

**Committee Report****Date: 04.11.2020**

<b>Item Number</b>	<b>04</b>
<b>Application Number</b>	<b>20/00793/FUL</b>
<b>Proposal</b>	<b>Retrospective application for the retention of a detached garden room</b>
<b>Location</b>	<b>Bolanja 45 Pilling Lane Preesall Lancashire FY6 0EX</b>
<b>Applicant</b>	<b>Mr Phil Smith</b>
<b>Correspondence Address</b>	<b>c/o ML Planning 5 Bobbin Mill Cottages Stubbins Lane Claughton On Brock Preston PR3 0PL United Kingdom</b>
<b>Recommendation</b>	<b>Permit</b>

**REPORT OF THE HEAD OF PLANNING SERVICES****CASE OFFICER - Miss Fiona Flower****1.0 INTRODUCTION**

1.1 This application is before the Planning Committee for consideration at the request of Cllr Orme. A site visit is recommended to enable Members to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

**2.0 SITE DESCRIPTION AND LOCATION**

2.1 The site which forms the subject of this application is located in a corner position on the western side of Pilling Lane, Preesall. The site is occupied by a two-storey detached dwelling, with detached garage to the rear. Access to the garage and driveway is from Grasmere Road. The rear curtilage of the property is bounded by an approx. 2.0m high wall. The surrounding area is residential in character.

**3.0 THE PROPOSAL**

3.1 The application seeks retrospective permission for the retention of a detached garden room, sited between the application property and northern boundary to Grasmere Road. Dimensions of the garden room are 8.0m x 7.5m. The detached garden room has a pitched roof with an eaves height of 2.21m and ridge height of 2.92m. Materials used are plastisol coated polycarbonate brown cladding to elevations and roof panelling of composite steel sheets in an Anthracite colour.

**4.0 RELEVANT PLANNING HISTORY**

4.1 None found

**5.0 PLANNING POLICY**

## 5.1 ADOPTED WYRE BOROUGH LOCAL PLAN

5.1.1 The following policies contained within the Adopted Wyre Borough Local Plan 2011-2031 (WLP31) are of most relevance:

- CDMP1 – Environmental Protection
- CDMP3 - Design

## OTHER MATERIAL CONSIDERATIONS

## 5.2 NATIONAL PLANNING POLICY FRAMEWORK

5.2.1 The NPPF sets out a presumption in favour of sustainable development. Good design is a key aspect of sustainable development. The NPPF sets out a number of planning policies concerned with achieving well-designed places including providing a high standard of amenity.

## 5.3 WYRE SUPPLEMENTARY PLANNING GUIDANCE

5.3.1 Extending Your Home Supplementary Planning Document: Design Note 1 - General Principles

## 6.0 CONSULTATION RESPONSES

6.1 PREESALL TOWN COUNCIL - Objections raised in relation to size of the garden room and potential for overdevelopment of the application site

## 7.0 REPRESENTATIONS

7.1 One representation received in support of the application.

## 8.0 CONTACT WITH APPLICANT/AGENT

8.1 Contact made with agent to clarify materials and advise of committee meeting date.

## 9.0 ASSESSMENT

### Principle of development

9.1 Extensions to dwellings or domestic outbuildings for purposes ancillary to the main dwelling within its curtilage are acceptable in principle. This development falls within the defined property curtilage and its function as a garden room is considered an ancillary use. For the avoidance of doubt a condition can be added to ensure this remains an ancillary building.

### Design and visual impact

9.2 The proposal involves a detached garden room. The garden room is situated north of the application property, adjacent the north and eastern boundaries facing Grasmere Road and Pilling Lane and is therefore visible from within the street scene. Whilst this is the case, the existing boundary wall shields the majority of the garden room from the surrounding area, with only the upper-most parts of the roof visible. The roof has a low pitch, and materials used complement the original dwelling and

surrounding area in colour. For these reasons it is not considered that the garden room causes significantly harmful visual impacts when viewed from the surrounding area, and the design is considered to be sympathetic to the existing dwelling. The proposal is therefore considered to comply with Policy CDMP3 of the Wyre Local Plan and the relevant design notes of the adopted SPD.

#### Amenity impact

9.3 Due to the orientation and siting of the proposed garden room, it is not considered to be visible from neighbouring property to the south, 43 Pilling Lane, nor neighbouring property to the west, 8 Grasmere Road. The retention of the garden room is therefore not considered to cause overbearing or overlooking impacts upon the amenity of these neighbours. Properties north of the site, to the opposite side of Grasmere Road, are approximately 25.0m away from the garden room. Given the low pitch of the garden room roof and this separation distance it is not considered that the amenity of these neighbours will be significantly impacted by the proposals. It is acknowledged that the garden room subject to this application is larger than typical garden rooms found on domestic properties, however as the application site benefits from a large rear garden it is not considered that the addition of this garden room would negatively impact upon the amenity space of the application site or of neighbouring properties. The use of the building as a garden room is not considered to result in any adverse impacts in terms of noise or other disturbance. As such the proposal satisfies policy CDMP1 and CDMP3 of the Wyre Local Plan and the relevant design notes of the adopted SPD.

#### Parking and highway safety

9.4 The proposal will not impact on the existing parking arrangements or on highway safety.

#### Flood risk

9.5 The application site is located within Flood Zones 3. A Flood Risk Assessment has been submitted which includes flood risk mitigation measures in accordance with Policy CDMP2 of the Wyre Local Plan.

#### Other material considerations

9.6 Ecology - No issues identified.

9.7 Trees - No issues identified.

9.8 Land contamination - No issues identified.

### **10.0 CONCLUSION**

10.1 The proposal is considered to be visually acceptable and would not impact on neighbouring amenity. Therefore the proposal is considered to comply with Policies CDMP1 and CDMP3 of the Adopted Wyre Local Plan (2011-2031) and the relevant design notes of the adopted SPD.

### **11.0 HUMAN RIGHTS ACT IMPLICATIONS**

11.1 ARTICLE 8 - Right to respect the private and family life has been considered in coming to this recommendation.

11.2 ARTICLE 1 of the First Protocol Protection of Property has been considered in coming to this recommendation.

## **12.0 RECOMMENDATION**

12.1 Grant full planning permission.

### **Recommendation: Permit**

#### **Conditions: -**

1. The development must be begun before the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 26.08.2020 including the following plans/documents:

- Site Location Plan as received 27.08.2020
- Site Plan as received 27.08.2020 - drawing number ML/PS/5296
- Proposed Floor Plan and received 26.08.2020
- Proposed Elevation as received 26.08.2020

The development shall be retained hereafter in accordance with this detail.

Reason: For the avoidance of doubt and so that the Local Planning Authority shall be satisfied as to the details.

3. The development shall be carried out strictly using those materials specified on the application form (walls) and in the email received from the agent dated 13/10/2020 (roof) unless other minor variations are submitted to and approved in writing by the Local Planning Authority after the date of this permission and before implementation.

Reason: To safeguard the visual amenities of the locality and in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

4. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (received 27.08.2020) including the mitigation measures detailed within the FRA. The mitigation measures shall be fully implemented prior to first occupation of the development or subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be approved in writing by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy CDMP2 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

5. The development hereby permitted shall be used for purposes incidental or ancillary to the residential use of the dwelling house known as Bolanja, 45 Pilling Lane, Preesall and for no other purpose.

Reason: The use of the building as a separate dwelling house would require further consideration in accordance with Policies CDMP3 and SP4 of the Wyre Local Plan (2011-31)