw