

**Report to:** PLANNING COMMITTEE      **Date of Meeting:** 14th April 2021

**Subject:** [DC/2021/00281](#)  
[27 Timms Lane, Formby, Liverpool, L37 7DW](#)

**Proposal:** Erection of a part two-storey/part single storey extension to the side, two-storey extension to the side, single storey extension to the rear, single-storey garage to front and side and alterations to all elevations of the dwellinghouse including replacement pitched roof, following the demolition of existing garage.

**Applicant:** Mr. Latham  
Mount Acre Homes Limited      **Agent:** Mr. Bailey  
NJSR Chartered Architects LLP

**Ward:** Harington Ward      **Type:** Householder application

**Reason for Committee Determination:** Called-in by Councillor Irving

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## Summary

This application seeks approval for a number of extensions and alterations to an existing two-storey dwellinghouse on the north side of Timms Lane within a primarily residential area of Formby.

The proposal is appropriate in terms of its impacts on the character of the area and the impact on the living conditions of neighbouring properties. It is therefore recommended for approval with conditions.

## Recommendation: Approve with Conditions

**Case Officer**      Neil Mackie

**Email**      [planning.department@sefton.gov.uk](mailto:planning.department@sefton.gov.uk)

**Telephone**      0345 140 0845

Application documents and plans are available at:

<http://pa.sefton.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QNWK6RNWHDI00>

## Site Location Plan



Sefton Council



Reference: Map reference

Date: 30/03/2021

Scale: Scale: 1:1250

Created by: Initials

## The Site

The application site comprises a detached two-storey dwellinghouse to the north side of Timms Lane within a primarily residential area of Formby.

## History

Planning permission was granted in January 2021 for the erection of a two storey extension to both sides and a single storey extension to the rear following demolition of the existing garage, existing flat roof replaced with pitched roof, new render with window and door detailing to elevations (app.ref: DC/2020/02101).

## Consultations

### Conservation

The property at 27 Timms Lane is near a Non-Designated Heritage Asset (Roman Catholic Church of St Anne). The proposal will not damage in any way the character of the Non-Designated Heritage Asset.

## Neighbour Representations

### Neighbours

A letter of objection has been received from Number 29 Timms Lane who consider that the siting of the proposed garage represents an awkward and unwieldy attempt to shoehorn the structure into an inadequately sized space. The forward projection will give the house a cramped and unbalanced appearance, which will be unsympathetic to the original design. In the event of any approval they request that permitted development rights are removed from this property, as they were for the recent permission. This neighbour is also surprised that they received notification of an amended proposal only a matter of weeks after the proposal had been given for what appeared to be a definitive remodelling scheme.

An anonymous representation has also been received objecting to the proposal.

A neighbouring property has submitted support for the proposal stating that it will not harm the existing building line as it is no further to the road than that of Number 25 Timms Lane, the density of the proposal is appropriate to the area in terms of its density, scale and appearance

### Councillor

This application has been called-in by Councillor Irving. He states that the proposal is contrary to planning policies, harmful to residential amenity and is of a poor design quality. He considers that this is 'Planning Creep' and goes against many policies in the Formby and Little Altcar Neighbourhood Plan as well as Sefton's Local Plan.

In a separate objection, Councillor Irving considers that the development will have an impact on the neighbouring property at Number 29 Timms Lane, taking away a lot of natural light from the front and side. The proposal will give a very dominant effect to the street scene and the added proposal of the garage will be detrimental to visual amenity. The resulting density of the property will fail to respect the character of the area.

## Policy Context

The application site lies within an area designated as Primarily Residential in the Sefton Local Plan which was adopted by the Council in April 2017.

The Formby and Little Altcar Neighbourhood Plan was 'made' (i.e. adopted) on 21st November 2019 and carries full weight in decision making.

## Assessment of the Proposal

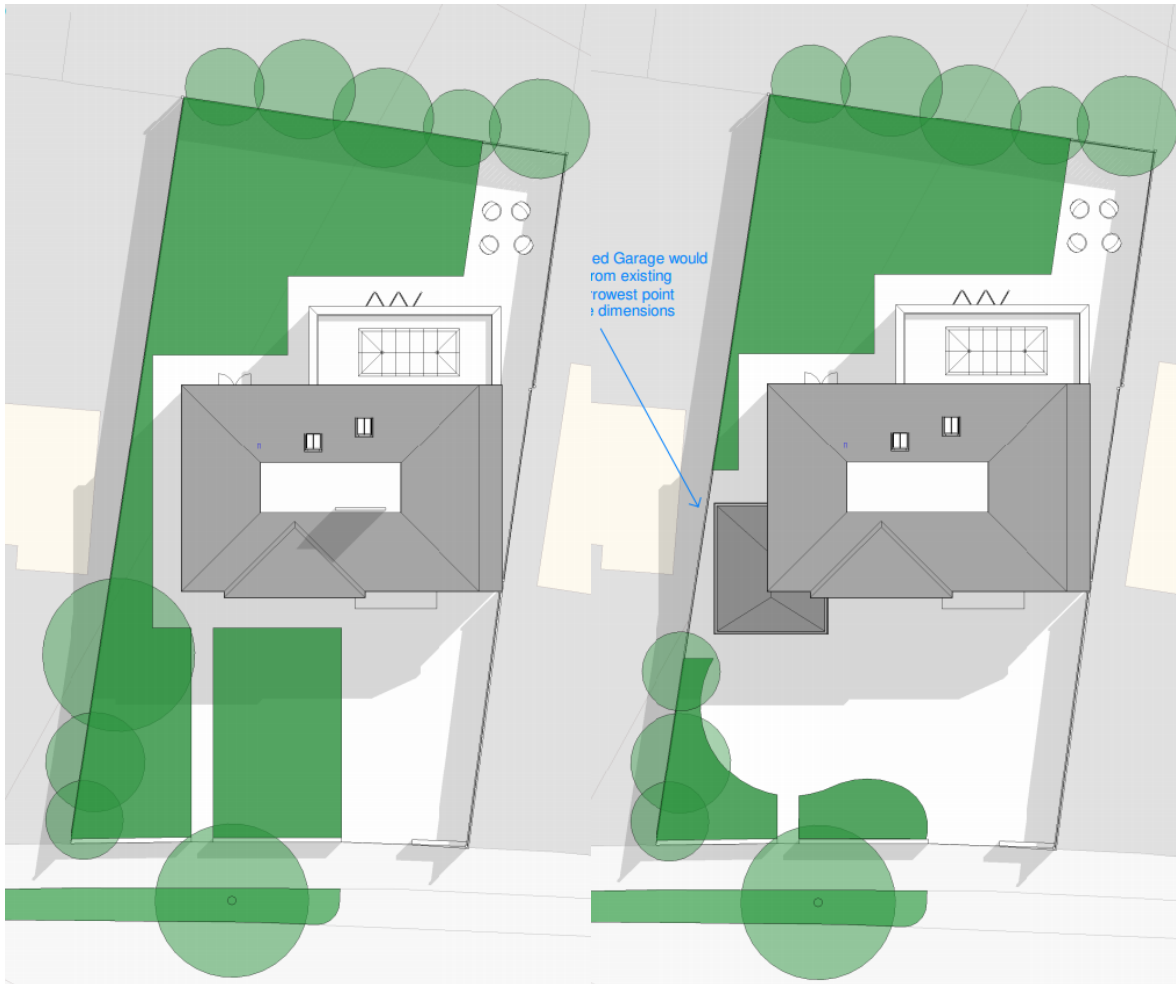
Members may recall the recently granted approval for house extensions at this site, planning application reference DC/2020/02101 (the committee report for which is attached as an appendix). This proposal differs from the extant permission by removing the integral garage to the right hand side of the property and proposing a wrap-around single-storey garage to the front and left-hand side elevation (west facing).

As all other matters relating to the proposal have been assessed against both the Neighbourhood Plan and Local Plan and found to be acceptable by way of granting approval to previous permission, the sole issue to consider is the impact of the proposed garage.

Below are extracts from the approved and proposed drawings demonstrating the changes to the footprint and to the front elevation:

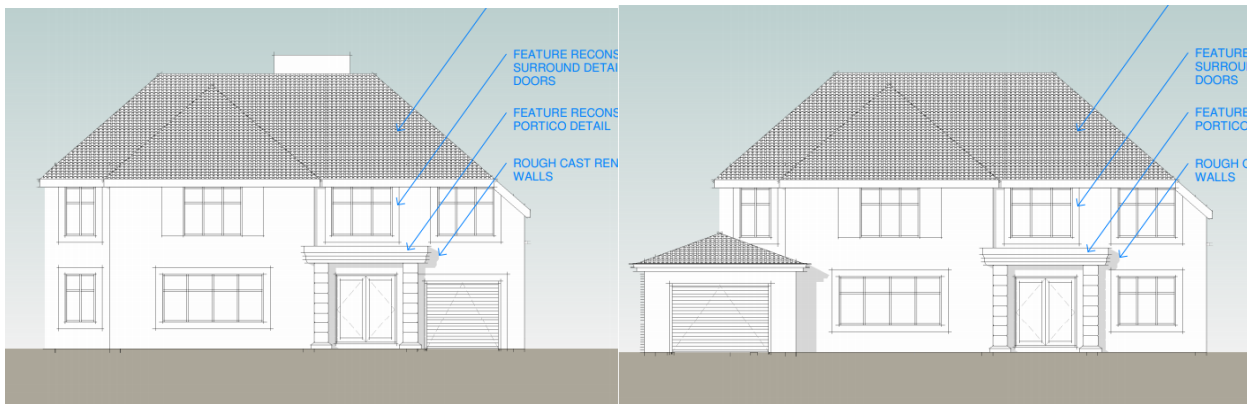
Approved Footprint

Proposed Footprint



Approved Front Elevation

Proposed Front Elevation



The garage will project 1.7m from the front elevation and 2.4m from the side elevation, with eaves at 2.6m and maximum ridge height of 3.5m.

The Council's guidance for front extensions states that they must be of a high quality design that respects the existing property and the street. In particular, extensions that project forward 1.5m from the main wall will be acceptable in principle. Extensions projecting beyond this distance will only be permitted provided that they do not cause harm to the existing building, neighbouring properties, the character of the area or highway safety as a result of a reduction in parking space.

In this instance the 1.7m projection is considered acceptable.

The proposal does not cause harm to the existing building as it draws on materials used in the main property, has a hipped roof to match the main property and reflects the stepped front elevation of the existing house.

In respect of the impact on neighbouring properties, there is a ground-floor habitable room window to the side of Number 25 Timms Lane (as shown on drawings for a recent approval at this neighbouring property) that will face towards the proposed garage. This window will be at least 7m from the nearest point of the garage. Given the modest size of the proposed garage and existing boundary treatments it is not considered that the garage will have an unacceptable impact on outlook from this habitable room window.

Due to the curve of Timms Lane there isn't a strong or consistent building line to the front of properties that would be significantly harmed by this proposal. The submitted location plan shows the footprint of the proposal along with that of neighbouring properties. It is evident that the garage will not project further forward than the existing buildings at Numbers 23 and 25 Timms Lane. This is a modest addition to a previously consented scheme and it is not agreed that the increase in footprint by itself gives rise to a development that is not in keeping with the character of Timms Lane. It is therefore considered that the proposal does not cause harm to the character of the area.

With regards to the final aspect in the Council's guidance, the garage is sufficiently separated from the highway so as to not cause harm to highway safety or amenity and it does not reduce the overall car parking space. As seen from the approved and proposed footprint snapshots above, the amount of car parking is likely to increase with this proposal.

Turning to the Formby & Little Altcar Neighbourhood Plan, policy H7 'Design of Car Parking' requires garages to be large enough to be useable (generally 4m by 6m), they should be designed to reflect the architectural style of the house they serve, and they should be set back from the street frontage.

As scaled from the proposed drawings the garage is 3.9m wide by 5m deep (as measured internally). While short of the recommended size within the Neighbourhood Plan it exceeds the Council's minimum requirements for a car parking space (2.5m x 5m) and is considered to be useable. The garage is considered to reflect the architectural style of the house and the garage is set back from the street frontage (the Neighbourhood Plan does not provide a minimum distance that it must be set back from the street frontage, nor the frontage of the house). The proposal therefore complies with the requirements of policy H7.

In view of the above it is considered that the proposed development is acceptable and complies with the Local Plan and the Neighbourhood Plan and should be granted consent with conditions.

## Recommendation - Approve with Conditions

### Time Limit for Commencement

- 1) The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

### Approved Plans

- 2) The development is hereby permitted in accordance with the following approved plans:

A102 Rev 5 'Proposed Plans and Elevations'

A103 'Proposed Loft Level Plan'

A104 Rev 1 'Location Plan'

Reason: For the avoidance of doubt.

### Ongoing Conditions

- 3)
  - a) The window at first-floor to the left hand side elevation (west facing) serving an unlabelled room on drawing A102 Rev 5 'Proposed Plans and Elevations' shall be fitted with obscured glazing to a specification of no less than level 3 of the Pilkington Glass Scale and any part of the window that is less than 1.7m above the floor of the room in which it is installed shall be non-opening.
  - b) The window shall be permanently retained in that condition thereafter.

Reason: To ensure that the privacy of neighbouring occupiers is retained at all times.

- 4) All provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order with or without modification) that are applicable to a dwellinghouse are removed from this property.

Reason: In the interests of amenity.



## Appendix 1 – Previous Approval Committee Report

**Report to:** PLANNING COMMITTEE      **Date of Meeting:** 20th January 2021

**Subject:** DC/2020/02101  
27 Timms Lane, Formby, Liverpool, L37 7DW

**Proposal:** Erection of a two storey extension to both sides and a single storey extension to the rear following demolition of the existing garage, existing flat roof replaced with pitched roof, new render with window and door detailing to elevations

**Applicant:** Mr. Latham      **Agent:** Mr. Bailey  
Mount Acre Homes Limited      NJSR Chartered Architects LLP

**Ward:** Harington Ward      **Type:** Householder application

**Reason for Committee Determination:**      **Called-in by Councillors Irving and Pitt**

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### Summary

This application seeks approval for a number of extensions and alterations to an existing two-storey dwellinghouse on the north side of Timms Lane within a primarily residential area of Formby. The proposal is considered to be appropriate in terms of its impacts on the character of the area and the impact on the living conditions of neighbouring properties. It is therefore recommended for approval with conditions.

### Recommendation: Approve with Conditions

**Case Officer**      Neil Mackie

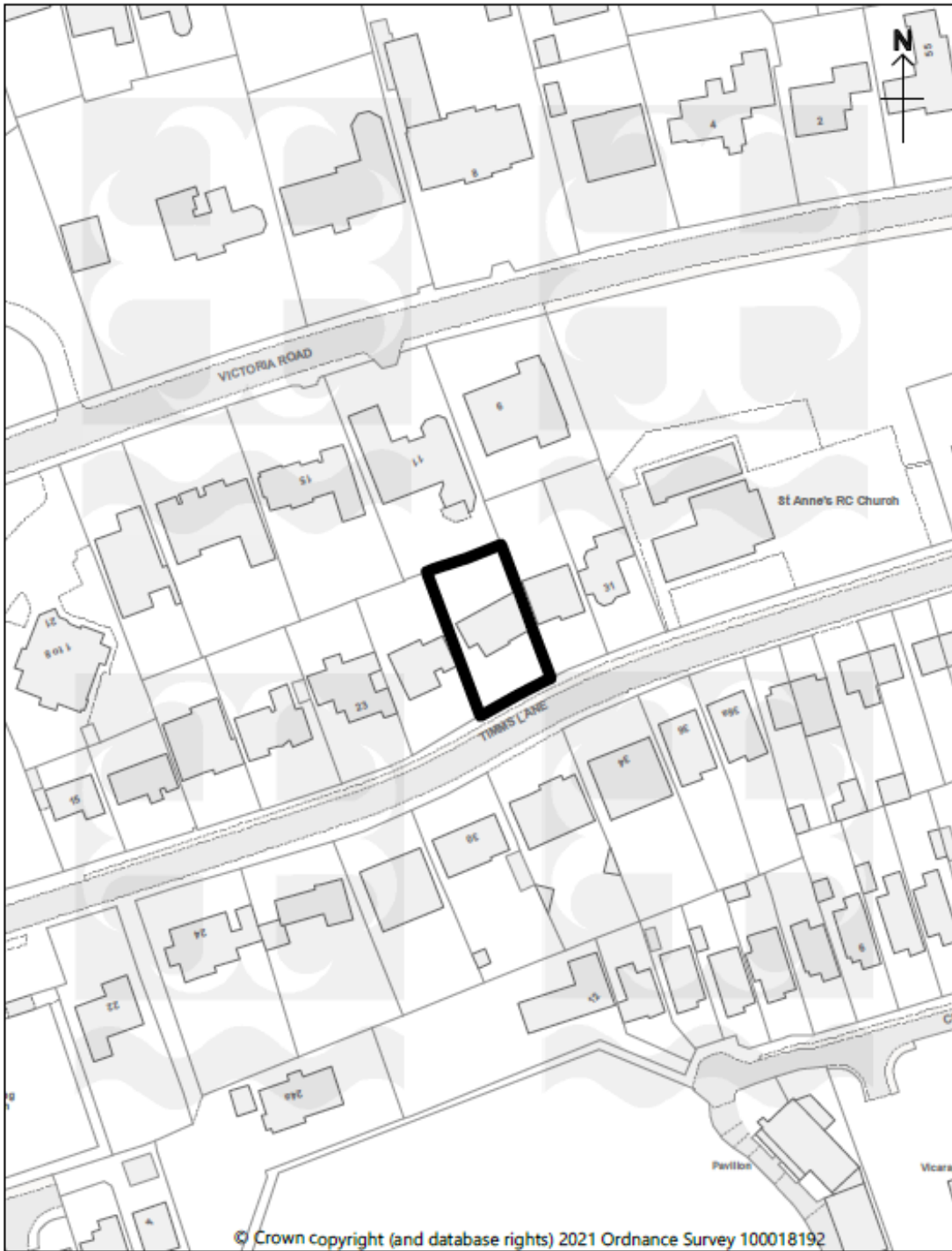
**Email**      [planning.department@sefton.gov.uk](mailto:planning.department@sefton.gov.uk)

**Telephone**      0345 140 0845

Application documents and plans are available at:

<http://pa.sefton.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QIDY5ONWMK700>

# Site Location Plan



Sefton Council



Reference: Map reference  
Date: 06/01/2021  
Scale: Scale 1:1250  
Created by: Initials

## The Site

The application site comprises a detached two-storey dwellinghouse to the north side of Timms Lane within a primarily residential area of Formby.

## History

DC/2020/01253 - Erection of a detached dwellinghouse following demolition of the existing dwellinghouse. Withdrawn.

## Consultations

### Tree Officer

No objections

## Neighbour Representations

This application has been called-in by Councillor Irving stating on the required call-in form that the "height and massing of the development is detrimental to visual amenity and street scene. It is also contrary to the Local Plan Policy HC4 House Extensions. The SPG House Extensions, Formby and Little Altcar Neighbourhood Plan and the National Planning Policy Framework." Councillor Irving has also requested to speak at Planning Committee.

It has also been called-in by Councillor Pitt with the required call-in form stating that the proposal is contrary to planning policies.

A letter of objection from a property on Timms Lane and an objection from an unknown address have been received raising the following comments:

- The proposal is not just remodelling but a development that would result in a property being unrecognisable from that existing.
- The larger resulting building would have an overbearing impact and an unpleasing, overpowering or oppressive impact.
- The extensions are not set back sufficiently from the existing wall
- The loft could be used for habitable space in the future, emphasising the excessive size of the proposal.
- The proposal will result in a loss of light to habitable room windows and a loss of aspect from habitable room windows.
- Insufficient separation being retained between the proposal and neighbouring property, which is contrary to the character of the area and to the living conditions of that neighbouring property.
- Rear extension is too close to neighbouring property.
- Insufficient rear garden space is retained.
- The proposal extends beyond their site

A letter of support has been received from a property on Timms Lane stating that the proposal is appropriate to street and plot in terms of style and size.

## Policy Context

The application site lies within an area designated as Primarily Residential in the Sefton Local Plan which was adopted by the Council in April 2017.

The Formby and Little Altcar Neighbourhood Plan was 'made' (i.e. adopted) on 21st November 2019 and carries full weight in decision making.

## Assessment of the Proposal

This application seeks approval for the extensions and alterations to an existing two-storey dwellinghouse with attached single-storey flat roof garage.

The proposed extensions to either side largely replace the single-storey garage and infill 'gaps' to the front left and rear left parts of the house, along with a single-storey flat roof extension to the rear.

Of direct relevant to this application is Local Plan policy HC4 'House Extensions, Houses in Multiple Occupation and Flats'. This policy states that extensions and alterations to dwellinghouses will be approved where:

- a) they are of a high quality design that matches or complements the style of the dwelling and surrounding area;
- b) the size, scale and materials of development are in keeping with the original dwelling and the surrounding area;
- c) the extensions and alterations are designed so that there shall be no significant reduction in the living conditions of the occupiers of neighbouring properties. In particular, extensions must not result in:
  - i. loss of outlook, from the main windows of neighbouring habitable rooms,
  - ii. a significant loss of light/overshadowing for neighbours,
  - iii. an overbearing or over-dominant effect on the habitable rooms of neighbouring properties,
  - iv. a significant loss of privacy for neighbouring residents.

While there isn't a specific house extension policy within the Formby & Little Altcar Neighbourhood Plan policy ESD2 'High Quality Design' is applicable to developments as a whole. This policy states that "To achieve high quality design, development should make a positive contribution to local character and proposals should demonstrate consideration of the following:

- a) Scale, density, height, landscape, layout, materials, access, frontages, and residential amenity.
- b) Retaining or creating good quality boundary and gateway features.
- c) Safety of movement and circulation of walkers, cyclists, vehicles and people with limited mobility/disability, both within and to/from the site.
- d) The outlook towards, within and from the development.

e) The delivery of high-quality green infrastructure including accessible open space commensurable with the scale of development and consistent with Local Plan policy EQ9.

The following sections will consider the requirements of both of the above policies where applicable.

#### Design, Scale and Massing

The proposed extensions and alteration reflect the form and materials used within the existing dwellinghouse or those seen to neighbouring properties along Timms Lane. The slight setback retained to either flanking wing to the central hipped gable reflects the current property along with a common design approach seen to extended or replacement dwellinghouses on Timms Lane.

While the overall ridge height has been increased from a maximum height of 7.9m to 8.2m this increase is more apparent to the wings flanking the central gable as at present they are a maximum 6.8m in height. This increase will be noticeable but given the sloping roof and the separation from the highway this will not be an obvious or overwhelming alteration that would detract significantly from the character or appearance of the existing dwelling.

In respect of the wider area, there is variety to the extent, height and form of properties along Timms Lane that ensures this proposal will not depart from the prevailing form nor detract from this varied residential character. It is also not uncommon for properties along Timms Lane to be built up to the side boundaries at single or two-storey height and so the extensions being proposed will also be appropriate in that context.

Objectors have raised concerns about the extent of extensions being sought here, with comments that the resulting development will be akin to a new dwelling. As is evident from the submitted drawings the extensions either largely act as in-fill developments to the corners of the property or replace existing single-storey development. Extensions as a matter of course will by their very nature extend a property. It is therefore a judgement to be undertaken by the Authority when determining such proposals as to whether they are in keeping with the original dwelling as required in part by criteria (b) of Local Plan policy HC4. In this instance it is considered that the extensions as proposed are in keeping with the original dwelling.

In view of the above the proposal complies with Neighbourhood Plan policy EDS2 and Local Plan policy HC4 as it is appropriate in scale, massing and design to the host dwelling and is also appropriate within the wider street scene.

#### Neighbouring Living Conditions

The absence of main windows to the east elevation of Number 25 to the left hand side ensures the proposal will not cause harm through introducing a poor outlook or causing unacceptable harm through overshadowing. Further, the recently approved first-floor extension above the garage to this neighbour will also lessen any potential harm from this proposal to existing windows to the side elevation of this neighbour. The infill extensions and 1.4m increase in height to the main ridgeline will not give rise to significant detrimental impacts through overshadowing the rear garden.

The neighbour to the right hand side, Number 29, has two clear glazed windows to the ground-floor side elevation that serve a habitable room, the main window for which faces the rear garden. The two-storey extension to the right hand side will obstruct views from these windows, but as there is no right to a view and as they are secondary windows (given the larger window to the rear being considered the primary window) this is not sufficient to warrant refusal of the application.

While the proposal will overshadow these secondary windows and cause a loss of light this is already the case to some extent with the existing garage to No 27. The proposed extensions will be readily apparent from these two secondary windows but not from the main window serving the habitable room and so it is considered that the proposal will not give rise to an unacceptable overbearing or over dominant effect on this room as a whole.

The single-storey extension to the rear is appropriate in projection and height and it is considered this will not cause significant or unacceptable impacts through overshadowing or introducing an overbearing development to the rear garden or rear windows of Number 29. A rear extension of almost similar proportions could be built without the need for planning permission and this is an important factor.

The sole overlooking that may arise from the proposal is from a first-floor window to the left hand side of the building serving an unlabelled room. So as to ensure there is no overlooking of Number 25, however minor, it is reasonable to attach a condition to any approval requiring this window to be non-opening and obscurely glazed below 1.7m in height as measured from the internal floor level.

As set out there will be impacts on the living conditions in respect of a likely loss of light to ground-floor secondary windows to the west facing side elevation of Number 29. The proposal will be visible from these two secondary windows to a greater degree than currently experienced. However this is not considered to be so significant as to cause unacceptable impacts that would be contrary to the requirements of the Neighbourhood Plan or the Local Plan.

Therefore, in terms of the impacts on neighbouring properties it is considered that the proposal complies with the aims and objectives of Neighbourhood Plan policy EDS2 and Local Plan policy HC4.

#### Response to Objections

The comments made by objectors that the proposal has been submitted in an incorrect form is not agreed with as it is evidently a number of extensions to an existing dwellinghouse rather than a replacement dwelling.

Similarly for the reasons set out above it is not agreed that the proposal would be detrimental to the character of the area or cause a significant reduction in the living conditions of occupiers of neighbouring properties.

#### **Conclusion**

As the proposal complies with the requirements of Formby & Little Altcar Neighbourhood Plan policy ESD2 and Local Plan policy HC4, does not cause harm to the character of the area nor result in a

significant reduction in the living conditions of occupiers of neighbouring properties it is considered to be acceptable. This application is therefore recommended for approval with the conditions that follow.

## **Recommendation - Approve with Conditions**

### **Time Limit for Commencement**

- 1) The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

### **Approved Plans**

- 2) The development shall be carried out in accordance with the following approved plans:

A102 Rev 4 'Proposed Plans and Elevations'  
A103 'Proposed Loft Level Plan'  
A104 'Location Plan'

Reason: For the avoidance of doubt.

### **Ongoing Conditions**

- 3)
  - a) The window at first-floor to the left hand side elevation (west facing) serving an unlabelled room on drawing A102 Rev 4 'Proposed Plans and Elevations' shall be fitted with obscured glazing to a specification of no less than level 3 of the Pilkington Glass Scale and any part of the window that is less than 1.7m above the floor of the room in which it is installed shall be non-opening.
  - b) The window shall be permanently retained in that condition thereafter.

Reason: To ensure that the privacy of neighbouring occupiers is retained at all times.