

REPORT TO 30 MARCH 2022 PLANNING COMMITTEE – ITEM 5

Application No:	22/0013	Case Officer:	Alan Pinder Area Team 2
Applicant:	Mr Maher	Agent:	Mr Ross
Location:	44 LAVERTON ROAD, LYTHAM ST ANNES, FY8 1EN		
Proposal:	ENLARGEMENT TO ROOF SPACE OF DWELLING TO CREATE SECOND FLOOR LIVING ACCOMMODATION INCLUDING RAISING OF EAVES AND RIDGE HEIGHTS, STEEPENING OF ROOF PITCH, ADDITION OF PEDIMENT ABOVE DOUBLE HEIGHT BAY WINDOW, INSTALLATION OF ROOF LIGHTS TO FRONT, REAR AND SIDE FACING ROOF PLANES AND INSERTION OF ADDITIONAL FIRST FLOOR WINDOW IN WEST FACING SIDE ELEVATION OF ORIGINAL DWELLING - RESUBMISSION OF APPLICATION 21/0910		
Ward:	Fairhaven	Parish:	St Anne's on the Sea
Statutory Expiry:	2 March 2022	Earliest Decision:	30 January 2022
Reason for any delay:	Officers negotiating design improvements		To view application file on FBC website click here

Summary of Officer Recommendation

This application relates to a detached two storey dwelling that is located in a residential area of St Annes. The area predominately features other properties of a similar scale around, but some variation in their design.

The application is submitted as an amendment to an earlier application that proposed a full roof lift of the property which was refused by Fylde Council and subsequently dismissed at appeal. The application under consideration here seeks planning permission for the lifting of the main roof by 0.7 metres to facilitate the provision of additional accommodation in the roofspace along with other associated alterations including the removal of one chimney, insertion of roof lights and a new first floor side elevation window.

Unlike the earlier proposal this scheme is not considered to be harmful to either the character and appearance of the host dwelling or the wider streetscape, or to the amenity of neighbouring dwellings. Accordingly the proposal accords with the relevant policies of the Fylde Local Plan to 2032 (incorporating partial review) and so is recommended for approval.

Reason for Decision Level

The officer recommendation for approval is in conflict with the views of the Town Council and so it is necessary to present the application to the Planning Committee for a decision.

Site Description and Location

The application site is a detached two storey dwelling, with hipped roofs on all four elevations, located on the south side of Laverton Road which is itself in a wholly residential area of the settlement of Lytham St Annes. The dwelling has been previously extended with a two-storey rear extension alongside and adjoining into an existing two storey rear outrigger. There is a detached single storey annex within the rear garden.

Details of Proposal

Planning permission is sought for the following:

- Lifting of the main roof to increase the ridge height by 0.7 metres (from 6.8 metres to 7.5 metres) and the eaves height by 0.2 metres (from 4.9 metres to 5.1 metres)
- Removal of one chimney
- Insertion of two roof lights in the front roof slope and one roof light in each side facing roof slope
- Insertion of a first floor window in the west facing side elevation

Relevant Planning / Appeal History

App. No	Description	Decision	Date	Appeal
77/0247	GARAGE EXTENSION AND SUN LOUNGE	Granted	20 April 1977	
19/0012	TWO STOREY REAR EXTENSION AND CONVERSION OF GARAGE TO RESIDENTIAL ANNEX	Granted	07 March 2019	
21/0910	EXTENSION TO ROOF SPACE OF DWELLING TO CREATE SECOND FLOOR LIVING ACCOMMODATION INCLUDING RAISING OF EAVES AND RIDGE HEIGHTS, HIP-TO-GABLE ENLARGEMENTS AND CONSTRUCTION OF REAR DORMER INCLUDING INSERTION OF ADDITIONAL FIRST FLOOR WINDOW IN WEST FACING SIDE ELEVATION OF ORIGINAL DWELLING	Refused	25 November 2021	Dismissed

Parish/Town Council Observations

Parish/Town Council	Observations
Saint Annes On The Sea Town Council	<p><u>Comments dated 25 January 2022</u></p> <p><i>This was previously Refused by the DMA and objected to by the Town Council. (See Decision Notice and TC Observations). Although this is an improvement on the original proposal, we feel that the revised proposal still looks very unbalanced with the loss of one chimney stack, and still dominates the street scene by virtue of its height, which distorts the visual</i></p>

	<i>consistency and character of surrounding properties. In conflict with Neighbourhood Plan Policy DH1.</i>
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Statutory Consultees and Observations of Other Interested Parties

N/A

Neighbour Observations

Neighbours notified: 6 January 2022
Amended plans notified: N/A
Site Notice Date: N/A
Press Notice Date: N/A
Number of Responses Total number of comments 0

Relevant Planning Policy & Government Guidance

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the National Planning Policy Framework.

The Fylde Local Plan to 2032 (the 'FLP') was formally adopted by the Council at its meeting on Monday 22 October 2018 as the statutory, adopted development plan for the Borough. The Council submitted a Partial Review of the FLP to the Secretary of State for Examination on 21 October 2020. The Partial Review does not delete or add new policies to the FLP and is, instead, concerned principally with matters relating to re-calculating housing need and amending the wording of policies within the FLP to bring these in alignment with the 2021 version of the National Planning Policy Framework.

The Inspector's report on the examination of the Partial Review of the FLP was received on 21 October 2021 and confirms that plan is sound. Following the conclusion of the Partial Review, the Council formally adopted the Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the 'FLPPR' – at its meeting on Monday 6 December 2021 as the statutory development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004. Therefore, the FLPPR should guide decision taking for the purposes of paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2 of the National Planning Policy Framework.

Fylde Local Plan to 2032 (incorporating Partial Review) and other relevant Guidance:

GD1 - Settlement Boundaries
 GD7 - Achieving Good Design in Development
 STANP - St Annes on the Sea Neighbourhood Plan
 NPPF – National Planning Policy Framework (July 2021)
 NPPG – Planning Practice Guidance

Comment and Analysis

Principle

The application site is located within one of the settlement boundaries identified on the FLPPR Policies Map. As set out in policy GD1 of the Local Plan, the principle of residential extensions within the identified settlements is acceptable subject to the development's compliance with other relevant policies of the Plan. In this case the criteria contained in policy GD7 of the FLPPR are of greatest relevance, having particular regard firstly to the development's effects on the character and appearance of the area arising from its design and, secondly, to its impact on the amenity of surrounding occupiers. Each of these issues is examined further below with reference to the relevant criteria in policy GD7.

Design and Appearance in Streetscene

FLPPR policy GD7 requires that development proposals demonstrate a high standard of design, taking account of the character and appearance of the local area, in accordance with 16 guiding principles (a - p). In particular, criteria d), h) and i) of the policy identify the following requirements:

- Ensuring the siting, layout, massing, scale, design, materials, architectural character, proportion, building to plot ratio and landscaping of the proposed development, relate well to the surrounding context.
- Being sympathetic to surrounding land uses and occupiers, and avoiding demonstrable harm to the visual amenities of the local area.
- Taking the opportunity to make a positive contribution to the character and local distinctiveness of the area through high quality new design that responds to its context and using sustainable natural resources where appropriate.

Paragraph 130 of the NPPF sets out six general principles of good design (a – f)) that developments should follow and paragraph 134 indicates that “development that is not well designed should be refused, especially where it fails to reflect local design policies”.

STANP policy DH1 states that "all development must be of a high quality of design and must be appropriate and sympathetic to the character of the town and its neighbourhoods." Additionally, the policy requires that "development should create pleasant places to live and work and take into account surrounding scale, density, layout and car parking, as well as achieving high visual standards."

In this case the application relates to a detached, two storey dwelling located within a row of similarly designed properties on the southern side of Laverton Road where there is a uniformity of design approach comprising two storey detached and semi-detached properties with fully hipped roofs.

The application property is neighboured to the west by No.42 Laverton Road and No.46 to the east. Both of which feature hipped roofs. No.46 has the same ridge and eaves heights as the application property, and No.42 has an 8 metre high ridge and 5.1 metre high eaves. The proposed roof lift would increase the eaves height of the application property slightly to match that of No.42 and create a graded increase of ridge heights in the vista these three dwellings. This graded transition of ridge heights, and retention of the hipped roof appearance, would not appear incongruous or jarring within wider streetscape of Laverton Road.

The Town Council have opined that the loss of one chimney would create an unacceptable visual imbalance to the appearance of the property, however opposing gable chimneys are not defining

character of either the host dwelling or of dwellings generally within the locale. Hence the loss of one chimney is not considered to an overriding factor that could justify the refusal of permission.

The scheme that preceded this application related to a slightly taller increase in the roof ridge, a significant increase in the eaves so they were well above the height of neighbouring dwellings, and the formation of gables to each side of the building which accentuated the increased ridge height. This was refused by Fylde Council for reasons that included the harm that this would create to the streetscene. This decision was subject to an appeal with the Inspector stating that:

“Raising the roof to form a gap between the top of the first floor windows and the eaves would disrupt the harmonious feature of the streetscene, this combined with the hip to gable change in roof design would result in an incongruous form of development. The proposed development would be disproportionate to the host property and at would be out of keeping with the prevailing characteristics of the area. “

She then dismissed the appeal on the basis of the policy conflict which this created.

The current scheme removes the two most harmful elements of the earlier scheme. Firstly the eaves remain very similar to the height of the neighbouring properties thereby removing the gap that was formed below them and the top of the first floor windows in that scheme. Secondly the existing hipped design to the roof is retained rather than forming gables, which further reduces the dominance of the roof. This revised design is considered to address the reasons that Fylde Council refused the earlier application, and the matters that the Inspector found critical to that scheme in her decision. Taken together the design and scale of the extension accord with the requirements of criteria d), h) and i) of Policy GD7.

Relationship to Neighbours

FLPPR policy GD7 c) requires that development proposals facilitate good design by “ensuring that amenity will not be adversely affected by neighbouring uses, both existing and proposed”. In addition, criterion h) states that developments should be “sympathetic to surrounding land uses and occupiers”.

Paragraph 130 f) of the NPPF indicates that planning decisions should ensure developments “create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.”

Neighbouring dwellings potentially affected by the application are No's 42 & 46 Laverton Road, which neighbour to either side of the development property.

No.42 Laverton Road - The proposed additional first floor window in the west elevation of the application property would face towards No.42, however these two dwellings share a similar rear building line and so views from this window into the rear garden area of No.42 would be restricted by the bulk of No.42's side elevation and the acute angle of views towards its rear garden. No.42 has only one small obscurely glazed window at eaves level in its east facing side elevation but even if this elevation were populated by other windows the proposed roof lift would have little greater effect than existing in terms of overshadowing or overbearingness.

No.46 Laverton Road - This property would have a similar spatial relationship to the proposed development as No.42 and thus there are no concerns regarding impacts on the amenity of its occupiers.

The earlier scheme was refused for a reason relating to the loss of privacy from a dormer that was included in that proposal. That was not an area that the Inspector felt warranted a refusal in her assessment of the scheme as it could be mitigated by the imposition of a condition to require that the dormer windows be obscurely glazed. Irrespective of that there is no dormer included in this proposal so that aspect is not for consideration.

As such the proposal has an acceptable relationship to its neighbours in all regards and complies with criteria c) and h) of Policy GD7.

Parking and Access Arrangements

The proposal retains an appropriate level and location of parking for the site and does not compromise the access arrangements or highway safety. As such it complies with criteria j) and q) of Policy GD7.

Conclusions

The application relates to a roof lift and minor external alterations to a dwelling located in the settlement of Lytham St Annes. Having viewed the proposal and assessed the issues raised, it is considered that the development accords with the relevant policies of the Fylde Local Plan to 2032 (incorporating Partial Review) and the NPPF. Accordingly the application is recommended for approval.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. The development must be begun not later than the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans:

- Location Plan - Supplied by Streetwise Maps Ltd, scale 1:1250 and dated 12/12/2018
- Proposed Plans & Elevations - Drawing no. FBC-1092-21-09-002 Rev B

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans in the interests of proper planning in accordance with the policies contained within the Fylde Local Plan to 2032 and National Planning Policy Framework.

3. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the external surfaces of the development shall be constructed in accordance with the materials detailed on the approved plans listed in condition 2 of this permission.

Reason: To ensure the use of appropriate materials which are sympathetic to the character of the host building and surrounding area in the interests of visual amenity in accordance with the

requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Planning Authority worked positively and proactively with the applicant to identify solutions during the application process in order to ensure that the proposal comprises sustainable development and improves the economic, social and environmental conditions of the area in accordance with the development plan. These amendments have been incorporated into the scheme and/or secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Location Plan for 22/0013

