



Jacqui Sinnott-Lacey
Chief Operating Officer

52 Derby Street
Ormskirk
West Lancashire
L39 2DF

Tuesday, 5 January 2021

**TO: COUNCILLORS G OWEN, A PRITCHARD, I ASHCROFT, MRS P BAYBUTT,
N DELANEY, T DEVINE, S EVANS, J FINCH, D O'TOOLE,
E POPE AND J THOMPSON**

Dear Councillor,

A virtual meeting of the **PLANNING COMMITTEE** will take place on **THURSDAY, 14 JANUARY 2021** at **7.00 PM** at which your attendance is requested. A Skype meeting request will be sent to individual Members of the Planning Committee. The meeting will also be available to view for members of the public via Webcast on the Council's website.

Yours faithfully

A handwritten signature in black ink, appearing to be 'JS', written over a light blue circular stamp.

Jacqui Sinnott-Lacey
Chief Operating Officer

AGENDA
(Open to the Public)

- 1. APOLOGIES**
- 2. MEMBERSHIP OF THE COMMITTEE**
To be apprised of any changes to the membership of the Committee in accordance with Council Procedure Rule 4.
- 3. URGENT BUSINESS, IF ANY INTRODUCED BY THE CHAIRMAN**
Note: No other business is permitted unless, by reason of special circumstances, which shall be specified at the meeting, the Chairman

is of the opinion that the item(s) should be considered as a matter of urgency.

- 4. DECLARATIONS OF INTEREST** 517 - 518
If a member requires advice on Declarations of Interest, he/she is advised to contact the Legal and Democratic Services Manager in advance of the meeting. (For the assistance of members a checklist for use in considering their position on any particular item is included at the end of this agenda sheet.)
- 5. DECLARATIONS OF PARTY WHIP**
Party Whips are not to be used by this Committee in respect of its functions concerning the determination of applications, approval of consents, the taking of enforcement action and the exercise of powers and duties with regard to highways, hedgerows, the preservation of trees and high hedge complaints. When considering any other matter which relates to a decision of the Cabinet or the performance of any member of the Cabinet, in accordance with Regulatory Committee Procedure 9, Members must declare the existence of any party whip, and the nature of it.
- 6. MINUTES** 519 - 520
To receive as a correct record the minutes of the meeting held on the 3 December 2020.
- 7. PLANNING APPLICATIONS** 521 - 528
To consider the report of the Corporate Director of Place and Community.
- 7a 2020/0908/FUL - LAND TO THE REAR OF 14A TO 20 NEW CUT LANE, HALSALL, LANCASHIRE** 529 - 534
To consider the report of the Corporate Director of Place and Community.
- 7b 2020/1001/FUL - 6 GREETBY WALK, ORMSKIRK, LANCASHIRE** 535 - 538
To consider the report of the Corporate Director of Place and Community.
- 7c 2020/0800/FUL - 6 EAST MEAD, AUGHTON, LANCASHIRE** 539 - 544
To consider the report of the Corporate Director of Place and Community.
- 7d 2020/0837/FUL - SYDNEY HUYTON AND SON, 71 - 75 TOWN GREEN LANE, AUGHTON, ORMSKIRK** 545 - 552
To consider the report of the Corporate Director of Place and Community.

We can provide this document, upon request, on audiotape, in large print, in Braille and in other languages.

REMOTE MEETING PROCEDURE: Please see attached sheet.

MOBILE PHONES: These should be switched off or to 'silent' at all meetings.

For further information, please contact:-

Jill Ryan on 01695 585017

Or email jill.ryan@westlancs.gov.uk



REMOTE MEETINGS – GUIDANCE

This guidance is designed to assist members when attending remote meetings.

The guidance should be read in conjunction with the Council's Remote Meetings Protocol and Procedures Rules

General

1. If members wish to speak on a particular item it will assist the smooth running of the remote meeting if they indicate to the Chairman their wish to speak in advance of the meeting.
2. Please join the meeting no later than 15 minutes before the start of the meeting to ensure that the technology is working correctly.
3. It is a requirement of the remote meetings regulations that any member participating in a remote meeting must be able to be heard (and if practicable also be seen) by all other members, officers and public speakers participating in the meeting and, in turn, be able to hear (and if practicable see) those persons.
4. It is also a requirement that the meeting be live broadcast and so any camera (video-feed) should show a non-descript background and members should take care to ensure that no exempt or confidential papers can be seen in the video-feed.
5. At the start of the meeting please ensure that your microphone is muted and your video feed (if available on your device) is paused. Please remember to unmute your microphone (and unpause your video feed if available) when invited to speak by the Chairman!
6. At the start of the meeting the Member Services Officer will read out which Members and Officers are present. The attendance of members will be recorded.

7. Please remember to mute your mic/pause your video feed when you're not talking.
8. Only speak when invited to by the Chair.
9. Please state your name before you make an address.
10. If you're referring to a specific page or slide mention the page or slide number.
11. In the event of failure of the live broadcast then the Chairman will immediately adjourn the meeting until such time as the live broadcast is restored.
12. In the event that a member's individual remote connection should fail, the Chairman will call a short adjournment to determine whether the connection can be re-established (either by video technology or telephone connection). If connection cannot be restored after a reasonable period of time then the presumption is that the meeting should continue, providing the meeting remains quorate.
13. If connection to a member is lost during discussion of an item of business at a regulatory meeting (planning and licensing committees) that member will not be able to vote on that item (unless that part of the discussion during which connection was lost is, in the view of the Chairman, capable of being repeated for the benefit of the member concerned).

Public speaking

14. Any member of the public participating in a meeting remotely in exercise of their right to speak must be able to be heard (and if practicable also be seen) by members, officers and public speakers participating in the same item of business and, in turn, be able to hear (and if practicable see) those persons.
15. The Member Services Officer will mute the member of the public once they have spoken and remove them from the remote meeting on the instruction of the Chairman once the relevant item of business has been dealt with. Note: members of the public will be able to view/listen to the remainder of the meeting via the live broadcast.

Voting

16. Unless a recorded vote is called by a member, the method of voting will be, at the discretion of the Chairman, by:
 - General assent by the meeting (where there is no dissent); or
 - By the Member Services Officer calling out the name of each member present with members stating "for", "against" or "abstain" to indicate their vote when their name is called. The Member Services Officer will then clearly state the result of the vote (to be confirmed by the Chairman)
17. Details of how members voted will not be minuted, unless a recorded vote is called for prior to the vote taking place.

Declarations of Interest

18. Any member participating in a remote meeting who declares a disclosable pecuniary interest, or pecuniary interest that would normally require them to leave the room in which the meeting is taking place must leave the remote meeting. Their departure will be confirmed by the Member Services Officer who will invite the relevant member to re-join the meeting at the appropriate time.

Exclusion of the Press and Public

19. There are times when council meetings are not open to the public when confidential, or "exempt" items (as defined in Schedule 12A of the Local Government Act 1972) are under consideration. The Member Services Officer will ensure that there are no members of the public in remote attendance and the live broadcast is ended, once the exclusion has been agreed by the meeting for that item(s).
20. Every Member in remote attendance must ensure there are no other persons present in their remote location who are able to hear, see or record the proceedings (unless those such persons are also entitled to be so present). Members must declare to the meeting, if at any point during discussion of the item, this requirement is not met.

	This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

"body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest; "director" includes a member of the committee of management of an industrial and provident society;

"land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income; "M" means a member of a relevant authority;

"member" includes a co-opted member; "relevant authority" means the authority of which M is a member;

"relevant period" means the period of 12 months ending with the day on which M gives notice to the Monitoring Officer of a DPI;

"relevant person" means M or M's spouse or civil partner, a person with whom M is living as husband or wife or a person with whom M is living as if they were civil partners;

"securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

'non pecuniary interest' means interests falling within the following descriptions:

- 10.1(1)(i) Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) Any body (a) exercising functions of a public nature; (b) directed to charitable purposes; or (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;
- (iii) Any easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income.
- 10.2(2) A decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a connected person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision.

'a connected person' means

- (a) a member of your family or any person with whom you have a close association, or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph 10.1(1)(i) or (ii).

'body exercising functions of a public nature' means

Regional and local development agencies, other government agencies, other Councils, public health bodies, council-owned companies exercising public functions, arms length management organisations carrying out housing functions on behalf of your authority, school governing bodies.

A Member with a personal interest who has made an executive decision in relation to that matter must ensure any written statement of that decision records the existence and nature of that interest.

NB Section 21(13) of the LGA 2000 overrides any Code provisions to oblige an executive member to attend an overview and scrutiny meeting to answer questions.

Agenda Item 6

PLANNING COMMITTEE

HELD: Thursday, 3 December 2020

Start: 7.00 p.m.

Finish: 7.20 p.m.

PRESENT:

Councillor: G Owen (Chairman)
A Pritchard (Vice-Chairman)

Councillors: I Ashcroft J Finch
Mrs P Baybutt E Pope
N Delaney D O'Toole
T Devine J Thompson
S Evans

In attendance: Councillor D Evans (Portfolio Holder Planning)

Officers: Ian Gill – Head of Growth and Development Services
Catherine Thomas – Development, Heritage and Environment Manager
Mark Loughran – Principal Planning Officer
Judith Williams – Assistant Solicitor
Jill Ryan – Senior Member Services Officer
Julia Brown – Member Services Officer

68 APOLOGIES

There were no apologies for absence received.

69 MEMBERSHIP OF THE COMMITTEE

There were no changes to the membership of the Committee.

70 URGENT BUSINESS, IF ANY INTRODUCED BY THE CHAIRMAN

There were no items of urgent business.

71 DECLARATIONS OF INTEREST

There were no Declarations of Interest received.

72 DECLARATIONS OF PARTY WHIP

There were no Declarations of Party Whip.

73 MINUTES

RESOLVED: That the minutes of the meeting held on the 12 November 2020 be approved as a correct record and signed by the Chairman.

74 PLANNING APPLICATIONS

The Corporate Director of Place and Community submitted a report relating to planning application 2020/0800/FUL in respect of 6 East Mead, Aughton as set out on pages 495 to 499 of the Book of Reports.

75 2020/0800/FUL - 6 EAST MEAD, AUGHTON

RESOLVED: That planning application 2020/0800/FUL relating to 6 East Mead, Aughton be deferred to allow for further negotiations to take place with the applicant.

76 OBJECTION TO A TREE PRESERVATION ORDER (TPO) PRIOR TO CONFIRMATION - LIME TREE AT 9 GRANVILLE PARK AUGHTON

Consideration was given to the report of the Corporate Director of Place and Community in respect of an objection to a Tree Preservation Order (TPO) No 8, 2020 prior to confirmation – Lime Tree at 9 Granville Park, Aughton and to consider objections made by the owner.

RESOLVED: That TPO No. 8 2020 be confirmed without modification.

.....
Chairman



PLANNING COMMITTEE
14 January 2021

Report of: Corporate Director of Place and Community

Contact: Mrs. C. Thomas (Extn.5134)
Email: catherine.thomas@westlancs.gov.uk

SUBJECT: PLANNING APPLICATIONS

Background Papers

In accordance with Section 100D of the Local Government Act 1972 the background papers used in the compilation of reports relating to planning applications are listed within the text of each report and are available for inspection in the Planning Division, except for such documents as contain exempt or confidential information defined in Schedule 12A of the Act.

Equality Impact Assessment

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

Human Rights

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from Article 8 (the right to respect for private and family life, home and correspondence) and Article 1 of Protocol 1 (the right of peaceful enjoyment of possessions and protection of property).

CONTENT SHEET

<u>Report No</u>	<u>Ward</u>	<u>Appn No</u>	<u>Site Location & Proposal</u>	<u>Recommendation</u>
1	Halsall	2020/0908/FUL	Land To The Rear Of 14a To 20 New Cut Lane Halsall Lancashire Variation of Condition No's 2 and 3 of Planning Permission 2018/1043/FUL to vary the approved plans and materials.	Planning permission be granted.
2	Derby	2020/1001/FUL	6 Greetby Walk Ormskirk Lancashire L39 2BU Proposed single storey rear extension.	Planning permission be granted.
3	Aughton And Downholland	2020/0800/FUL	6 East Mead Aughton Ormskirk Lancashire L39 5ES Single storey extension to rear and a two storey extension to side with an attic conversion.	Planning permission be granted.
4	Aughton And Downholland	2020/0837/FUL	Sydney Huyton And Son 71 - 75 Town Green Lane Aughton Ormskirk Lancashire L39 6SE Sub-division of existing shop into 3 No Units (Class E) including internal and external alterations along with conversion of dwelling accommodation into 3 No self-contained flats.	Planning permission be granted.



PLANNING COMMITTEE

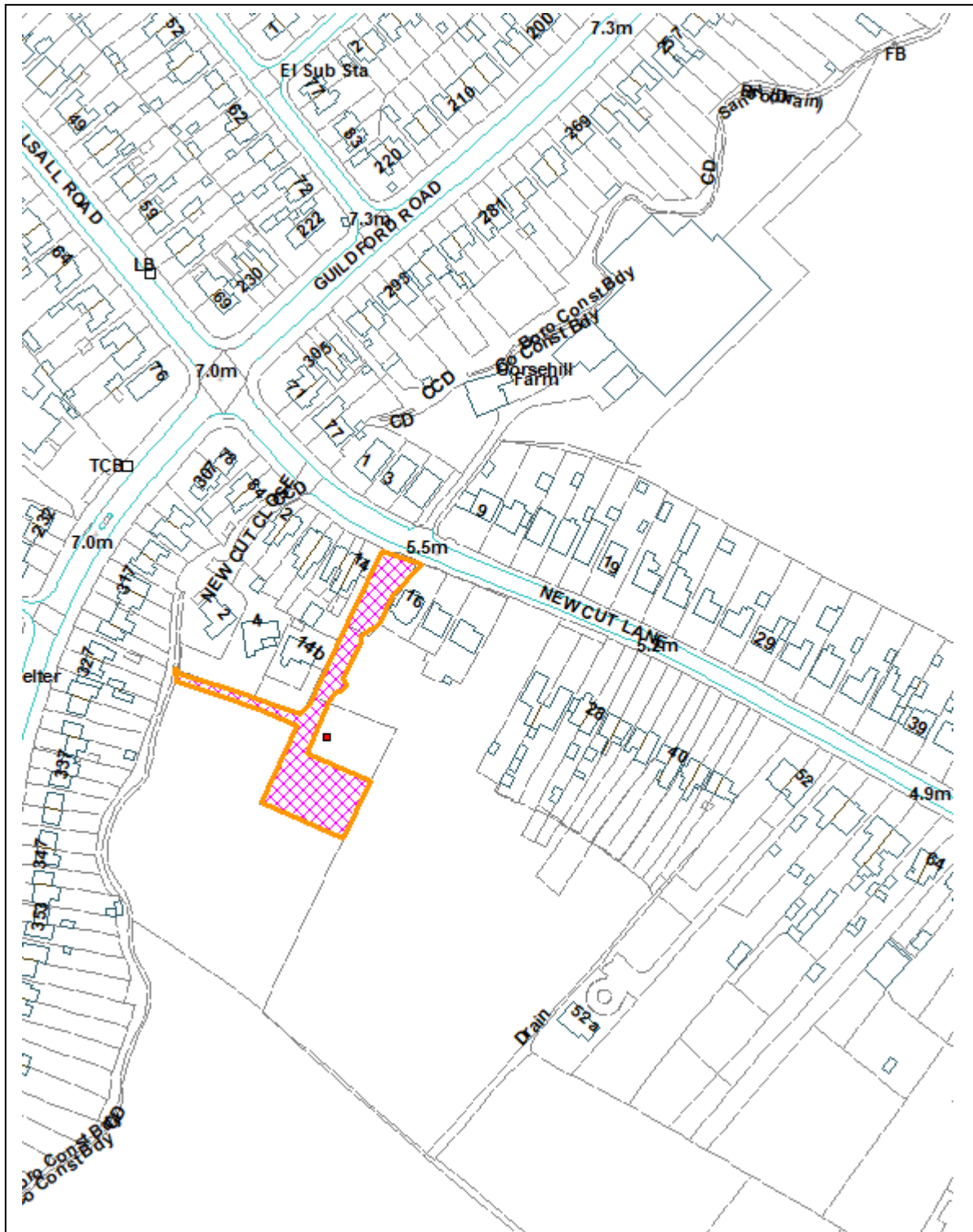
14 January 2020

(Agenda Item 7)

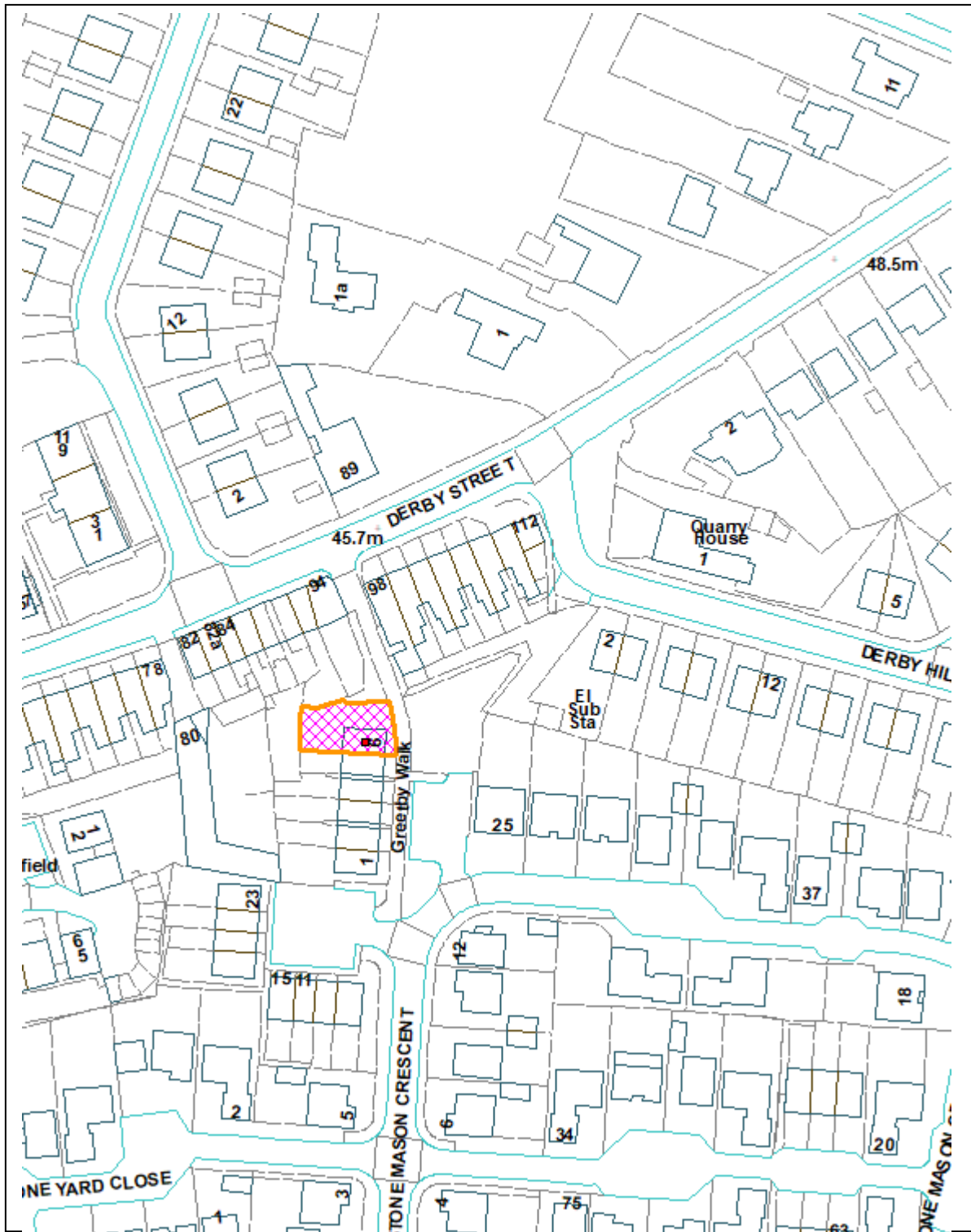
PLANNING APPLICATION ITEMS

LOCATION PLANS

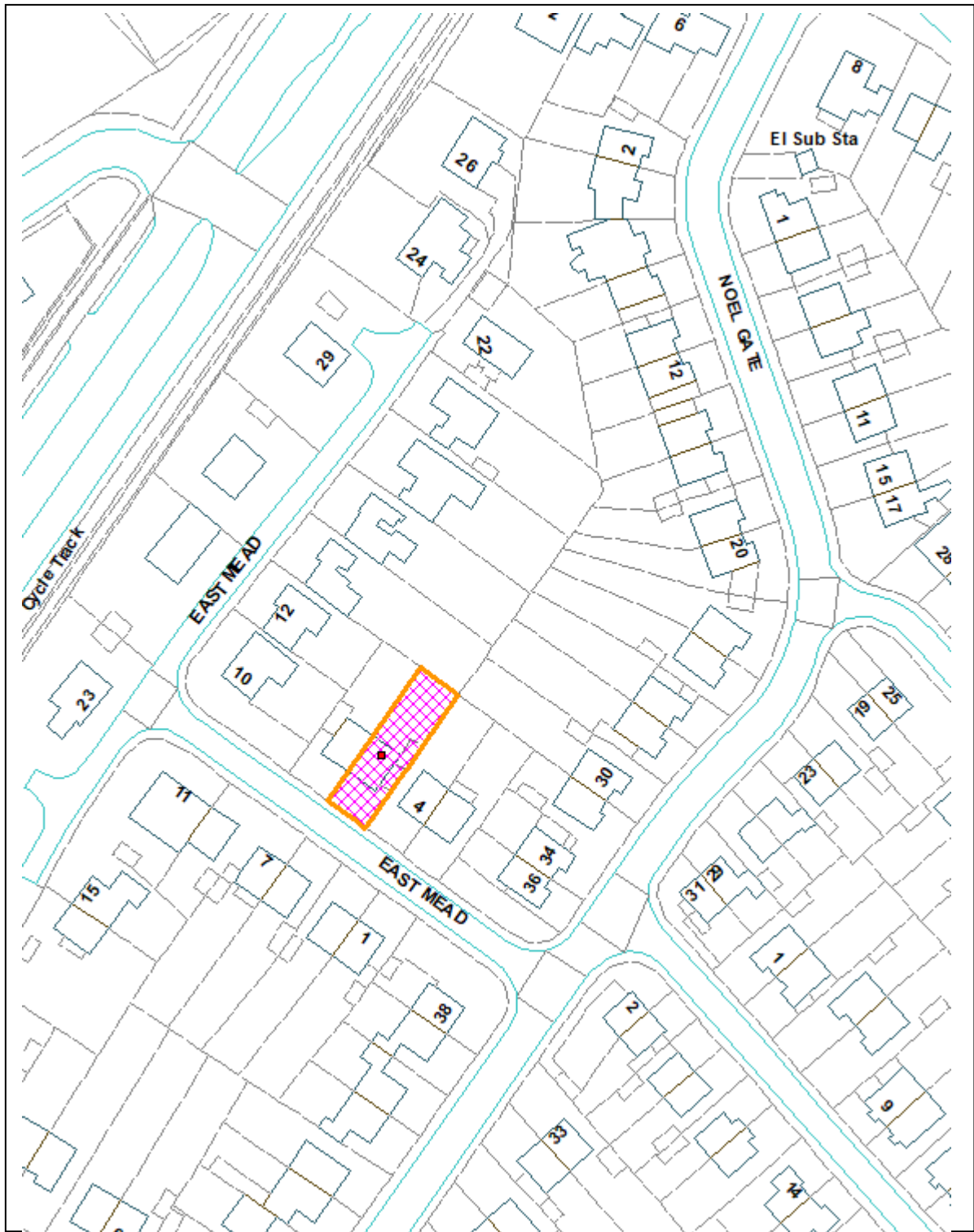
Land To The Rear Of 14a To 20, New Cut Lane, Halsall.



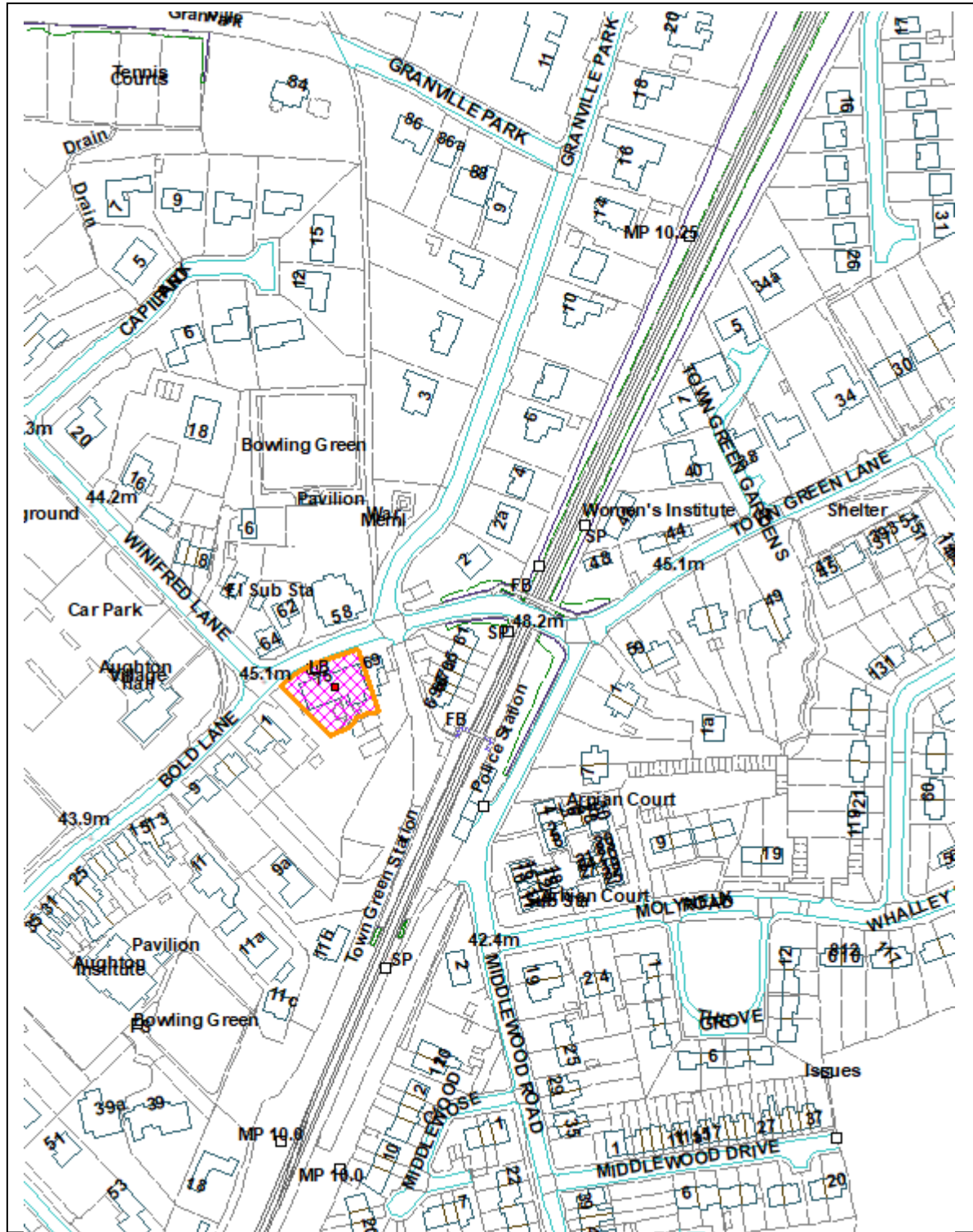
6 Greetby Walk, Ormskirk, L39 2BU.



6 East Mead, Aughton, L39 5ES.



Sydney Huyton and Son, 71 - 75 Town Green Lane, Aughton, L39 6SE.



Agenda Item 7a

No.1	APPLICATION NO.	2020/0908/FUL
	LOCATION	Land To The Rear Of 14a To 20 New Cut Lane Halsall Lancashire
	PROPOSAL	Variation of Condition No's 2 and 3 of Planning Permission 2018/1043/FUL to vary the approved plans and materials.
	APPLICANT	Mr & Mrs Collins
	WARD	Halsall
	PARISH	Halsall
	TARGET DATE	2nd December 2020

1.0 REFERRAL

- 1.1 This application was to be determined under the Council's delegation scheme, however, Councillor Mills has requested it be referred to Committee to consider the impact on residential amenity.

2.0 SUMMARY

- 2.1 This application seeks to vary condition numbers 2 and 3 attached to planning permission reference 2018/1043/FUL which granted planning approval for one detached dwelling. Since the previous approval the dwelling has been constructed and is now occupied but it has not been built in accordance with the approved plans. As a result the applicant seeks to vary the approved plans to make a number of design changes along with a change to the materials. The proposed amendments are considered to be acceptable. I am satisfied the proposal would not cause any significant harm to the character and appearance of the area nor result in an unacceptable loss of privacy through overlooking to warrant refusal of the application, and is therefore compliant with Policy GN3 of the Local Plan and the Council's SPD Design Guide.

3.0 RECOMMENDATION: APPROVE with Conditions

4.0 THE SITE

- 4.1 The site is situated to the south of New Cut Lane in Halsall and comprises of a single dwelling house which was completed and occupied in early 2020. The site is bounded to the north by a recently completed residential development scheme and is bounded to the east, west and south by open undeveloped land. This dwelling shares an access road with the housing development immediately to the north.

5.0 THE PROPOSAL

- 5.1 This application seeks retrospective planning permission to vary condition number 2 (plans) and 3 (materials) attached to planning permission reference 2018/1043/FUL relating to the design of the dwelling. The design changes are as follows:

Attached garage on southern elevation has a flat roof and glass panels forming a balcony; A 1st floor window and a door has been fitted to the south elevation gable end leading to this balcony;
A 2nd floor window has been fitted to the south elevation gable end in the roof space;
A double gable roof has been built on the front (west) elevation (instead of a single gable, as approved);

The depth and style of the front and rear elevation windows and front door have been reconfigured;
Window cills/head removed and materials changed;
Three velux windows have been fitted to the rear (east) elevation roof space;
Design of the chimney has been amended;
2 ground floor windows to the northern elevation have been omitted.

- 5.2 In respect of condition 3, the applicant seeks approval for a change to the brick, tiles and render previously approved.

6.0 PREVIOUS RELEVANT DECISIONS

- 6.1 2018/1043/FUL GRANTED Variation of Condition No. 2 of planning permission 2016/1173/FUL to vary the approved plans.
- 6.2 2017/0722/CON APPROVED Approval of Details Reserved by Condition Nos. 3, 4, 7, 8, and 9 of planning permission 2016/1173/FUL relating to materials; landscaping scheme; finished levels of all parts of the site, including the floor levels of all buildings; a Method Statement detailing measures to be taken during construction (including No-Dig methodology) to protect the health of the existing trees and an easement agreement allowing continuous future access to the surface water drainage system.
- 6.3 2016/0479/FUL GRANTED Demolition of dwelling, erection of two dwellings both with private rear gardens, in-curtilage car parking and served by a new access road.
- 6.4 2016/1173/FUL GRANTED Demolition of dwelling, erection of one dwelling with private rear garden, in-curtilage car parking and served by a new access road.

Relevant Enforcement

- 6.5 E/2020/0130/BC Breach of Condition 2 - 2018/1043/FUL. Investigation complete and regularising application received.

7.0 OBSERVATIONS OF CONSULTEES

- 7.1 None received

8.0 OTHER REPRESENTATIONS

- 8.1 Halsall Parish Council (17.11.20) Objects to the changes for the following reasons:

The flat roof garage falls short in meeting design criteria and is not high quality design;
Three velux roof lights fitted on rear elevation will overlook plots 6 and 7 resulting in loss of amenity;
Two small windows on front elevation overlook number 14B resulting in loss of privacy and amenity;
Not convinced the loft space is for storage only when significant investment has been made to the roof re-structure;
The double gable construction is not in-keeping with the new development in terms of design, appearance, character and materials;
Why has the chimney been altered from the original design? It has 3 pots instead of 2 and the height has decreased which may fail to provide the required draw for the flues.

Other matters

Do the works comply with building regulations?
No evidence that the glass panels forming the balcony are safe.

9.0 SUPPORTING INFORMATION

- 9.1 Covering letter supporting statement.
Letter of support from neighbor at 14B New Cut Lane.

10.0 RELEVANT PLANNING POLICY

- 10.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan 2012-2027 DPD provide the policy framework against which the development proposals will be assessed.

The site is allocated under Policy RS1 (a) (viii) of the West Lancashire Local Plan 2012-2027 DPD as being a Housing Allocation site (Land at New Cut Lane, Halsall). The access to the site is located within settlement area of Halsall, which is designated as a Rural Settlement Village in the Local Plan.

West Lancashire Local Plan 2012-2027 DPD

Policy GN1 – Settlement Boundaries
Policy GN3 – Criteria for Sustainable Development
Policy RS1 – Residential Development
Policy IF2 – Enhancing Sustainable Transport Choice
Policy EN1 – Low Carbon Development and Energy Infrastructure
Policy EN2 – Preserving and Enhancing West Lancashire’s Natural Environment

Supplementary Planning Advice

SPD – Design Guide (January 2008)

11.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

Design, Scale and Layout

- 11.1 Whilst the changes to the scheme have necessitated a new application being submitted, I note that the general layout and siting of the dwelling has not been altered. Since the previous approval, the dwelling has been constructed and is now occupied but it has not been built in accordance with the approved plans. As a result the applicant seeks to vary the approved plans to make a number of design changes along with a change to the materials. The changes include alterations to windows and doors, inclusion of three velux roof lights on the rear elevation, an additional gable on the front elevation, alterations to the design of the chimney and alterations to the attached garage from a pitch roof to a flat roof with glass panels forming a balcony. In respect of the materials, permission was secured for a slate blue brick course around the dwelling and garage with the remainder of the dwelling rendered in off white. Both the dwelling and garage have been completely rendered in white with a small red brick course. There has been a minor change to the grey roof tile from a cement construction to a concrete construction.
- 11.2 There is a mix of dwelling types in the immediate area surrounding the site including detached, semi-detached, and dormer bungalows. This dwelling is located to the rear of existing frontage development and behind a recently constructed cul-de-sac of eight dwellings and is not readily visible from the street scene and is viewed in isolation to surrounding developments. The site is bounded to the east, west and south by open land

which is allocated for future housing development. I am of the view that the design changes such as alterations to the fenestration and chimney are minor alterations. In respect of the additional gable end on the front elevation, this has been designed to mirror the approved gable end and in my view matches the architectural style of the approved dwelling. In respect of the attached garage, the approved design included a pitch roof, but the garage has been constructed with a flat roof with a glazed balustrade. Whilst the use of flat roof garages are rarely encouraged I am mindful that this dwelling is set back in isolation from the frontage development and the garage is sited adjacent to open, undeveloped land, therefore I am of the view the design of this garage would not have a detrimental impact upon the character of the area. As a result I consider the impact of the changes to the dwelling are negligible and I am satisfied the changes will not be incongruous or harmful to the overall character of the street scene and area in compliance with policy GN3.

Impact on Residential Amenity

- 11.3 In terms of the relationships between the application dwelling and neighbouring dwellings, I am satisfied that the revised design maintains the required interface distances secured under the previous application.
- 11.4 The nearest residential properties are located immediately to the north of the dwelling, and have recently been constructed. Three velux roof lights have been added to the roof on the rear (west) elevation. At the current time, the roof space is used for storage only and is accessed via a loft ladder. I am of the opinion that the roof lights do not result in an unacceptable loss of privacy for the occupiers of the recently constructed plot 6, to the north of the site as the two dwellings are at right angles from each other and direct overlooking is reduced by the oblique angle between the properties. The roof lights address the applicant's own rear garden and the property already has approved rear facing main habitable room windows at first floor level.
- 11.5 In respect of the balcony, this has been placed upon the roof of the garage on the southern elevation which is bounded by open land. I note the concerns raised by the Parish Council in respect of the impact upon the occupiers of 14B New Cut Lane however there is over 21m between the proposed balcony and the rear elevation of number 14B, in addition I am mindful the balcony and number 14B are offset from each other and direct overlooking is reduced by the oblique angle between the two properties. Therefore I am of the opinion that due to the siting and orientation of the balcony it will not have an unacceptable loss of amenity to number 14B. On the basis of the above I am satisfied that the proposed development complies with Policy GN3 in the Local Plan.

Summary

- 11.6 I consider the proposal satisfactorily meets the requirements of Policy GN3 of the West Lancashire Local Plan 2012-2027 DPD and should be recommended for approval.

12.0 RECOMMENDATION

- 12.1 That planning permission be GRANTED subject to the following conditions

Conditions

1. The development hereby approved shall be carried out in accordance with details shown on the following plans:
Plan reference Drawing reference 758_102 Rev B and 758_108 Rev A received by the Local Planning Authority on 5th October 2018

Plan reference Drawing reference 758_103 Rev E received by the Local Planning Authority on 31st October 2018

Plan reference Drawing reference 758_100 Rev H (Floorplans), 758_101 Rev H (Comparison Elevation) and 758_109 Rev B (Street Scene) received by the Local Planning Authority on 7th October 2020

Reason: For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

2. The materials shall be implemented in accordance with the details shown on drawing number 758_101 Rev H received by the Local Planning Authority on 7th October 2020.
Reason: To ensure that the external appearance of the building(s) is satisfactory and that the development therefore complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
3. The landscaping shall be implemented in accordance with the details agreed under application 2017/0722/CON - as shown on in the Landscape Management Plan and drawing number 758-103 Rev C received by the Local Planning Authority on 11th July 2017.
4. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) Schedule 2, Parts 1 A - F and 2 A - B, or any amendments made to that Order, shall not apply:
 - (i) no extensions shall be carried out to the dwelling(s)
 - (ii) no garages or carports shall be erected within the curtilage of the dwellings
 - (iii) no vehicle standing space shall be provided within the curtilage of the dwellings
 - (iv) no buildings, greenhouses, swimming pools, gates, walls, fences or other structures shall be erected within the curtilage of the dwellings
 - (v) no means of access shall be constructed to the curtilage of the dwellings
 - (vi) no windows or dormer windows shall be added to the dwellingunless on application to the Local Planning Authority, planning permission for such development has been granted.
Reason: The character and location of the property are such that the Local Planning Authority wish to exercise control over future development in order to protect residential and visual amenity to comply with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
5. The easement agreement shall be implemented in accordance with the details agreed under application 2017/0722/CON Easement Agreement dated 1st December 2016 received by the Local Planning Authority on 11th July 2017.
Reason: To ensure that the site is properly drained in the interest of local amenity and that the development, therefore, complies with the provisions of Policies GN3 & IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
6. The sustainable drainage scheme for the site shall remain in accordance with the approved 'Drainage Strategy Report', C-0703 Issue 5 and drawing number C-0703-01 rev B, by Hamilton Technical Services, and shall be managed and maintained in accordance with the agreed management and maintenance plan.
Reason: To ensure that the site is properly drained in the interest of local amenity and that the development, therefore, complies with the provisions of Policies GN3 & IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
7. External lighting associated with the development shall be directional and designed to avoid excessive light spill and shall not illuminate bat roosting opportunities within the site,

the roof or eaves of nearby buildings or trees and hedgerows. The principles of relevant guidance should be followed (e.g. the Bat Conservation Trust and Institute of Lighting Engineers guidance Bats and Lighting in the UK, 2009)

Reason: To safeguard a protected species and so ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

8. The bat boxes on the property as set out in the Updated Ecological Appraisal dated January 2017 submitted under application reference 2016/1173/FUL shall be implemented within 3 months of this date of this permission.

Reason: To safeguard a protected species and so ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

9. The car parking and manoeuvring areas as shown on approved site layout plan 758-103 Rev E, received by the Local Planning Authority on 31st October 2018 shall be permanently maintained for the parking and turning of vehicles.

Reason: To allow for vehicles visiting the site to be parked clear of the highway and to ensure that the development complies with the provisions of Policies GN3 & IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

Reason for Approval

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policy/Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:

Policy GN1 - Settlement Boundaries

Policy GN3 - Criteria for Sustainable Development Policy

Policy RS1 - Residential Development

Policy IF2 - Enhancing Sustainable Transport Choice

Policy EN1 - Low Carbon Development and Energy Infrastructure

Policy EN2 - Preserving and Enhancing West Lancashire's Natural Environment

together with Supplementary Planning Guidance and all relevant material considerations. The Local Planning Authority considers that the proposal complies with the relevant Policy criteria and is acceptable in the context of all relevant material considerations as set out in the Officer's Report. This report can be viewed or a copy provided on request to the Local Planning Authority.

No.2	APPLICATION NO.	2020/1001/FUL
	LOCATION	6 Greetby Walk Ormskirk Lancashire L39 2BU
	PROPOSAL	Proposed single storey rear extension.
	APPLICANT	Mr & Mrs Wright
	WARD	Derby
	PARISH	Unparished - Ormskirk
	TARGET DATE	19th January 2021

1.0 SUMMARY

- 1.1 This application has been referred to Planning Committee as the applicant is a Member of the Council.
- 1.2 The proposed development of a single storey rear extension is acceptable in principle. It is considered the proposal will not have a significant impact on the amenity of neighbouring properties and would not adversely impact on the street scene or the visual amenity of the area. The proposed development is considered to be compliant with the NPPF and Policies GN1 and GN3 of the West Lancashire Local Plan 2012-2027 DPD.

2.0 RECOMMENDATION - APPROVE subject to conditions.

3.0 THE SITE

- 3.1 The site comprises of a semi-detached two-storey dwelling. There is a fenced off garden area to the front and a garden to the side and rear with an existing detached outbuilding/shed.

4.0 THE PROPOSAL

- 4.1 The application proposes a single storey extension to the rear measuring approx. 3.0m in length x 4.95m in width x 3.5m in total height.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 2010/1379/FUL - Erection of 3 detached dwellings with attached garage to Plots 2 and 3 and new vehicular/pedestrian access – Granted.

6.0 CONSULTEE RESPONSES

- 6.1 None received.

7.0 OTHER REPRESENTATIONS

- 7.1 None received.

8.0 SUPPORTING INFORMATION

- 8.1 None.

9.0 RELEVANT PLANNING POLICIES

- 9.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan 2012-2027 DPD provide the policy framework against which the development proposals will be assessed.

National Planning Policy Framework

West Lancashire Local Plan Policies

GN1 - Settlement Boundaries

GN3 - Criteria for Sustainable Development

Supplementary Planning Document - Design Guide (January 2008)

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

- 10.1 The main considerations for this application are

Design;
Impact on residential amenity.

Design

- 10.2 The NPPF and Policy GN3 supported by the Council's SPD Design Guide require that development should be of a high quality design, integrate well with its surroundings, promote sustainable development principles and respect its setting.
- 10.3 It is my view that the rear extension has a size, scale, form and external appearance that would not compromise the architectural style or character of the original building. The extension would be constructed in matching brickwork, with a flat roof featuring lantern style roof light. I consider the development is acceptable in terms of its design. As the extension would be single storey and situated to the rear of the property, the proposal would not adversely impact on the street scene and would only be partially visible from the pedestrian approach from Derby Street. On that basis the development complies with the requirements of Policy GN3 in terms of design.

Impact on residential amenity

- 10.4 Policy GN3 of the Local Plan also requires that new development should retain reasonable levels of privacy and amenity for occupiers of the neighbouring properties.
- 10.5 In regards to the proposed rear extension, the existing boundary treatments to the rear and side of the property are close boarded timber fencing varying in height approx. 1.6m – 1.8m. There are also a number of trees and shrubs within the neighbouring properties which provide some screening. There is a proposed side window on the north facing elevation which would be directed towards the rear gardens of No. 92 & 94 Derby Street but given the single storey nature of the proposal, the distance from the boundary and the existing boundary treatments I do not consider there would be any significant impact on amenity to these neighbouring properties.
- 10.6 The neighbouring property at 5 Greetby Walk would be most affected as the development would project 3 metres beyond its rear elevation. Given the flat roof design and limited projection, I consider this relationship to be acceptable. In my opinion, due to its size, location and site orientation, the proposed rear extension would not cause any significant overshadowing, overlooking or dominance to any neighbouring properties. I therefore

consider that the proposal complies with policy GN3 in the Local Plan in that satisfactory privacy and amenity for occupiers of the neighbouring properties would be maintained.

11.0 CONCLUSION

11.1 The proposed extension will not be harmful to either residential or visual amenity and complies with the relevant policies in the NPPF and the West Lancashire Local Plan 2012-27 Development Plan Document.

12.0 RECOMMENDATION

12.1 That planning permission be GRANTED subject to the following conditions and reasons:

Conditions

1. The development must be begun not later than the expiration of three years beginning with 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. The development hereby approved shall be carried out in accordance with details shown on the following plans:
Plan reference 'Existing & Proposed Elevations, Floor Plans, 3D Views & Site Plans - Dwg No: 394.10-001' received by the Local Planning Authority on 27th October 2020.
Reason: For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
3. The materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing building in type, size, colour and texture. If the applicant or developer has any doubts as to whether the proposed materials do match they should check with the Local Planning Authority before commencement of the building works.
Reason: To ensure that the external appearance of the building(s) is satisfactory and that the development therefore complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

Reason for Approval

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policy/Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:

GN1 - Settlement Boundaries
GN3 - Criteria for Sustainable Development

together with Supplementary Planning Guidance and all relevant material considerations. The Local Planning Authority considers that the proposal complies with the relevant Policy criteria and is acceptable in the context of all relevant material considerations as set out in the Officer's Report. This report can be viewed or a copy provided on request to the Local Planning Authority.

Agenda Item 7c

No.3	APPLICATION NO.	2020/0800/FUL
	LOCATION	6 East Mead Aughton Ormskirk Lancashire L39 5ES
	PROPOSAL	Single storey extension to rear and a two storey extension to side with an attic conversion.
	APPLICANT	Mrs Diane Hall
	WARD	Aughton And Downholland
	PARISH	Aughton
	TARGET DATE	24th November 2020

1.0 DEFERRAL

- 1.1 This application was to be determined under the Council's delegation scheme, however, Councillor O'Toole requested it be referred to Committee to consider the impact on amenity of the adjacent residential properties. The application was considered at Planning Committee on 3rd December 2020 where it was deferred to ask the applicant to reconsider the need for a rear facing dormer window in the position shown on the submitted plans.
- 1.2 The applicant has been approached and made aware of the Committee's request. However the applicant has confirmed that she wishes the application to be determined on the basis of the plans as submitted.
- 1.3 As Members were advised at December Committee, this is not unreasonable as the dormer is permitted development by virtue of Class B of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended. **Therefore, the applicant does not require planning permission to construct the rear dormer.**

2.0 SUMMARY

- 2.1 This application is for the erection an extension to the side and rear of a semi-detached bungalow and an attic conversion. Given the size, design and position of the extensions and proposed attic conversion works, I am satisfied there would not be any significant detrimental impact upon neighbouring amenity. I also consider the overall design and parking requirements are acceptable and compliant with the relevant policies of the Local Plan.

3.0 RECOMMENDATION: APPROVE subject to conditions

4.0 THE SITE

- 4.1 The application relates to a semi-detached bungalow on the north side of East Mead. The property is flanked by residential property to the north, east and west elevations. A driveway on the east elevation leads to an attached flat roof garage.

5.0 THE PROPOSAL

- 5.1 The application proposes a rear single storey extension and two storey side extension with attic conversion.

6.0 PREVIOUS RELEVANT DECISIONS

- 6.1 None.

7.0 CONSULTEE RESPONSES

7.1 Parish Council (29/10/20)

No comments.

7.2 Environmental Health (27/09/20)

A contaminated land assessment will not be required.

8.0 OTHER REPRESENTATIONS

8.1 The Council has received 2 letters objecting to the proposal on the following grounds:

Proposed rear dormer would result in a loss of privacy to gardens and conservatory at adjoining property;

Plans do not show proposed boundary fencing;

Potential loss of light and overlooking;

Difficult to assess full impact of development.

9.0 SUPPORTING INFORMATION

9.1 None.

10.0 RELEVANT PLANNING POLICIES

10.1 The application site is located within a Key Service Centre as designated in the West Lancashire Local Plan Proposal Map.

National Planning Policy Framework (NPPF)

West Lancashire Local Plan 2012-2027 DPD

GN1 – Settlement Boundaries

GN3 – Criteria for Sustainable Development

EN2 – Preserving and Enhancing West Lancashire's Natural Environment

IF2 – Enhancing Sustainable Transport Choice

Supplementary Planning Document – Design Guide (January 2008)

11.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

11.1 The main considerations for the determination of this application are;

Design / appearance;

Impact upon neighbouring properties;

Highways / parking.

Visual appearance / design / character of area

11.2 The character of East Mead is varied and has a mixture of detached and semi-detached houses and bungalows.

11.3 The SPD, Design Guide advises that extensions should largely appear subservient in scale to the existing dwelling. The proportions, external appearance and materials of an extension should match the architectural style of the existing property and draw on the characteristics of the wider area.

- 11.4 The main impact on visual amenity is the introduction of a side extension. The visual appearance and design of the proposed side extension is considered acceptable and the proposed extension would be set back from the front elevation.
- 11.5 The proposed rear extension is acceptable in design terms and would not be viewed from the streetscene.
- 11.6 In the circumstances described, I consider the proposed extensions are compliant with Policy GN3 in the West Lancashire Local Plan and SPD Guide on Design.

Impact upon adjoining land uses

- 11.7 Policy GN3 of the Local Plan states that developments should 'retain reasonable levels of privacy, amenity and sufficient garden / outdoor space for occupiers of the neighbouring and proposed properties.'
- 11.8 Concern has been expressed that the proposed extensions would have a detrimental impact upon the residents of neighbouring properties. Some of these concerns relate to the provision of a rear dormer. There are many dormers on the estate and in the vicinity of the site. Some of which have been added since the dwellings were originally constructed. The proposed rear dormer would be permitted development under Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended. The applicant does not require planning permission to install the dormer and therefore its impact on the amenity of neighbouring properties cannot be considered as part of this application.
- 11.9 The former rear extension adjacent to 8 East Mead has now been demolished and would be replaced with a new single storey extension. This would measure approximately 2 metres in depth along the party boundary with 8 East Mead with a height of approximately 2.4 metres with lantern style roof. I am satisfied the extension would not result in a significant loss of light or poor outlook to residents at 8 East Mead.
- 11.10 The proposed single storey side and rear extension on the east elevation would replace an existing flat roof garage. The proposed extension would be set back approximately 1.2 metres from the front elevation and project approximately 4 metres past the rear elevation of the original dwelling. The extension would have 2 obscure glazed windows in the side elevation, serving utility room and bathroom. The extension would not be built right up to the party boundary. The adjacent property (4 East Mead) has its main entrance and a bathroom window opposite the proposed development. The separation gap between the proposed extension and 4 East Mead would be in excess of 3m. Whilst there would be some loss of light to 4 East Mead, the bathroom window and main entrance are not main habitable rooms. Therefore the proposal would comply with the Local Plan and SPD Design Guide.
- 11.11 The applicant's rear garden measures in excess of 10m and backs onto the rear garden at 14 East Mead. Given the length of the rear garden, I am satisfied there would not be any detrimental impact to residents at 14 East Mead.
- 11.12 Given the size design and position of the proposed extensions, I am satisfied there would not be any significant loss of amenity to residents at neighbouring properties from poor outlook, loss of light and loss of privacy. I am satisfied that the proposal accords with Policy GN3 of the Local Plan in this regard.

Highways / parking

- 11.13 Policy IF2 of the Local Plan sets out parking standards for new developments based on the number of bedrooms within a property. The proposal is for a 3 bedroom dwelling and would require 2 off road car parking spaces. I have attached a condition requiring the applicant to provide 2 off road car parking spaces before the proposed development is brought into use. Subject to this condition, I am satisfied the proposal accords with Policy IF2 in the Local Plan.

Summary

- 11.14 I consider the proposed development acceptable and the details accord with Policies GN3 and IF2 and advice given in the Council's SPD Design Guide.

12.0 RECOMMENDATION

- 12.1 That planning permission be GRANTED subject to the following conditions

Conditions

1. The development must be begun not later than the expiration of three years beginning with 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. The development hereby approved shall be carried out in accordance with details shown on the following plans:
Plan reference 672-01; 672-02; 672-03; 672-04 received by the Local Planning Authority on 04/09/20
Reason: For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
3. The materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing building in type, size, colour and texture. If the applicant or developer has any doubts as to whether the proposed materials do match they should check with the Local Planning Authority before commencement of the building works.
Reason: To ensure that the external appearance of the building(s) is satisfactory and that the development therefore complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
4. No part of the development hereby permitted shall be used or occupied until the proposed windows on the east elevation have been glazed with obscure glass to a degree sufficient to conceal or hide the features of all physical objects from view (level 4). The window shall be fixed shut or top hung and shall be retained as such with level 4 obscure glazing at all times thereafter.
Reason: To protect the privacy and amenity of adjacent residential properties and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent Orders or statutory provision re-enacting the provisions of these Orders no window or openings shall be

added to the property (in the east elevation) until details of the positioning, size and design have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the privacy and amenity of adjacent residential properties and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

6. Prior to the extensions hereby permitted being brought into use, 2 car parking spaces shall be provided on site in accordance with plans which have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt any additional hardsurfacing required shall be permeable or provision shall be made to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage. Details of surfacing shall be provided on the submitted drawings.

Reason: In the interest of residential amenity and highway safety and to comply with Policies IF2 and GN3 in the West Lancashire Local Plan 2012 to 2027.

Reason for Approval

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policy/Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:

GN1 - Settlement Boundaries

GN3 - Criteria for Sustainable Development

EN2 - Preserving and Enhancing West Lancashire's Natural Environment

IF2 - Enhancing Sustainable Transport Choice

together with Supplementary Planning Guidance and all relevant material considerations. The Local Planning Authority considers that the proposal complies with the relevant Policy criteria and is acceptable in the context of all relevant material considerations as set out in the Officer's Report. This report can be viewed or a copy provided on request to the Local Planning Authority.

Agenda Item 7d

No.4	APPLICATION NO.	2020/0837/FUL
	LOCATION	Sydney Huyton And Son 71 - 75 Town Green Lane Aughton Ormskirk Lancashire L39 6SE
	PROPOSAL	Sub-division of existing shop into 3 No Units (Class E) including internal and external alterations along with conversion of dwelling accommodation into 3 No self-contained flats.
	APPLICANT	Mr Ian Mercer
	WARD	Aughton And Downholland
	PARISH	Aughton
	TARGET DATE	7th January 2021

1.0 REFERRAL

- 1.1 This application was to be determined under the Council's delegation scheme, however, Councillor O'Toole has requested it be referred to Committee to consider local parking implications.

2.0 SUMMARY

- 2.1 The proposed development has been amended since first submission and takes account of recent changes in the Town and Country Planning (Use Classes Order). The proposal involves the subdivision of a former retail unit at ground floor level into 3 separate commercial units (Class E). Changes to the external appearance of the building are proposed which include changing the shop frontages and fenestration alterations which are in keeping with the character of the building. Conversion works to the existing dwelling accommodation to provide 3 no self-contained flats (2 bed) are also proposed which are acceptable in this sustainable settlement location. The development is considered to be acceptable in principle and would not have a significant detrimental impact on highway conditions in the vicinity of the site, visual or residential amenity.

3.0 RECOMMENDATION: **APPROVE subject to conditions.**

4.0 THE SITE

- 4.1 The application site relates to 71-75 Town Green Lane, Aughton, which is currently occupied at ground floor level by an existing retail unit (formally occupied by S Huyton & Sons) and two residential units, one first floor flat and one part ground floor/part first floor dwelling.
- 4.2 The application site is located within a small village centre / local centre as designated in the West Lancashire Local Plan Proposal Map.
- 4.3 The application site is adjacent to no. 69 Town Green Lane which is also within the parade of shops and benefits from planning permission for the change of use of the premises from its former retail use to a bar serving food (planning application reference 2019/0896/FUL). The former Cockbeck Tavern opposite the site to the north has been converted to a retail Co-op store.
- 4.4 To the south (rear) of the site is an area of land that also benefits from a recent planning permission for four detached dwelling houses (application reference 2019/1311/FUL). Planning permission has also been granted recently to the rear of the site for parking provision following the demolition of an existing outbuilding (application reference

2019/1306/FUL). The general surrounding area is residential with Town Green Railway Station within close walking distance of the site.

5.0 THE PROPOSAL

- 5.1 Planning permission is sought for the sub-division of the existing (vacant) retail shop into 3 No Units (Class E) including internal and external alterations along with the conversion of existing residential accommodation into 3 No self-contained flats.
- 5.2 The application has been amended since first submission which originally sought planning permission for the sub-division of the existing shop and change of use of Unit 1 to a Cafe and Unit 3 to a micro pub. Unit 2 was to remain as a retail unit. Use Class E of the Use Classes Order 1987 (as amended) was introduced on 1st September 2020 and covers the former use classes of A1 (shops), A2 (financial and professional), A3 (restaurants and cafes) as well as parts of D1 (non-residential institutions) and D2 (assembly and leisure) and puts them all into one new use class.
- 5.3 The previous authorised use of the site for retail purposes now falls within Class E. Therefore, commercial uses proposed within the new Use Class E do not constitute development.
- 5.4 On this basis, it is considered that at ground floor level, planning permission is not required for the use of the existing retail unit for any uses falling under Class E as proposed. The application no longer includes the provision for a micro-pub. This application is for the external works which will facilitate the subdivision of the former shop to three Class E commercial units, which will replicate the original pattern of development on the site.
- 5.5 It is also proposed to carry out conversion works to the existing dwelling accommodation to provide 3 no self-contained flats (2 bed). At present, there is an existing flat at first floor level at number 71 Town Green Lane. The proposal would retain this dwelling and seek to provide a single flat above number 73, a first floor flat above number 75 and a ground floor flat to the rear of number 75. Four residential units would therefore be provided on the site.
- 5.6 External alterations include a re-formed door way and the installation of a new door frame to the front of no. 71 and to the front and rear of no.73. To the side elevation of no. 75, it is proposed to take down the existing chimney and form a new window opening.

6.0 PREVIOUS RELEVANT DECISIONS

- 6.1 2019/1306/FUL - Formation of car park following demolition of outbuildings. Granted.
- 6.2 2019/1019/FUL (71/71A Town Green Lane) - Conversion of ground floor retail space and 1st floor flat to form 1 no. dwelling including erection of porch and front boundary wall, and internal and external alterations. Withdrawn.
- 6.3 1992/1196 - Single storey rear extension to provide toilets, rest room and office. Granted 01.02.1993.

7.0 CONSULTEE RESPONSES

- 7.1 Highway Authority (Lancashire County Council) (26/10/2020) and (27/11/2020) - No objection in principle to this application and is of the opinion that the change of use would

not have a severe impact on highway safety or capacity within the immediate vicinity of the site.

7.2 Environmental Health (11/11/2020) – No objections.

7.3 Network Rail (08/10/2020) - The applicant must ensure that there is provision for waste disposal to ensure no rubbish is dumped on railway land or the station area.

8.0 OTHER REPRESENTATIONS

8.1 Representations have been received from neighbouring properties, objecting to the proposals on the grounds of:

Do not want to see another licenced property in Aughton;
There is not 'local' demand for any additional drinking establishments;
Noise;
Public nuisance and anti-social behaviour;
Limited parking provision;
Smell of smoke, food;
Light pollution;
Increase in litter;
Loss of amenity;
Traffic and congestion.

8.2 A representation has also been made by a local resident who supports the application:

Development is what Town Green needs to stay alive as community not just for a place for people to reside;
There are other successful establishments in the area;
Provide jobs;
Closing time of 10pm for microbrewery is highly unlikely to cause anti-social behaviour;
Opening hours of café should be re-considered to be able to serve commuters early in the morning;
Have no concerns in relation to noise, increased parking impact or general nuisance.

8.3 Aughton Parish Council (05/11/2020) – Concerns in relation to:

Car parking spaces;
The Parish Council Car Park off Winifred Lane would not be able to accommodate/be made available for the increased use from the proposed development (some of which would be longer stay than the previous commercial use). Any additional car parking would detrimentally affect the authorised usage of the site.

9.0 SUPPORTING INFORMATION

9.1 Noise Impact Assessment and Design Advice (Nova Acoustics, 06/11/2020)

10.0 RELEVANT PLANNING POLICIES

10.1 National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG) and the West Lancashire Local Plan (WLLP) provide the policy framework against which the development proposals will be assessed. The application site is located within a small village centre / local centre and settlement area of Aughton as designated in the West Lancashire Local Plan Proposal Map. The following policies are therefore relevant:

10.2 West Lancashire Local Plan 2012-2027 DPD

Policy SP1- A sustainable development framework for West Lancashire
Policy RS1 – Residential development
Policy GN1 – Settlement Boundaries
Policy GN3 – Criteria for Sustainable Development
Policy IF2 – Enhancing Sustainable Transport Choice
Policy IF3 – Service Accessibility and Infrastructure for Growth
Policy IF1 – Maintaining Vibrant Town and Local Centres

10.3 Supplementary Planning Document – Design Guide (January 2008)

10.4 Supplementary Planning Guidance – For Shop Fronts, Advertisements & Shop Security in West Lancashire (2005)

11.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

11.1 The main areas of consideration in determining this application are:

Principle of development;
Visual appearance/design/layout;
Impact on neighbouring uses;
Highways.

Principle of Development

11.2 In terms of the principle of the development as referred to in section 5.0 above, due to amendments to The Town and Country Planning (Use Classes) Order 1987 on 1st September 2020 previous uses under Use Classes A1/2/3 now fall under new 'Class E' (Commercial, Business and Service). On this basis, planning permission is not required for the use of the former retail unit for any uses included in Use Class E.

11.3 In term of the conversion of the existing dwelling accommodation into 3 No self-contained flats, the space is currently being occupied by a larger residential unit. Policy RS1 'Residential Development' of the WLLP encourages residential development within the settlement boundaries of Aughton. Policy IF1 of the Local Plan which relates to development in local centres is also relevant and encourages uses such as residential above ground floor level. Therefore I consider that in principle the use of the part first floor / part ground floor as three self-contained flats at this site is acceptable.

Visual appearance/design/layout

11.4 Policy GN3 of the adopted WLLP states that proposals for development should be of a high quality design and in keeping with the West Lancashire Design Guide SPD.

11.5 The Council's SPD Design Guide states that new development should be of a scale, mass and built form, which responds to the characteristics of the site and its surroundings. Care should be taken to ensure that buildings do not disrupt the visual amenities of the street scene because of their height, scale or roofline.

11.6 External alterations to the property include a re-formed doorway and the installation of a new door frame to the front of no. 71 and to the front and rear of no.73 to form an entrance to the commercial units. To the side elevation of no. 75, it is proposed to take down the existing chimney and form a new window opening to flat 2.

- 11.7 As a result of the alterations the general layout of the ground floor row of shops is maintained and the two new door openings are consistent with the existing rhythm of the shopfronts, not resulting in any harm to the streetscene. There are no alterations to the first floor openings fronting Town Green Lane. I do not consider the addition of a window to the side elevation and door to the rear of no. 73 would result in any harm to the appearance of the building.
- 11.8 Overall I consider that the development is acceptable in terms of its design and external appearance and complies with Policy GN3 of the Local Plan.

Impact on Neighbouring uses

- 11.9 Policy GN3, criterion iii of the West Lancashire Local Plan (2012-2027) DPD states that any development should retain reasonable levels of privacy, amenity and sufficient garden / outdoor space for occupiers of the neighbouring and proposed properties.
- 11.10 Taking the location of the site into consideration and that there is already residential accommodation at first floor level, I would not foresee a significant impact upon the amenities of the occupants of neighbouring properties as a result of the proposals.
- 11.11 I note representations from neighbouring properties as a result of the consultation exercise, many of which relate to the uses proposed on first submission of the application, including that of a microbrewery. As explained above the proposals to the ground floor have been amended since first submission to include uses solely within the new Class E (Commercial, Business and Service) which do not constitute development and therefore do not require planning permission.
- 11.12 Policy GN3 also seeks to retain satisfactory amenity levels for occupiers of the proposed properties. As there is a mix of uses within the building, commercial and residential, the Council's Environmental Health Officer has recommended an upgraded standard of insulation between areas. This is detailed in the accompanying noise assessment and will be subject to a planning condition.
- 11.13 The submitted noise assessment which accompanies this application provides some background noise levels, however there is no reference made to existing environmental noise such as that from the nearby railway line and station car park which is in close proximity and also road traffic noise. The Council's Environmental Health Officer has recommended the submission of a scheme which provides evidence that guideline noise levels for the internal noise environment for the proposed dwellings can be met, along with any mitigation. An appropriate planning condition is recommended.

Highways

- 11.14 I note representations from local residents which raise concerns in relation to traffic, congestion and parking problems.
- 11.15 The site has recently been granted planning permission under application 2019/1306/FUL for the formation of a car park to the rear of the application building following demolition of outbuildings. This provides four car parking spaces.
- 11.16 The property has an existing retail use with residential accommodation (4 bedroom) to part of the ground floor and 1st floor with no allocated parking provision. The parking provision proposed to serve the proposed development is under the recommended provision of the West Lancashire Local Plan recommendations however, as the site is within a village centre (close to services) and is within walking distance to bus stops and a

train station it is considered that the application site is located within the a sustainable location to warrant an under provision.

11.17 The previously approved application (2019/1306/FUL) will provide limited off street parking, however time limited parking spaces are also located to the front of the site and parking restrictions are in place to control on street parking in the vicinity of the site.

11.18 Lancashire County Council as Highway Authority have been consulted on this application and raise no objection in principle to the development and are of the opinion that the proposals would not have a severe impact on highway safety or capacity within the immediate vicinity of the site.

Summary

11.19 In summary, I consider that proposed development complies with Policies SP1, RS1, GN1, GN3, IF2, IF3 and IF1 of the WLLP and the application is therefore recommended for approval.

12.0 RECOMMENDATION

12.1 That planning permission be GRANTED subject to the following conditions and reasons:

Conditions

1. The development must be begun not later than the expiration of three years beginning with 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. The development hereby approved shall be carried out in accordance with details shown on the following plans:
Plan reference 1672 / 02B received by the Local Planning Authority on 12/11/2020
Plan reference 1672 / 04 received by the Local Planning Authority on 18/09/2020
Reason: For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
3. The sound insulation scheme to the walls and floors adjoining residential accommodation (flats 2 - 4) shall be installed to meet a minimum of 53dB DnT,w+Ctr as detailed in the Entertainment Noise Impact Assessment and Design Advice document (dated 6.11.2020 Project Ref No 5178WS), prior to the dwellings being occupied and shall thereafter be so retained.
Reason: To safeguard residents from noise and disturbance and to comply with Policy GN3 in the West Lancashire Local Plan 2012 - 2027 Development Plan Document.
4. Development shall not begin until a scheme for protecting the proposed dwellings from existing external noise from the railway line, railway station car park area and road traffic noise has been submitted to and approved by the Local Planning Authority; and all works which form part of the scheme shall be completed before any of the permitted dwellings are occupied. This scheme shall demonstrate that the following standards are met at and within the proposed development-
LAeq 35 dB 16 hours - indoors daytime
LAeq 30 dB 8 hours - indoors night-time (23.00-07.00)
LAFmax 45 dB (8 hours - indoors night-time (23.00-07.00)
LAFmax 45 dB 4 hours - indoors evening (19.00-23.00)

Reason: To safeguard residents from noise and disturbance and to comply with Policy GN3 in the West Lancashire Local Plan 2012 - 2027 Development Plan Document.

Reason for Approval

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:

Policy SP1- A sustainable development framework for West Lancashire

Policy RS1 – Residential development

Policy GN1 – Settlement Boundaries

Policy GN3 – Criteria for Sustainable Development

Policy IF2 – Enhancing Sustainable Transport Choice

Policy IF3 – Service Accessibility and Infrastructure for Growth

Policy IF1 – Maintaining Vibrant Town and Local Centres

together with Supplementary Planning Guidance and all relevant material considerations. The Local Planning Authority considers that the proposal complies with the relevant Policy criteria and is acceptable in the context of all relevant material considerations as set out in the Officer's Report. This report can be viewed or a copy provided on request to the Local Planning Authority.

