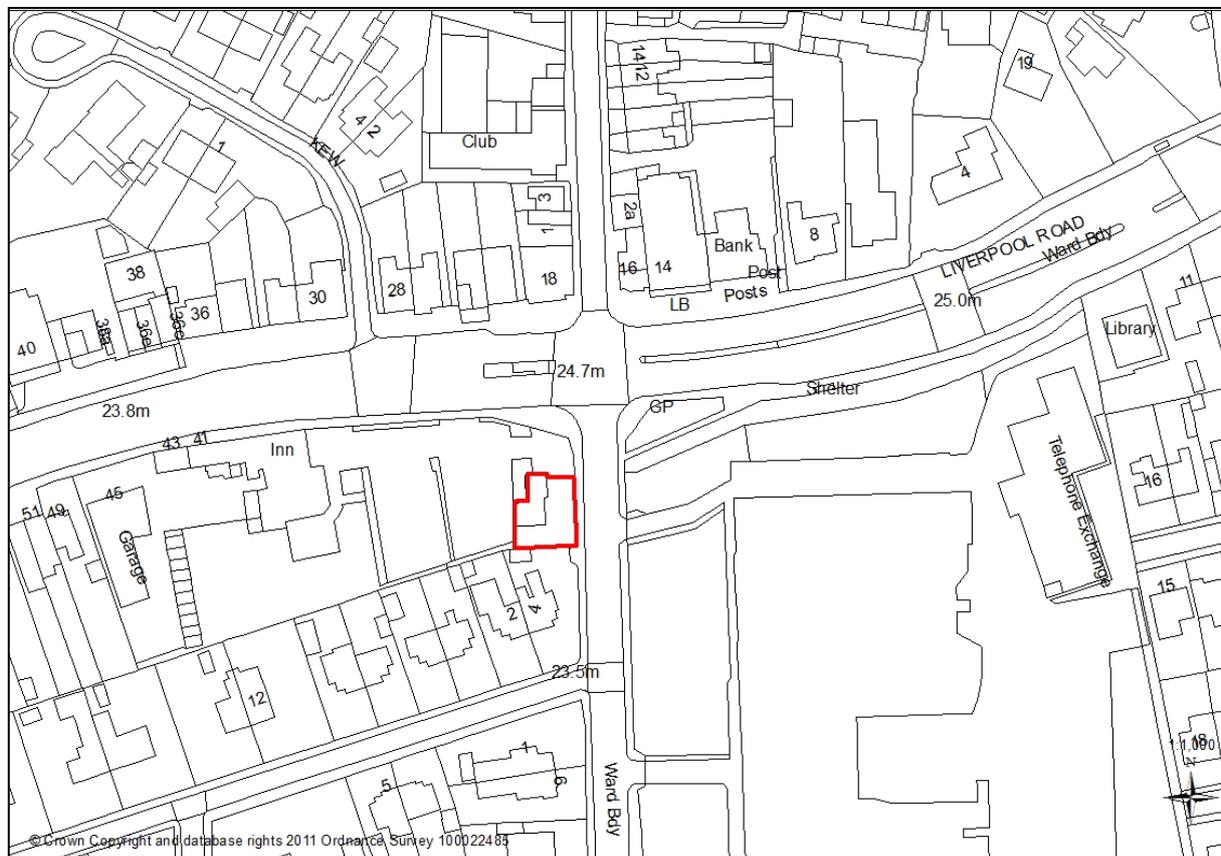


Application Number	07/2019/5199/DEM
Address	The Water Tower 2 Cop Lane Penwortham Preston Lancashire PR1 0SR
Applicant	Mr Gary Hall
Agent	Mr Neil Maitland E&G Construction NW Ltd 135 Liverpool Road Penwortham PR1 0QH
Development	Relevant demolition and replacement of existing conservatory within Penwortham Conservation Area
Officer Recommendation	Approval with conditions
Officer Name	Mrs Debbie Roberts
Date application valid	3.6.2019
Target Determination Date	29.7.2019
Extension of Time	None



1. Introduction

1.1. This application is brought before Committee as the applicant is a serving Local Authority Officer.

2. Report Summary

2.1. No: 2 Cop Lane, Penwortham ('The Water Tower') is a semi-detached property located at the corner of Cop Lane and Liverpool Road, Penwortham. The Tower comprises single, two and five storey sections in residential use. The property is a locally listed structure, sitting within both Penwortham District Centre and Rawstorne Road Conservation Area.

2.2. The applicant seeks permission for relevant demolition, and replacement of the existing conservatory with one in a slightly different design to that approved in October 2018. Proposals have been subtly designed in a manner appropriate to the heritage asset and its setting without any loss of, or detriment to original fabric. On assessment the scheme therefore is considered policy compliant. Loss of amenity to neighbouring residents would be negligible.

2.3. Representation has not been made, and during the previous permission for a structure on the same footprint LCC Highways had no objection on highway safety and capacity grounds. It is therefore recommended that permission is granted subject to the imposition of conditions.

3. Application Site and Surrounding Area

3.1. No: 2 Cop Lane, Penwortham ('The Water Tower') is a semi-detached residential property located at the corner of Cop Lane and Liverpool Road, Penwortham, and accessed via small garden/parking space off Cop Lane.

3.2. The property comprises two storey main section with modern conservatory addition to the southern side; this being screened by 2m brick wall. The northern corner comprises 5 storey water tower currently used as bedroom, bathroom and storage space.

3.3. To the west is The Fleece Inn whose car park abuts the Water Tower, whilst in the south are no's 2 and 4 Rawstorne Road (semi-detached residential). Facing across Cop Lane in the east is the former Government Building site with extant permission for retail use. Wrapping around the north and west elevations is no: 27 Liverpool Road; a single storey, commercial property in separate ownership, and with its own small car park.

3.4. The property sits within both Penwortham District Centre and Rawstorne Road Conservation Area, for which an Article 4 Direction exists. The Water Tower is also a locally listed structure as identified by the Penwortham Neighbourhood Development Plan. An attempt to have the building formally listed in 1970 was unsuccessful, but the property retains many of its original features and decorative character.

4. Site Context / Planning History

4.1. There are 6 planning applications on the history of this site; the most relevant of which are.

- 07/2003/0556 – replace aluminium windows with softwood. Approved July 2003
- 07/2006/0484/FUL – erection of conservatory. Approved July 2006
- 07/2018/5742/HOH - Erection of porch to front and conservatory to side following demolition of existing porch and conservatory. Widening of driveway to front and replacement windows. Approved October 2021 (as amended 07/2019/5198/NMA)

5. **Proposal**

5.1. The application seeks permission for relevant demolition, and replacement of conservatory to side. Relevant demolition is the demolition of whole or part of an unlisted building or wall within a conservation area.

5.1.1. Permission was granted in October 2018 for replacement of a white UPVC conservatory with one in grey aluminium. The approved footprint was 5.3m x 2.6m, with a mono-pitched rather than pitched roof measuring no more than 3.7m; 0.6m higher than the existing. The screening courtyard would be retained

5.1.2. This proposal seeks to erect a timber conservatory in a similar style to the approved. The footprint would increase to 5.2m x 4.4m deep, with a pitched roof replicating the existing but at 3.9m; 0.8m higher. The screening courtyard would be extended by 3m to provide a similar, but deeper situation.

5.2. **Parking**

5.2.1. Although parking provision on site is acceptable, it is awkward to access. The approved scheme was subject to driveway widening for which a S184 Highways agreement was required. For consistency this condition would be carried forward.

6. **Representations**

6.1. A site notice and newspaper advertisement have been posted, and three neighbouring properties consulted. Representation has not been made

7. **Summary of Responses**

7.1. **Lancashire County Council Highways** fully assessed the approved application and raised no objections confirming that development would have a negligible impact upon highways safety and capacity. They acknowledged the slight reduction of onsite parking in light of the properties sustainable location. LCC have not commented in this case, but assessment of proposed and previously approved plans shows that the larger conservatory would not interrupt or reduce available parking to the tower.

8. **Material Considerations**

8.1. *Article 4 Direction* – Article 4 directions allow the Local Planning Authority to withdraw ‘permitted development’ rights, requiring planning permission to be obtained for minor works which otherwise would not need consent. Such a direction was imposed on Rawstone Road Conservation Area in 1998 and prevents any external work to the front and side of all properties within the defined area, or on walls which face a highway or open space; in this case all Water Tower elevations. It should be noted however that in the absence of the Article 4 direction the proposed conservatory would not require planning permission.

8.2. **Site Allocation Policy**

8.2.1. The site is designated as within both the Conservation Area and Penwortham District Centre, to which Core Strategy Policy 16 (Heritage Assets) and Local Plan Policies G17 (Design) and E4 (District Centre) refer.

8.2.2. Core Strategy Policy 16 seeks to protect heritage assets and their setting by supporting development which enhances the assets historic significance; in particular those recognised as being in poor condition. The 2019 National Planning Policy Framework also states that when determining planning applications, Local Authorities should consider the desirability of

putting heritage assets to their optimal viable use, and any positive contribution to local character and distinctiveness.

8.2.3. Local Plan Policy G17 supports this sentiment but considers design in more detail. It ensures that developments do not impact upon the amenity of neighbouring residents, the character and appearance of the area and highways safety or capacity

8.2.4. Local Plan Policy E4 (District Centres) aims to protect and enhance the vitality and viability of District Centres, in this case to avoid any demonstrable harm to the shopping offer in Penwortham.

8.2.5. In addition, the Penwortham Town Neighbourhood Development Plan identified this property for inclusion on its list of locally important, historic buildings. The South Ribble Local List for Penwortham reflects this stance.

8.3. Character and Appearance of the Area

8.3.1. Although within an allocated retail centre, the Water Tower has been in residential use for some time. Its upgrade would bring visual benefits to the property as a heritage asset, to the wider conservation and retail areas, and to the commercial premises which forms part of the towers ground floor. The proposed conservatory has been sympathetically designed, and would be more fitting for an old building than the current structure. In terms of the aforementioned policy, the proposal is considered fully compliant.

8.3.2. Impact Upon Neighbouring Properties

8.3.2.1. Other than the commercial property below, the closest residential property would be no: 4 Rawstone Road whose rear single storey elevation faces the side of the Water Tower at approximately 6m distance; the neighbours two storey elevation enjoys 12m spatial separation. As the common boundary wall is also the side elevation of both existing and proposed conservatories, and the neighbours own garage screens the proposal from view, it is considered that any loss of privacy, overlooking or general residential amenity as a result of redevelopment would be negligible.

8.3.2.2. Other than the premises noted above, adjacent properties are commercial in nature and more than 40m away; more than acceptable for a proposal of this nature.

9. Conclusion

9.1. The applicant seeks permission for relevant demolition and replacement of the existing conservatory. The proposal has been subtly designed in a manner appropriate to the heritage asset and its setting, without any loss of, or detriment to original fabric, and on assessment against relevant policy is considered compliant. Loss of amenity to neighbouring residents is not anticipated. It is recommended that permission is granted subject to the imposition of conditions.

RECOMMENDATION:

Approval with Conditions.

RECOMMENDED CONDITIONS:

1. Works to which this consent relates shall be begun not later than the expiration of three years beginning with the date of the Decision Notice.
REASON: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and suite of documents:
Proposed elevations and floor plans (E&G01, E&G02, 'Plan View Existing' and 'Plan View Proposed')
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with Policy 17 of the Central Lancashire Core Strategy and Local Plan 2012-2026 Policy G17

3. No part of the development shall be commenced until the section 184 agreement under the Highways Act 1980 has been entered into for the dropped crossing within the adopted highway. The dropped crossing to be constructed in accordance with a scheme and time scale that shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority as part of a section 184 agreement, under the Highways Act 1980
REASON: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all traffic to enter and leave the premises in a safe manner without causing a hazard to other road users and to be in accordance with Policy G17 in the South Ribble Local Plan 2012-2026..

RELEVANT POLICY

NPPF National Planning Policy Framework

Central Lancashire Core Strategy

16 Heritage Assets

South Ribble Local Plan 2012-2026

E4 District Centres

G17 Design Criteria for New Development

Penwortham Neighbourhood Development Plan

Note:

Other application Informative

1. Attention is drawn to the condition(s) attached to this planning permission. In order to discharge these conditions an Application for Approval of Details Reserved by Condition form must be submitted, together with details required by each condition imposed. The fee for such an application is £116. The forms can be found on South Ribble Borough Council's website www.southribble.gov.uk

2. Highways Note: The amended vehicular access, within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (Vehicle crossings over footways and verges), The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact LCC before works begin on site. Further information and advice can be found at www.lancashire.gov.uk and search for vehicle crossings and then fill in the information at "Get a vehicle crossing quotation".