

**Application Number**

07/2017/1204/VAR

**Address**

Meadowcroft  
Pope Lane  
Whitestake  
Lancashire

**Applicant**

Mr & Mrs S Fairclough

**Agent**

Mr David Perry  
Extended Design Limited  
97 THE FARTHINGS  
ASTLEY VILLAGE  
CHORLEY  
PR7 1SH

**Development**

Application to vary condition No. 2 - approved plans -  
change of roof profile and installation of new second  
floor windows

**Officer Recommendation**

Approval with Conditions

**Officer Name**

Mrs Janice Crook

**Date application valid**

26.05.2017

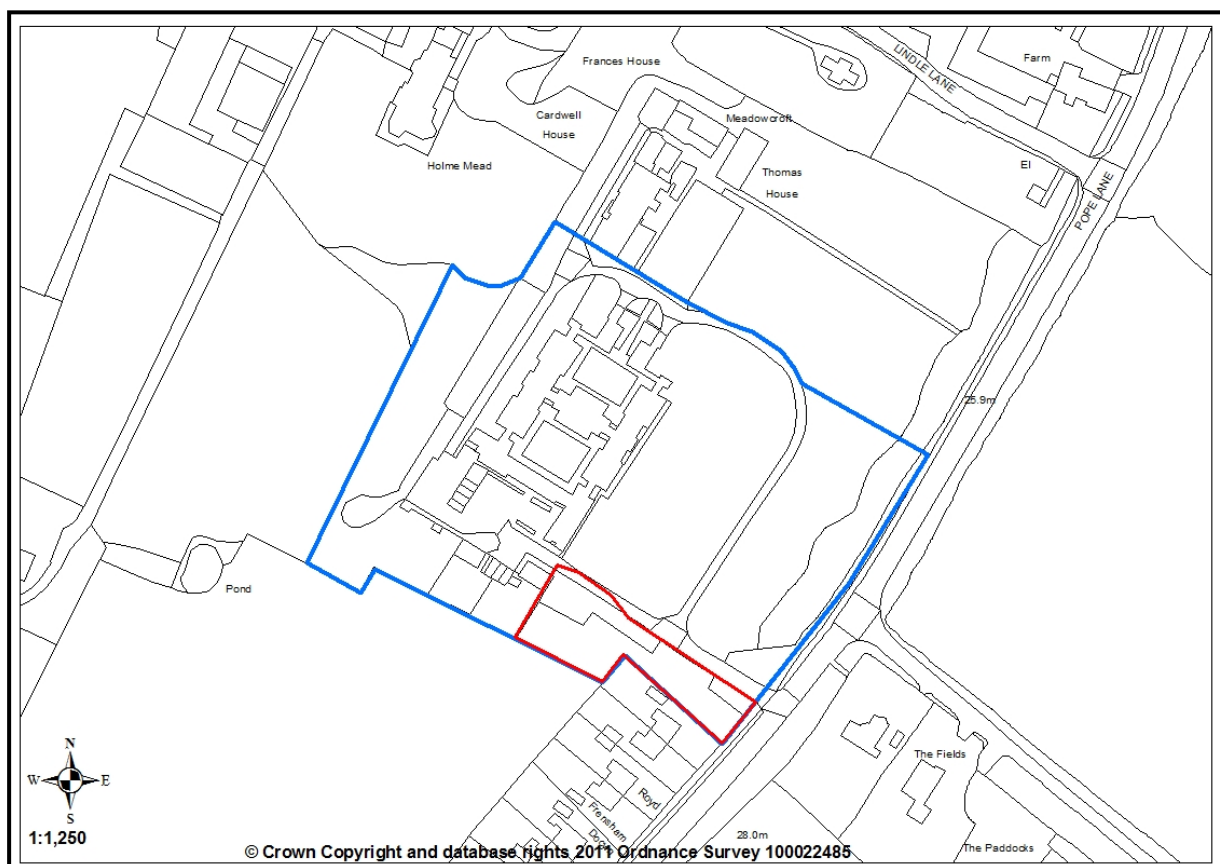
**Target Determination Date**

25.08.2017

**Extension of Time**

N/A

**Location Plan**



## **1. Application Site and Surrounding Area**

1.1 The application relates to Plot 1 of a residential development of 14 dwellings on the former Meadowcroft Business Park site located on Pope Lane close to its junction with Lindle Lane in Whitestake. The area is within the Green Belt and rural in nature with the Lancashire Constabulary's Mounted Branch HQ to the north-west, open land to the south-west and east and scattered residential properties along Pope Lane to the south. To the north is the settlement of Penwortham.

1.2 Plot 1 to which this application relates is located to the south-western boundary adjacent to the site access.

## **2. Planning History**

2.1 There have been a number of planning permissions relating to this site. Those of relevance to this application are as follows:

- Planning application 07/2012/0695/FUL for the erection of 14 Residential Dwellings following demolition of existing buildings was approved on 15/5/2013.
- Planning application 07/2016/0567/VAR for the variation of condition 2 in respect of the site turning head was approved on 12/10/2016.
- Planning application 07/2016/0923/FUL for the substitution of housetype to Plot 1 was approved on 5/1/2017.
- Non-material application 07/2017/0789/NMA for changes to the roofline and introduction of additional windows in the side elevations was not granted in April 2017, thus resulting in this current 'minor material amendment' application.

## **3. Proposal**

3.1 The application seeks a variation of condition 2 of planning approval 07/2016/0923/FUL. The proposal relates to changes to the roof profile, the inclusion of additional second floor windows and changes to the garage roof. The application which this application seeks amendments to was itself an application for a substitution of housetype to plot 1 and was approved in January 2017. Plot 1 was originally to be housetype B, a 3-storey, 6-bed dwellings with a footprint of approximately 207 m<sup>2</sup> and a height of 11m. The change of housetype proposal was also for a 3-storey, 6-bed dwelling measuring 14.3m by 12.8m with a hipped roof over to a maximum height of 10m. Two front facing gable features with pitched roof over with ridge heights of 9m extend beyond the main elevation by 2.2m. Two rooflights are also present in the front roof slope. To the rear are two dormers with pitched roof and two roof lights. The amended design was very similar to the approved scheme, particularly to the front elevation, with the main amendments being the removal of the rear gable features and replacement with dormer windows, the removal of a rear balcony and changes to the window design.

3.2 The proposal also included a detached garage to serve the plot. As originally approved this was to be a double garage with hipped roof to the plot's southern corner, approximately 6m from the corner of the dwelling and 27m back from the site's boundary with Pope Lane. The location of the garage was amended as part of the substitution of housetype and is now located 18m from the dwelling and 15m back from the site boundary with Pope Lane. The garage was to measure 9m by 7.5m with a half-hipped roof over with a maximum height of 5.3m.

3.3 The non-material amendment application sought to amend the dwelling's roof profile to reduce the hipped roof to a half hipped roof, together with the introduction of additional second floor windows in both the north-eastern and south-western elevations. The south-western elevation is a secondary window to bedroom 5 and the right hand is a secondary window to bedroom 6. Also proposed were amendments to the garage roof from half-hipped gable to a pitch roof. The Non-Material Amendment was not granted earlier this year as the proposed changes were considered to be of a material nature and neighbouring residents objected to the amendments.

3.4 This current application is a 'minor material amendment' application for a variation of condition 2 in respect of the elevation plans in order to amend the scheme, as previously proposed in the non-material amendment application.

#### **4. Summary of Publicity**

4.1 Neighbouring properties were notified and a site notice posted with two letters of representation being received, objecting to the proposal on the following grounds:

- Removing the hip from the garage roof will reduce the light to downstairs toilet and dining room in the mornings
- The revised gable looms over the dining room and is clearly visible from that room
- Change to the roof profile reduces the evening sun in garden area
- Garden will be overlooked by the bedroom windows to the original design and additional windows will compound this.
- Applicant has attempted to change the plans 'under the radar'
- Height of the building is already excessive and looms over neighbouring gardens
- Inclusion of windows to side pose a significant privacy issue
- Side windows above ground floor level should be removed
- Appears like a high rise looming over the countryside
- Hedgerow has been thinned as a consequence of the development and should be protected from any further damage.

#### **5. Summary of Consultations**

5.1 No consultation was carried out.

#### **6. Material Considerations**

6.1 The application is for a variation of condition 2 of the approved scheme in respect of the approved elevation plans. The proposed amendments are for the reduction of the hip roof to a half hip roof of the dwelling and the introduction of second floor windows to both side elevations. The proposal also includes amendments to the garage roof from a half-hipped roof to a gable ended pitch roof. These amendments were submitted as a 'non-material amendment application 07/2017/0789/NMA'. In determination of that application, the proposed amendments were considered to be of a material nature. The reason was that the proposal introduced second floor windows in each of the side elevations of the proposed dwelling. The introduction of these additional windows materially alters the scheme in terms its visual appearance and the outlook from the dwelling towards existing residential properties which could potentially raise overlooking/loss of privacy issues. Therefore the proposed amendments were considered to be 'material' and the amendments and the application was not granted. As such this current application has been submitted, for the same amendments but as a variation of condition 2 relating to the approved plans. However, the new windows are now indicated as obscure glazed windows. An assessment of the proposed changes and their potential impacts is carried out below.

6.2 The application proposes amendments to the roof of the approved dwelling by reducing the hip to half hip at each of the side elevations and the introduction of second floor windows to both side elevations. The proposal also includes amendments to the garage roof from a half-hipped roof to a gable ended pitch roof.

6.3 To the south-west of plot 1 are existing residential properties on Pope Lane. It is considered that the proposal amendments to the dwelling's roof have are relatively minor and will not have any impact on existing properties. However the proposed window in the south-eastern elevation will look towards the rear part of the gardens to the properties on Pope Lane. Although this is approximately 10m off the boundary and has an angled relationship to the rear gardens of properties on Pope Lane, the applicant has indicated that it is to be of obscure glazing and therefore it is considered appropriate to impose a condition to ensure this. As a result there will be no overlooking/loss of privacy issue to existing residents.

6.4 To the north-east, the side elevation of Plot 11 is located approximately 13m from the side elevation of plot 1. The introduction of an addition window in the facing elevation is considered acceptable as the window is again a secondary window to a bedroom and indicated to be of obscure glazing. The proposed condition will include this window.

6.5 In respect of the proposed change to the garage roof, as approved this was to be a half-hipped roof of 5.3m in height. The amendment removed the hips to each side with a pitched roof proposed instead. The height of the roof overall has not increased. This garage is located to the side of the neighbouring property Colinsville which has a single storey side extension and single storey rear extension with roof lights in both its roofslopes. The resident has objecting stating that removing the hip from the garage roof will reduce the light into the downstairs WC and dining room in the morning. The location of the garage, immediately adjacent to the rear extension has not altered from that approved. The proposed change from half hip to gable increases the height of the gable by 1.1m adjacent to the rooflights in the eastern roofslope of the rear extension to Colinsville. It is accepted that this will reduce some of the light received to the rooflights during the morning period. However, the WC would not be considered as a habitable room and the dining room has its main sources of light from the rear patio doors. Therefore on balance the proposal is considered acceptable.

## **7. Conclusion**

7.1 For the reasons outlined above, the application is considered acceptable and is recommended for approved subject to the imposition of conditions as originally imposed with the wording amended to ensure there is no need to duplicate the discharge of those conditions and with the inclusion of an additional condition to secure obscure glazing to the second floor windows.

## **8. Recommendation**

8.1 Approval with Conditions.

## **9. Recommended Conditions**

1. The development hereby permitted must be begun not later than the 15 May 2018, ie 5 years from the date of the original permission.  
REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans, Dwg: 1643/300 Location Plans; 1643/301B Elevations;

1643/302 Ground Floor Layout; 1643/303 First Floor Layout; 1643/304B Second Floor Layout; 1643/310A Garage.

REASON: To ensure a satisfactory standard of development in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026

3. No work shall be commenced until satisfactory details of the colour and texture of the facing and roofing materials to be used have been submitted to and approved by the Local Planning Authority.

REASON: To ensure the satisfactory detailed appearance of the development in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026

4. Prior to the commencement of development, a scheme for the provision of surface water drainage shall be submitted to and be approved in writing by the Local Planning Authority. The scheme shall include a surface water regulation system with the flow attenuated to a maximum discharge rate determined by United Utilities. The approved scheme shall be implemented in accordance with the approved plans during the development and shall be thereafter retained and maintained for the duration of the approved use.

REASON: For the avoidance of doubt and to protect the living conditions of future occupants of the site in accordance with Policy 29 in the Central Lancashire Core Strategy and as required by planning approval 07/2012/0695/FUL as varied by 07/2016/0567/VAR.

5. That prior to the commencement of development, including any works of demolition, a Construction Method Statement shall be submitted to, and be approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the erection and maintenance of security hoarding where appropriate
- v) wheel washing facilities
- vi) measures to control the emission of dust and dirt during construction
- viii) a scheme for recycling / disposing of waste resulting from demolition and construction works
- ix) a scheme for the removal of asbestos

REASON: In the interest of residential amenity and so that the Local Planning Authority shall be satisfied as to the details in accordance with Policy G17 in the South Ribble Local Plan 2012-2026 and as required by planning approval 07/2012/0695/FUL as varied by 07/2016/0567/VAR

6. Any construction works associated with the development shall not take place except between the hours of:

0800 hrs to 1800 hrs Monday to Friday

0800 hrs to 1300 hrs on Saturdays.

No construction shall take place on Sundays, Bank or Public Holidays.

unless otherwise agreed in writing with the Local Planning Authority

REASON: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise in accordance with Policy G17 in the South Ribble Local Plan 2012-2026 and as required by planning approval 07/2012/0695/FUL as varied by 07/2016/0567/VAR

7. The new estate road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

REASON: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative and as required by planning approval 07/2012/0695/FUL as varied by 07/2016/0567/VAR

8. Notwithstanding the provisions of the Town and Country Planning (General Development Procedure) Order 1995 and the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008, or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, all garages shown on the approved plan shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority in consultation with the Highway Authority.

REASON: To satisfactory off-street parking facilities in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026 and as required by planning approval 07/2012/0695/FUL as varied by 07/2016/0567/VAR

9. No development shall commence until the mitigation measures indicated in the document entitled 'Extended Phase 1 Habitat Survey and Baseline Ecological Impact Assessment' dated October 2012 hereby approved have been fully implemented by a competent, professional person (as approved by the Wildlife Trust) to protect the habitat of bats. These measures shall be retained within the development at all times thereafter.

REASON: To ensure that adequate provision is made for these protected species in accordance with Policy 22 in the Central Lancashire Core Strategy and as required by planning approval 07/2012/0695/FUL as varied by 07/2016/0567/VAR

10. No tree felling, clearance works, demolition work or other works that may affect nesting birds shall take place between March and August inclusive, unless the absence of nesting birds has been confirmed by surveys or inspections.

REASON: To protect habitats of wildlife, in accordance with Policy 22 in the Central Lancashire Core Strategy and as required by planning approval 07/2012/0695/FUL as varied by 07/2016/0567/VAR

11. Before any development takes place within the site the visibility splays measuring 2.4 metres by 103 metres in both directions, measured along the centre line of the existing access road from the continuation of the nearer edge of the existing carriageway of Pope Lane, to the satisfaction of the Local Planning Authority. The land within these splays shall be maintained thereafter, free from obstructions such as walls, fences, trees, hedges, shrubs, ground growth or other structures within the splays in excess of 1.0 metre in height above the height at the centre line of the adjacent carriageway and 2.4m to the underside of the tree crown above the centre line of the adjacent carriageway.

REASON: To ensure adequate visibility at the street junction or site access in the interest of highway safety in accordance with Policy G17 in the South Ribble Local Plan 2012-2026 and as required by planning approval 07/2012/0695/FUL as varied by 07/2016/0567/VAR

12. No development shall commence until details of the landscaping of the site including wherever possible the retention of existing trees and hedges have been submitted to, and approved in writing by, the local planning authority. The approved scheme shall be implemented in the first planting season following completion of the development, or first occupation/use, whichever is the soonest.

The approved scheme shall be maintained by the applicant or their successors in title thereafter for a period of 5 years to the satisfaction of the local planning authority. This maintenance shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies, by the same species or

different species, and shall be agreed in writing by the local planning authority. The replacement tree or shrub must be of similar size to that originally planted. Details submitted shall be compliant with BS4428:1989 Code of practice for general landscaping operations. Details shall also indicate the types and numbers of trees and shrubs, their distribution on site, those areas seeded, turfed, paved or hard landscaped, including details of any changes of level or landform and the types and details of all fencing and screening.

REASON: In the interests of the amenity of the area in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026 and as required by planning approval 07/2012/0695/FUL as varied by 07/2016/0567/VAR

13. That no work shall commence until satisfactory details of the foundation scheme to be used for Plot 6, which complies with Para 7.5 of BS5837:2012, have been submitted to and approved by the Local Planning Authority. The work shall then be carried out fully in accordance with the approved details.

REASON: In the interest of safeguarding the protected trees on the site in accordance with Policy G13 in the South Ribble Local Plan 2012-2026 and as required by planning approval 07/2012/0695/FUL as varied by 07/2016/0567/VAR

14. Prior to commencement of the development (construction or demolition), a Tree Protection Plan shall be submitted with the application to be approved by the Local Planning Authority. The Tree Protection Plan shall be in accordance with Para 5.5 of BS5837: 2012 ' Trees in Relation to Design, Demolition and Construction - Recommendations'

REASON: To prevent damage to trees during construction works in accordance with Policy 17 in the Central Lancashire Core Strategy and G13 in the South Ribble Local Plan 2012-2026 and as required by planning approval 07/2012/0695/FUL as varied by 07/2016/0567/VAR

15. Before any site activity (construction or demolition) is commenced in association with the development, barrier fencing shall be erected around all trees to be retained on the site as detailed in the Tree Protection Plan which is to be agreed by the local planning authority. The fencing shall be constructed and located in compliance with BS 5837 2012 - Trees in Relation to Design, Demolition and Construction - Recommendations. Within these fenced areas no development, vehicle manoeuvring, storage of materials or plant, removal or addition of soil may take place. This includes ground disturbance for utilities. The fencing shall not be moved in part or wholly without the written agreement of the local planning authority. The fencing shall remain in place until completion of all development works and removal of site vehicles, machinery, and materials in connection with the development.

REASON: To prevent damage to trees during construction works in accordance with Policy 17 in the Central Lancashire Core Strategy and G13 in the South Ribble Local Plan 2012-2026 and as required by planning approval 07/2012/0695/FUL as varied by 07/2016/0567/VAR

16. Details of sensitive lighting proposals to minimise impacts on foraging bats should be submitted to and approved by the Local Planning Authority in consultation with its ecological advisors. The proposal should follow the latest recognised guidance and be implemented as part of the development.

REASON: To ensure that adequate provision is made for these protected species in accordance with Policy 22 in the Central Lancashire Core Strategy and as required by planning approval 07/2012/0695/FUL as varied by 07/2016/0567/VAR

17. No works shall commence until a fully detailed habitat creation/landscaping and management plan (to include adequate compensatory planting for any loss of trees, hedgerow, shrubs; management details of replacement planting and retained areas of

semi-natural vegetation; replacement nesting opportunities for birds, including provisions for house sparrow and starling), has been submitted and approved by South Ribble Borough Council in consultation with specialist advisors. The plan should demonstrate maintenance and enhancement of biodiversity and include full details of planting mixes, translocation methods (if appropriate), habitat establishment proposals, aftercare, and long term management of both newly created habitat and habitat retained on site (e.g. hedgerows and woodland block). The approved plan shall be implemented in full.

REASON: To ensure that adequate provision is made for these protected species in accordance with Policy 22 in the Central Lancashire Core Strategy and as required by planning approval 07/2012/0695/FUL as varied by 07/2016/0567/VAR

18. The development shall not begin until details of the boundary treatments to the site boundaries and all boundaries within the site has been submitted to and approved in writing by the Local Planning Authority. The occupation of buildings or the commencement of the use shall not occur until the approved boundary treatment has been erected in accordance with the approved details and retained thereafter.

REASON: To ensure the provision and retention of adequate screening in the interest of amenity in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026 and as required by planning approval 07/2012/0695/FUL as varied by 07/2016/0567/VAR

19. Prior to first occupation of the development hereby approved, the second floor windows in the south-western elevation facing towards existing properties on Pope Lane and the north-eastern elevation facing towards Plot 11 of the development shall be fitted within obscure glazing and the obscure glazing shall be retained and maintained at all times thereafter.

REASON: To prevent undue overlooking and loss of privacy to Plot 3 in the interests of the residential amenity of the occupiers of that property as required by Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026

10 **Relevant Policy**

- G1 Green Belt  
G17 Design Criteria for New Development