



Jacqui Sinnott-Lacey
Chief Operating Officer

52 Derby Street
Ormskirk
West Lancashire
L39 2DF

Wednesday, 31 August 2022

**TO: COUNCILLORS D O'TOOLE, J FINCH, M ANDERSON, A BLUNDELL,
A FOWLER, P HOGAN, J HOWARD, G JOHNSON, G OWEN,
E POPE, J THOMPSON, MRS J WITTER AND 1 VACANCY
(INDEPENDENT MEMBER)**

Dear Councillor,

A meeting of the **PLANNING COMMITTEE** will be held in the **COUNCIL CHAMBER - 52 DERBY STREET, ORMSKIRK, L39 2DF** on **THURSDAY, 8 SEPTEMBER 2022** at **7.00 PM** at which your attendance is requested.

Yours faithfully

A handwritten signature in black ink, appearing to be "JS", written over a faint 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
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.) | 49 - 50 |
| 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
To receive as a correct record the minutes of the meeting held on the 28 July 2022. | 51 - 54 |
| 7. | PLANNING APPLICATIONS
To consider the following reports of the Corporate Director of Place and Community in respect of planning applications for:- | |
| 7a | 2021/1420/FUL - RING O'BELLS PUBLIC HOUSE, RING O'BELLS LANE, LATHOM | 55 - 70 |
| 7b | 2022/0455/FUL - 10 OLD RECTORY GREEN, AUGHTON | 71 - 80 |

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

FIRE EVACUATION 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

**FIRE EVACUATION PROCEDURE FOR:
COUNCIL MEETINGS WHERE OFFICERS ARE PRESENT
(52 DERBY STREET, ORMSKIRK)**

PERSON IN CHARGE:	Most Senior Officer Present
ZONE WARDEN:	Member Services Officer / Lawyer
DOOR WARDEN(S)	Usher / Caretaker

IF YOU DISCOVER A FIRE

1. Operate the nearest **FIRE CALL POINT** by breaking the glass.
2. Attack the fire with the extinguishers provided only if you have been trained and it is safe to do so. **Do not** take risks.

ON HEARING THE FIRE ALARM

1. Leave the building via the **NEAREST SAFE EXIT**. **Do not stop** to collect personal belongings.
2. Proceed to the **ASSEMBLY POINT** on the car park and report your presence to the **PERSON IN CHARGE**.
3. **Do NOT** return to the premises until authorised to do so by the **PERSON IN CHARGE**.

NOTES:

Officers are required to direct all visitors regarding these procedures i.e. exit routes and place of assembly.

The only persons not required to report to the Assembly Point are the Door Wardens.

CHECKLIST FOR PERSON IN CHARGE

1. Advise other interested parties present that you are the person in charge in the event of an evacuation.
2. Make yourself familiar with the location of the fire escape routes and inform any interested parties of the escape routes.
3. Make yourself familiar with the location of the assembly point and inform any interested parties of that location.
4. Make yourself familiar with the location of the fire alarm and detection control panel.
5. Ensure that the zone warden and door wardens are aware of their roles and responsibilities.
6. Arrange for a register of attendance to be completed (if considered appropriate / practicable).

IN THE EVENT OF A FIRE, OR THE FIRE ALARM BEING SOUNDED

1. Ensure that the room in which the meeting is being held is cleared of all persons.
2. Evacuate via the nearest safe Fire Exit and proceed to the **ASSEMBLY POINT** in the car park.
3. Delegate a person at the **ASSEMBLY POINT** who will proceed to **HOME CARE LINK** in order to ensure that a back-up call is made to the **FIRE BRIGADE**.
4. Delegate another person to ensure that **DOOR WARDENS** have been posted outside the relevant Fire Exit Doors.

5. Ensure that the **ZONE WARDEN** has reported to you on the results of his checks, **i.e.** that the rooms in use have been cleared of all persons.
6. If an Attendance Register has been taken, take a **ROLL CALL**.
7. Report the results of these checks to the Fire and Rescue Service on arrival and inform them of the location of the **FIRE ALARM CONTROL PANEL**.
8. Authorise return to the building only when it is cleared to do so by the **FIRE AND RESCUE SERVICE OFFICER IN CHARGE**. Inform the **DOOR WARDENS** to allow re-entry to the building.

NOTE:

The Fire Alarm system will automatically call the Fire Brigade. The purpose of the 999 back-up call is to meet a requirement of the Fire Precautions Act to supplement the automatic call.

CHECKLIST FOR ZONE WARDEN

1. Carry out a physical check of the rooms being used for the meeting, including adjacent toilets, kitchen.
2. Ensure that **ALL PERSONS**, both officers and members of the public are made aware of the **FIRE ALERT**.
3. Ensure that **ALL PERSONS** evacuate **IMMEDIATELY**, in accordance with the **FIRE EVACUATION PROCEDURE**.
4. Proceed to the **ASSEMBLY POINT** and report to the **PERSON IN CHARGE** that the rooms within your control have been cleared.
5. Assist the **PERSON IN CHARGE** to discharge their duties.

It is desirable that the **ZONE WARDEN** should be an **OFFICER** who is normally based in this building and is familiar with the layout of the rooms to be checked.

INSTRUCTIONS FOR DOOR WARDENS

1. Stand outside the **FIRE EXIT DOOR(S)**
2. Keep the **FIRE EXIT DOOR SHUT**.
3. Ensure that **NO PERSON**, whether staff or public enters the building until **YOU** are told by the **PERSON IN CHARGE** that it is safe to do so.
4. If anyone attempts to enter the premises, report this to the **PERSON IN CHARGE**.
5. Do not leave the door **UNATTENDED**.

Agenda Item 4

MEMBERS INTERESTS 2012

A Member with a disclosable pecuniary interest in any matter considered at a meeting must disclose the interest to the meeting at which they are present, except where it has been entered on the Register.

A Member with a non pecuniary or pecuniary interest in any business of the Council must disclose the existence and nature of that interest at commencement of consideration or when the interest becomes apparent.

Where sensitive information relating to an interest is not registered in the register, you must indicate that you have an interest, but need not disclose the sensitive information.

Please tick relevant boxes

Notes

	General		
1.	I have a disclosable pecuniary interest.	<input type="checkbox"/>	You cannot speak or vote and must withdraw unless you have also ticked 5 below
2.	I have a non-pecuniary interest.	<input type="checkbox"/>	You may speak and vote
3.	<p>I have a pecuniary interest because</p> <p>it affects my financial position or the financial position of a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest</p> <p>or</p> <p>it relates to the determining of any approval consent, licence, permission or registration in relation to me or a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest</p>	<input type="checkbox"/> <input type="checkbox"/>	<p>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</p> <p>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</p>
4.	<p>I have a disclosable pecuniary interest (Dispensation 20/09/16) or a pecuniary interest but it relates to the functions of my Council in respect of:</p> <p>(i) Housing where I am a tenant of the Council, and those functions do not relate particularly to my tenancy or lease.</p> <p>(ii) school meals, or school transport and travelling expenses where I am a parent or guardian of a child in full time education, or are a parent governor of a school, and it does not relate particularly to the school which the child attends.</p> <p>(iii) Statutory sick pay where I am in receipt or entitled to receipt of such pay.</p> <p>(iv) An allowance, payment or indemnity given to Members</p> <p>(v) Any ceremonial honour given to Members</p> <p>(vi) Setting Council tax or a precept under the LGFA 1992</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>You may speak and vote</p> <p>You may speak and vote</p> <p>You may speak and vote</p> <p>You may speak and vote</p> <p>You may speak and vote</p>
5.	A Standards Committee dispensation applies (relevant lines in the budget – Dispensation 15/09/20 – 14/09/24)	<input type="checkbox"/>	See the terms of the dispensation
6.	I have a pecuniary interest in the business but I can attend to make representations, answer questions or give evidence as the public are also allowed to attend the meeting for the same purpose	<input type="checkbox"/>	You may speak but must leave the room once you have finished and cannot vote

‘disclosable pecuniary interest’ (DPI) means an interest of a description specified below which is your interest, your spouse’s or civil partner’s or the interest of somebody who you are living with as a husband or wife, or as if you were civil partners and you are aware that that other person has the interest.

Interest

Employment, office,
trade, profession or
vocation

Prescribed description

Any employment, office, trade, profession or vocation carried on for profit or gain.

Sponsorship

Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.

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	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.

PLANNING COMMITTEE

HELD: Thursday, 28 July 2022

Start: 7.00 p.m.

Finish: 7.46 p.m.

PRESENT:

Councillor: D O'Toole (Chairman)

Councillors:	M Anderson	E Pope
	A Blundell	G Owen
	P Burnside	J Thompson
	A Fennell	D Westley
	G Johnson	Mrs J Witter
	R Molloy	

In attendance: Councillor J Howard (North Meols Ward)

Officers: Steve Faulkner – Planning Services Manager
Kate Jones – Planning Services Team Leader
Judith Williams – Assistant Solicitor
Jill Ryan – Senior Democratic Services Officer

9 APOLOGIES

There were no apologies for absence received.

10 MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, the Committee noted the termination of Councillors J Finch, J Howard and A Fowler and the appointments of Councillors P Burnside, D Westley and R Molloy for this meeting only, thereby giving effect to the wishes of the Political Groups.

11 URGENT BUSINESS, IF ANY INTRODUCED BY THE CHAIRMAN

There were no items of urgent business received.

12 DECLARATIONS OF INTEREST

There were no Declarations of Interest received.

13 DECLARATIONS OF PARTY WHIP

There were no Declarations of Party Whip.

14 MINUTES

RESOLVED: That the minutes of the meeting held on the 25 May 2022 be approved as a correct record and signed by the Chairman.

15 PLANNING APPLICATIONS

Consideration was given to the reports of the Corporate Director of Place and Community as contained on pages 25 of the 45 Book of Reports.

(Note: 1. An Objector spoke in connection with planning application 2022/0212/FUL relating to Land to the West of Todds Lane, Banks.

2. In accordance with Regulatory Procedure Rule 7(a) Councillor J Howard spoke as a Ward Councillor in connection with planning application 2022/0212/FUL relating to Land to West of Todds Lane, Banks.)

16 2022/0212/FUL - LAND TO THE WEST OF TODDS LANE, BANKS

The Corporate Director of Place and Community submitted a report on planning application 2022/0212/FUL relating to land to the West of Todds Lane, Banks.

RESOLVED: That planning application 2022/0212/FUL relating to Land to the West of Todds Lane Banks be refused for the following reason:

That the proposed design of the development would, by reason of its, scale massing and design, result in a cramped form of development which would be out of character with the area and be detrimental to the visual amenities of the street scene contrary to Policy GN3 of the West Lancashire Local Plan and the Supplementary Planning Document - Design Guide.

17 2022/0107/FUL - MOSSHOLM, 36 WARPERS MOSS LANE, BURSCOUGH

The Corporate Director of Place and Community submitted a report on planning application 2022/0107/FUL relating to Mossholm, 36 Warpers Moss Lane, Burscough.

RESOLVED: That planning application 2022/0107/FUL relating to Mossholm, 36 Warpers Moss Lane, Burscough be approved subject to the conditions and reasons as set out on pages 43 to 45 of the Book of Reports and with an additional condition and reason as set out below:

Additional Condition

That the development hereby permitted shall only be used for purposes ancillary to the enjoyment of the existing residential dwelling and no trade or business shall be carried out from the building at any time.

Reason:

To safeguard the amenities of occupants of existing dwellings located in the vicinity of the application site and to comply with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document

.....
Chairman



PLANNING COMMITTEE: 8 September 2022

Report of: Corporate Director of Place & Community

Contact for further information:

Nicola Cook (Extn. 5140) (E-mail: nicola.cook@westlancs.gov.uk)

SUBJECT: PLANNING APPLICATION REF. 2021/1420/FUL

PROPOSAL: Erection of part single / part two storey extension to north elevation. Alterations and resurfacing of car park adjacent to canal. Alterations to main vehicular entrance and closing of 2nd vehicular entrance. Installation of play equipment. Creation of hardstanding and installation of 2no. shipping containers to accommodate third party stalls/vendors. Associated landscaping and hardstanding works including provision of bicycle parking.

ADDRESS: Ring O'Bells Public House, Ring O'Bells Lane, Lathom

Wards affected: Newburgh

1.0 PURPOSE OF THE REPORT

- 1.1 To advise Planning Committee on an application which seeks planning permission for Erection of part single / part two storey extension to north elevation. Alterations and resurfacing of car park adjacent to canal. Alterations to main vehicular entrance and closing of 2nd vehicular entrance. Installation of play equipment. Creation of hardstanding and installation of 2no. shipping containers to accommodate third party stalls/vendors. Associated landscaping and hardstanding works including provision of bicycle parking.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

- 2.1 Refuse planning permission
-

3.0 THE SITE

- 3.1 The site is located to the north-west of Ring O'Bells Lane and north of the canal. The site comprises a two storey building which was last in as a public house, a children's play area and car parking surrounded by grassed areas. There is a single garage located adjacent to the main car park.
- 3.2 The building has been unused for some time but is not considered to be derelict or in a poor condition. Public footpath no. 81 runs north to south through the site close to the existing building.

4.0 PROPOSAL

- 4.1 The application proposes the erection of part single / part two storey extension to the north elevation of the existing building. Various works within the grounds of the building are also proposed: Alterations and resurfacing of car park adjacent to canal. Alterations to main vehicular entrance and closing of 2nd vehicular entrance. Installation of play equipment. Creation of hardstanding and installation of 2no. shipping containers to accommodate third party stalls/vendors. Associated landscaping and hardstanding works including provision of bicycle parking.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 2020/0935/FUL - Change of use of land and replacement of the existing building to that of a wedding venue (sui generis) - Refused 24/05/21
- 5.2 1993/1071 - Internal alterations and single storey rear extension to provide dining/play area - Granted 13/01/94
- 5.3 1989/0086 - Single storey extensions to dining facilities and new toilet facilities - Granted

6.0 OBSERVATIONS OF CONSULTEES

- 6.1 Cadent Gas - No objection, Recommend informative note
- 6.2 Canal and River Trust (08/02/22) - Note that landscaping works are proposed to widen the existing vehicular parking area adjacent to the canal. Works in close proximity to a canal and embankment have the potential to adversely affect the stability of canal infrastructure. To address this concern, we request that a risk assessment and method statement should be provided. This could be reserved by the use of an appropriately worded condition.

The application proposes the discharge of surface water although it is unclear where the existing watercourse is located. Surface water from the car park, were

it to drain into the canal, could have a significant adverse impact on water quality. Full details of foul and surface water should be submitted. Recommend condition in this regard

The canal corridor is a designated wildlife corridor. It does not appear that any preliminary ecological appraisal has taken place. The Council may wish to consider whether further assessment is required

Given the size of the car parking area there is likely to be increased visibility from the canal corridor. If the Council is minded to approve the application, we recommend details of landscaping should be secured by condition.

Recommend informative

- 6.3 Canal and River Trust (07/07/22) - welcome submission of ecological appraisal. reiterate comments made previously and recommend ecological enhancements
- 6.4 MEAS - I advise that the surveys are acceptable. Developments affecting European protected species must be assessed by the Local Planning Authority against three tests set out in the Habitats Regulations prior to determination. The completed three test assessment can be found in Appendix 1. By including the assessment within the Planning Committee / Delegated Powers report shows how the Council has engaged with the Habitats Directive.

Recommend conditions/informatives

- 6.4 LCC Highways (02/02/22 & 24/06/22) - No objection in principle to this application and is of the opinion that the proposed development should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site. If you are minded to approve this application LCC Highways recommend conditions/informatives.

7.0 OTHER REPRESENTATIONS

- 7.1 Cllr Pope - Requests the application be heard at planning committee due to concerns regarding the impact on the Green Belt and the residential amenity of neighbours.
- 7.2 Merseyside and West Lancashire Bat Group - Based on our comments we consider that in order to meet their obligations under the "The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (SI 2019/579" or Local Planning Policy EN2. WLC, do not have a sufficient level of information to determine this application relative to the possible presence of a protected species

- 7.3 Lathom Parish Council (03/02/22) - Request clarification and more details regarding the proposed stalls / third party caterers
- 7.4 Lathom Parish Council (03/07/22) - Object to the above application on the following grounds: inappropriate overdevelopment - new area greater volume than original footprint impact/encroachment on green belt; impact on view/noise on neighbouring properties due to outside and roof top events, especially as requesting licence to 1am on Saturday night/Sunday morning. Impact on character of canal corridor in a heritage area. Possible danger from increase in volume of traffic due to entrance/exit areas.
- 7.5 Letters of representation have been received and can be summarised as follows:
- Support
- Support for the proposal and look forward to what it can bring to the community. Building is historic but currently an eye-sore - welcome the redevelopment.
 - Welcome the proposals as they retain the character of the building whilst giving a long overdue modernisation. Note and welcome the closure of the road entrance closest to the canal bridge as we see the frequent near-misses of vehicles using this access. Request warning signs of the pub entrance on, or on the approach to the bridge itself, as well as some signs reinforcing the speed limit.
 - The play area for children amongst the trees seems a good use of this amenity - consider fencing and seating is needed.
 - Note and value the proposal for the wildflower meadow and the recognition that there is a public footpath crossing the land between Carr Lane and Ring O Bells Lane, hopefully this can become usable again. The refurbishment of the cobbled area adjacent to the canal will be a bonus, and provide an extensive parking area.
 - Support works to redevelop the building but raise concerns regarding the extend of works within the grounds.
 - Consider the Parish Council response to be negative and does not recognise the benefits of the proposal. Do not agree with their points.

Objections

- Lack of information and justification has been provided regarding activities to be held on the new hardstanding areas particularly the shipping containers and proposed stalls. Request more details are provided
- Query the need for the proposed late night opening proposed.
- The use of the area next to the canal as a car park would be development within the greenbelt and a substantial change of use, which again merits proper consideration. A double line of cars parked in that way would, aesthetically, be a significant change to what is presently the access for the single line of cars which park next to the canal retaining wall. Consider this to be encroachment and harm to the openness of the green belt.

- Objection based on the fact that the scale and nature of the proposals are likely to have a detrimental effect on the green belt and the external activity on the site to local amenity.
- Concerns regarding noise from roof terrace and intensification of the use of the site.

8.0 SUPPORTING INFORMATION

- 8.1 Flood Risk Assessment
Emails from agent 21/02/22 & 25/03/22 including Volume Calculations
CGI images of the proposal
Preliminary Ecological Appraisal
Dusk Survey Results

9.0 RELEVANT PLANNING POLICIES

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

The application site is located within the Green Belt as designated in the West Lancashire Local Plan Proposal Map.

- 9.2 National Planning Policy Framework (NPPF)

West Lancashire Local Plan 2012-2027 DPD
SP1 - A Sustainable Development Framework for West Lancashire
GN1 - Settlement Boundaries
GN3 - Criteria for Sustainable Development
EC2 - The Rural Economy
IF2 - Enhancing Sustainable Transport Choice
IF3 - Service Accessibility and Infrastructure for Growth
EN2 - Preserving and Enhancing West Lancashire's Natural Environment
EN4 - Preserving and Enhancing West Lancashire's Cultural and Heritage Assets

Supplementary Planning Document, Design Guide (Jan 2008)

Supplementary Planning Document, Development in the Green Belt (October 2015)

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

- 10.1 The main considerations for this application are:

- i) Principle of development - Green Belt
- ii) Design/Layout
- iii) Impact on residential amenity
- iv) Highways/Public rights of way
- v) Ecology
- vi) Drainage

Principle of development - Green Belt

- 10.2 The National Planning Policy Framework (NPPF) is a key material consideration in assessing the principle of the development. Paragraph 149 in the National Planning Policy Framework states that “A local planning authority should regard the construction of new buildings as inappropriate in Green Belt.” There are 7 exceptions to this rule including c) *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original*”.
- 10.3 The principal of an extension is therefore acceptable however the criteria set out in Policy GB4 of the SPD - Development in the Green Belt must be met. It is considered that criteria a) is met as the existing building is lawful and permanent in nature. Criteria B and C require:
- b) The total volume of the proposal, together with any previous extensions, alterations and non-original outbuildings, would not result in an increase of more than 40% above the volume of the original building.
 - (c) The design of the extension or alteration is in keeping with the original form and appearance of the building and does not materially harm the openness of the Green Belt through excessive scale or bulk, or by virtue of its location. It should also be in keeping with the character of the area and appropriate in terms of design and materials.
- considerat It is not considered that the proposed scheme complies with criteria b) and c) respectively.
- 10.4 The submitted volume calculations provides details of the existing volume of the building but does not provide details of the original volume. Nonetheless the building has previously been extended with large single storey extensions and together with the proposed extension it is considered that the total volume increase would be more than the guideline figure of 40% set out in criteria b). Furthermore, the design of the extension is not in keeping with the original form and appearance of the original public house and together with the previous extensions would not be a subservient addition to the building contrary to the requirements of criteria C.
- 10.5 Paragraph 149 also allows g) *limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*

- *not have a greater impact on the openness of the Green Belt than the existing development; or*
- *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

- 10.6 Having regard to its use, part of the site is considered to be previously developed land and therefore the principal of limited infilling or redevelopment of the site is acceptable. However, the proposal would introduce several new elements scattered around the site and encroach into areas of land which are previously undeveloped. In particular, the addition of play equipment within the northern part of the site would be intrusive and would adversely impact on the openness of the Green Belt. The introduction of shipping containers and an area of hardstanding on which to site third party stalls would also adversely impact on the openness of the Green Belt. It is considered the development would have a greater impact on the opens of the Green Belt than the existing development.
- 10.7 Paragraph 150 states that certain forms of development are not inappropriate development provided they preserve openness and do not conflict with the purposes of including land in the Green Belt. Engineering operations are one such form of development. The hard surfacing of an area adjacent to the canal is considered to be an engineering operation.
- 10.8 At present the parking area is relatively small and narrow and is informally laid out. The surface is mainly stone setts with grassed areas. The proposal would significantly increase the size of the parking area and create a formally laid out space measuring approx. 96m x 16m; an area of more than 1500sqm. The new car parking area would encroachment into areas of the Green Belt which are currently undeveloped thereby conflicting with one of the purposes of including land within the Green Belt.
- 10.9 In addition, the use of the car park is likely to be more intensive than the informal area that is there at present. The proposal is stated to allow patrons of the new uses of the site room to park in addition to the use being mainly for canal users of local visitors. The intensification of the use results in a need for the additional car parking spaces. It is considered that the use of the car park would cause a greater impact on the openness of the Green Belt than the existing small-scale informal use.
- 10.10 In accordance with paragraph 148 when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. It is considered that the proposed development would have an adverse impact on the openness of the Green Belt. It would introduce permanent buildings and structures where none exists now resulting in encroachment and harm to the openness of the Green Belt. Having taken into

account all aspects of the proposal and relevant parts of the NPPF it is considered that the proposed development is contrary to the requirements of the NPPF, Local Plan policy GN1 and the SPD - Development in the Green Belt.

Design/Layout

- 10.10 Policy GN3 of the Local Plan requires all new development to have regard to the visual amenity of the surrounding area and complement or enhance any attractive attributes through sensitive design including appropriate siting, orientation, scale, materials, landscaping and boundary treatments.
- 10.11 In addition, the SPD Design Guide states that new development should be of an overall scale, mass and built form, which responds to the characteristics of the site and its surroundings. Care should be taken to ensure that building(s) height, scale and form, including the roofline, do not disrupt the visual amenities of the streetscene and impact on any significant wider landscape views.
- 10.12 The original building has been heavily extended at ground floor level however these structures have largely been in keeping with the style of the original building. The proposed extension is a large flat roofed extension with terrace above. A two storey element provides access to the terrace together with an external staircase. The ground floor of the extension would also lead out onto a new large, stepped terrace. It is considered that the proposed extension and terrace together with the existing extensions would overwhelm the original building and detract from its character.
- 10.13 The extended car park area adjacent to the canal would formalise what is currently a simple cobbled area. The area is overgrown and sits unobtrusively at the side of the canal. The proposed area would be significantly larger in scale and is expected to accommodate approximately double the number of cars. It would be situated in a prominent position close to the road and would be highly visible to the public when viewing from the canal or canal path. It is considered that the creation of a large area of hardstanding such as this to be used as a car park would not be in keeping with the rural character of the area.
- 10.14 The remainder of the development comprises fairly scattered elements across the site including the shipping containers, play equipment and large area of hardstanding for the siting of stalls. Extensive cycle parking is also proposed to be located at the eastern side of the building where it faces the existing car park. Limited information has been provided with regard to the number, size and design of the stalls. It is considered that cumulatively the proposed buildings, structures and hardstanding would not be in keeping with the existing character and appearance of the site and would be detrimental to the visual amenity of the area.

- 10.15 On that basis it is considered the proposal fails to comply with the requirements of local plan policy GN3.

Impact on residential amenity

- 10.16 Policy GN3 of the West Lancashire Local Plan (2012-2027) DPD allows development provided it retains or creates reasonable levels of privacy, amenity and sufficient garden/outdoor space for occupiers of the neighbouring and proposed properties.
- 10.17 This is a semi - rural area where later in the evening the area is known to be very quiet. The proposed new balcony/terrace will allow people to be seated outside however this is not considered to be significantly harmful, given that there are existing outside seating areas associated with the existing public house. The timings of the use of the balcony could be controlled by condition to ensure that the use of the area did not affect neighbours at quieter times of the day. Similarly, the hours of operation of other external buildings such as the stalls, shipping containers and play equipment could also be controlled by condition.
- 10.18 Having regard to the position and height of the extension/terrace it is considered that it would cause no overshadowing, overlooking or loss of privacy of nearby dwellings. Other aspects of the proposal are for ground level or single storey structures which, due to their positioning, would not adversely impact on nearby dwellings.
- 10.19 Subject to relevant conditions, the proposal is not considered to have any significant adverse impact on the residential amenity of neighbouring properties and therefore complies with the requirements of local plan policy GN3 1(iii).

Highways/Public Rights of Way

- 10.20 Policy GN3 of the West Lancashire Local Plan 2012-2027 DPD states that development should incorporate suitable and safe access and road layout design in line with latest standards. Parking should be provided in accordance with policy IF2.
- 10.21 The Highway Authority have raised no objections in respect of this proposal and no objections have been raised. The Highway Officer recommends conditions to ensure that the development is constructed appropriately but overall considers that the proposed development should have a negligible impact on highway capacity and highway safety within the immediate vicinity of the site. It is considered that suitable parking can be provided in accordance with local plan policy IF2. A condition is also recommended to ensure that suitable electric vehicle charging points are provided to support the development. It is also noted that the public footpath is to be retained. No objection from the Public Rights of Way Officer has been received.

- 10.22 It is considered the proposal complies with the relevant requirements of Local Plan policies GN3 and IF2.

Ecology

- 10.23 Policy EN2 in the Local Plan states development proposals must seek to avoid impacts on significant ecological assets and protect and improve the biodiversity value of sites. If significant impacts on biodiversity are unavoidable, then mitigation or as a last resort, compensation, are required to fully offset impacts.
- 10.24 The application has been accompanied by an Ecological Survey and Assessment including bat surveys which have been considered by the Council's Ecological Consultant, MEAS. The bat survey confirmed that the pub building supports 2no. common pipistrelle day roosts. Developments affecting European protected species must be assessed by the Local Planning Authority against three tests set out in Regulation 55 of the Habitats Regulations 2017. This assessment has been undertaken by the Council's Ecological Consultant:

Test 1: Regulation 55(1)(e): “preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment” The building is not currently in use and has been closed for a number of months. The proposed development will provide employment opportunities during both the construction and operational phases that will be of benefit to the local economy. This test has been met.

Test 2: Regulation 55(9)(a): “that there is no satisfactory alternative” With continued disuse, the condition of the affected building will continue to deteriorate and the existing bat roosts and bat roosting features will be lost. The proposed development will ensure that the building will continue to provide opportunities for roosting bats in perpetuity. This test has been met.

Test 3: Regulation 55(9)(b): “that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range” Mitigation measures have been provided in Section 7.0 of the Dusk Survey Results report (Tyrer Ecological Consultants Ltd, June 2022, Issue 1.0). These include installation of receptor bat roost on nearby tree prior to commencement of works, toolbox talk on bats for construction operatives, destructive search of the roosting features upon the building and the creation of ‘like-for-like’ crevice opportunities recreated for bats at roof level including x2 new bat slates, and x1 new access opportunity at the ridge/hip. Provided that these measures are implemented in full, this test has been satisfied.

- 10.25 Conditions have been recommended, to ensure that the development is undertaken in accordance with the mitigation measures, to require a lighting scheme and to ensure a Natural England licence is obtained for the works, which are considered relevant and necessary. It is considered that an informative note would to satisfactory to advise the developer of their obligations in respect of Reasonable Avoidance Measures and Timings of Works as these matters are covered by legislation outside of the planning regime.
- 10.26 Subject to relevant conditions it is considered that the development would comply with the requirements of Local Plan policy EN2 1 and 2.

Drainage

- 10.27 The submission has been considered by the Council's Drainage Engineer. Matters relating to drainage have also been considered by the Canal and River Trust who raised concerns regarding impact of surface water drainage into the canal. Additional information has been submitted during the course of the application and the Drainage Engineer now considers that the impact on flood risk due to the proposed development will be negligible. The canal is at a higher level than the application site therefore surface water would not drain into the canal.

Trees

- 10.28 Policy EN2 of the Local Plan states that development involving the loss of, or damage to, woodlands or trees of significant amenity, screening, wildlife or historical value will only be permitted where the development is required to meet a need that could not be met elsewhere, and where the benefits of the development clearly outweigh the loss or damage.
- 10.29 The play equipment is proposed to be located within an area of trees located to the rear of the site. The trees provide a backdrop to the site and a boundary between it and the open countryside beyond. The application has not been accompanied by a Tree Survey or assessment of the impact on the trees. It is therefore unclear whether any would need to be removed to accommodate the equipment. Furthermore, it is not possible to determine whether the erection of the equipment would adversely affect roots of trees to be retained thereby resulting in the loss of trees.
- 10.30 On that basis it is considered that the proposal fails to demonstrate that tree of amenity value would be protected and therefore fails to comply with the requirements of Local Plan policy EN3 3.

Minerals Safeguarding Area

- 10.31 The Lancashire County Council Minerals and Waste Site Allocation and Development Management Policies DPD was adopted in September 2013. This plan provides policies for minerals and waste planning in Lancashire. Policy M2 of this document identifies the site as falling within a Minerals Safeguarding Area. Within these areas, planning permission will generally not be granted for any form of development that is incompatible by reason of scale, proximity and permanence with working the minerals found on the land.
- 10.32 The area of the site to be developed with a new buildings and structures has previously been developed. On the remainder of the site the proposal does not include any permanent development which would prejudice the future working of minerals found on the land and is therefore in accordance with Policy M2 of the Lancashire County Council Minerals and Waste Allocation and Development Management Policies DPD.

Very special circumstances

- 10.33 As detailed above it is considered that the proposal would be inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of its inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 10.34 In addition to the identified harm to the Green Belt significant issues with proposed development have been identified including harm to the character of the building and visual amenity of the area together with a lack of information regarding impact on trees of amenity value.
- 10.35 The applicant has not put forward a case for very special circumstances and whilst it is acknowledged the proposal would result in the re-development of the site and provide jobs, it has not been demonstrated why an alternative scheme which does not result in harm to the Green Belt and harm to the character of the building and visual amenity of the area could not be achieved on the site.
- 10.36 It is considered that the benefits of the scheme fail to outweigh either the identified harm to the Green Belt nor the other harms which have been identified.

11.0 CONCLUSION

- 11.1 The proposed extension, new buildings/structures and the large areas of hardstanding are considered to be inappropriate development in the Green Belt. The development would cause an adverse impact on openness and result in encroachment into the Green Belt. The very special circumstances identified are not considered to outweigh the identified harm. There would also be harm to the character of the building and visual amenity of the area and the submission fails

to provide adequate information in regard to impact on trees within the site. The proposal therefore conflicts with the NPPF and Policies GN1, GN3 and EN2 of the Local Plan.

12.0 RECOMMENDATION

12.1 That the application should be **REFUSED** for the following reasons:

- 1) The proposed development conflicts with the NPPF and Policy GN1 in the West Lancashire Local Plan 2012-2027 DPD in that the proposal constitutes inappropriate development resulting in harm to the openness of the Green Belt and would result in encroachment into areas of the countryside which are currently undeveloped. The submission fails to demonstrate very special circumstances sufficient to outweigh the identified harm.
- 2) The proposed development would conflict with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document. By reason of its siting, scale and design the proposed extension together with the existing extensions would not be subservient to and fails to relate well to the character and appearance of the existing building. In addition, the location, size and appearance of the proposed car park adjacent to the canal and the proposed buildings, structures and areas of hardstanding would be detrimental to the character and appearance of the rural locality.
- 3) The submission documentation fails to demonstrate that the development would not cause harm to trees of amenity value and therefore the proposal fails to meet the requirements of Policy EN2 in the West Lancashire Local Plan (2012-2027) Development Plan Document.

13.0 SUSTAINABILITY IMPLICATIONS

13.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder.

14.0 FINANCIAL AND RESOURCE IMPLICATIONS

14.1 There are no significant financial or resource implications arising from this report.

15.0 RISK ASSESSMENT

15.1 The actions referred to in this report are covered by the scheme of delegation to officers and any necessary changes have been made in the relevant risk registers.

16.0 HEALTH AND WELLBEING IMPLICATIONS

16.1 There are no health and wellbeing implications arising from this report.

Background Documents

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

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore, no Equality Impact Assessment is required.

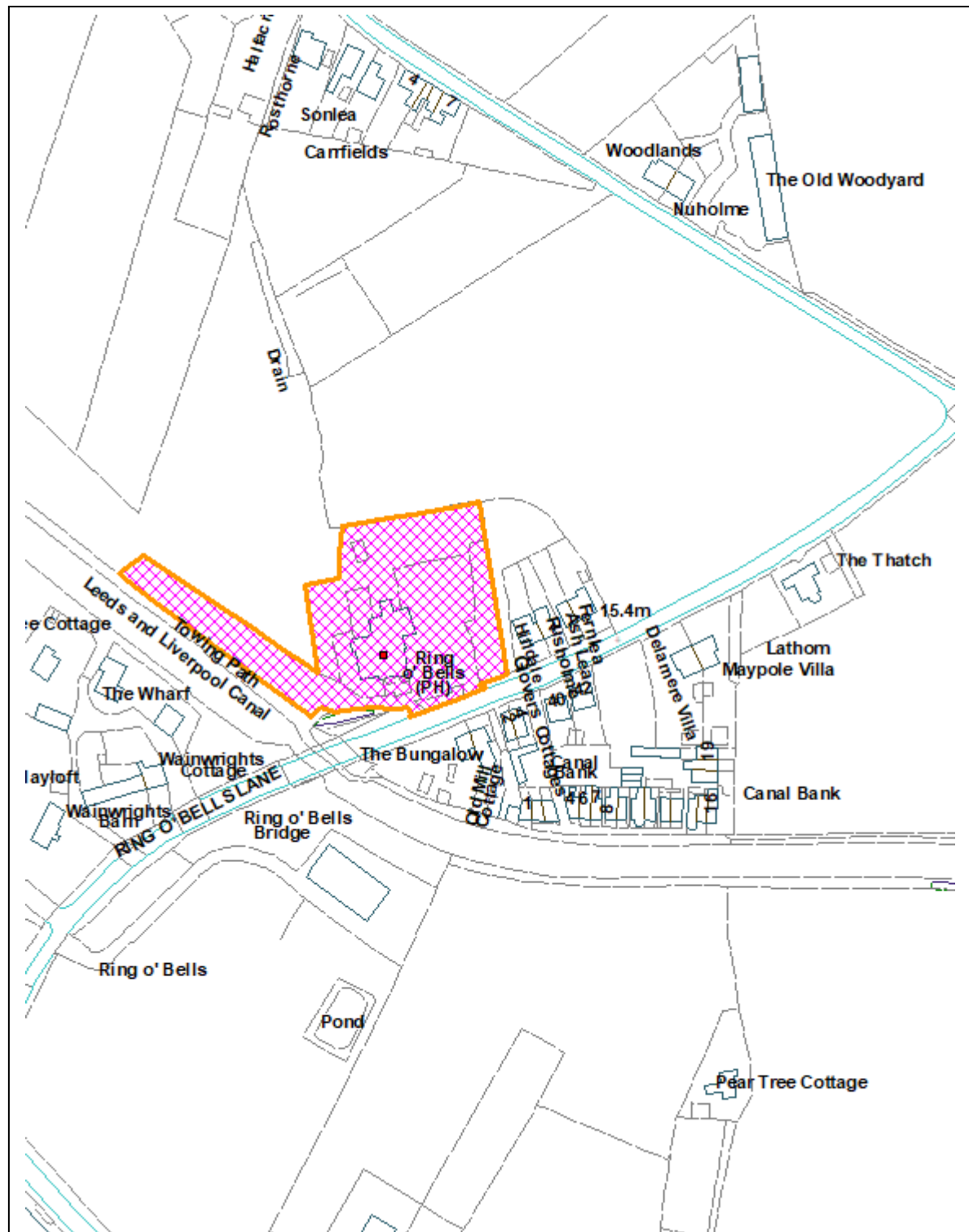
Human Rights

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).

Appendices

None.

Ring O Bells Public House, Ring O Bells Lane, Lathom,
L40 5TE.



Report of: Corporate Director of Place & Community

Contact for further information:

Lisa Kingsbury (Extn. 5070) (E-mail: lisa.kingsbury@westlancs.gov.uk)

SUBJECT: PLANNING APPLICATION REF. 2022/0455/FUL

PROPOSAL: Construction of a single storey flat roof extension, two storey side extension to the rear of the existing garage, a first floor front extension partially over the flat roof garage, a new front porch, alterations to the front elevation (elevational materials and new glazing), roof dormer to the south elevation. Juliet balcony to existing rear first floor window.

ADDRESS: 10 Old Rectory Green, Aughton

1.0 PURPOSE OF THE REPORT

- 1.1 To advise Planning Committee on an application which seeks construction of a single storey flat roof extension, two storey side extension to the rear of the existing garage, a first-floor front extension partially over the flat roof garage, a new front porch, alterations to the front elevation (elevational materials and new glazing), roof dormer to the south elevation. Juliet balcony to existing rear first floor window.
- 1.2 The development is considered acceptable in design terms. The proposal would not lead to an unreasonable loss of light, privacy or amenity for neighbouring properties or have a detrimental impact upon the character of the host building or character of the street scene. The drainage system is outside the footprint of the existing and proposed building and any detailed considerations can be dealt with through the Building Regulations during construction. The application is therefore considered to be compliant with the relevant policies in the NPPF, the adopted West Lancashire Local Plan, and the West Lancashire Design Guide SPD.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

- 2.1 **Approve subject to conditions**
-

3.0 THE SITE

- 3.1 The site relates to a detached two-storey dwellinghouse located to the north-western side of the cul-de-sac of modern residential properties in a mix of styles, the application site is one of three properties of the same style. The property is located within an established residential area of Aughton.

4.0 PROPOSAL

- 4.1 The application seeks planning permission for construction of a single storey flat roof extension, two storey side extension to the rear of the existing garage, a first-floor front extension partially over the flat roof garage, a new front porch, alterations to the front elevation (elevational materials and new glazing), roof dormer to the south elevation. Juliet balcony to existing rear first floor window.

5.0 PREVIOUS RELEVANT DECISIONS

5.1 None

6.0 OBSERVATION OF CONSULTEES

- 6.1 Councils Principal Engineer – No objection raised since clarification of paving of front driveway
- 6.2 Environment Agency – No objections. The applicant should ensure they have all the relevant permissions and consents, should they be considering breaking ground or potentially building near or over the asset.

7.0 OTHER REPRESENTATIONS

- 7.1 Aughton Parish Council – neither objects nor supports application. In view of the issues of culverts and watercourses in this location, members considered the Environment Agency and United Utilities' comments should be considered before any further progress was made. Pre-application engagement would have been helpful prior to submission of the proposal to ensure compliance with Local Plan Policy and the NPPF. An organised site visit is considered desirable to enable the Planning Committee Members to view the cul-de-sac location and the effect on residential amenity, including full discussion on the drainage, culverts, and watercourses.
- 7.2 One letter of representation has been received which can be summarised as:
- Culvert and watercourse run through No. 10
 - Concerns development built close the culvert
 - Old Rectory Green subject to flooding
 - Visual impact on street scene
 - No evidence of local distinctiveness
 - Extensions to the side and dormer do dominate the existing building
 - Not subservient
 - Extensions harm the symmetry and discord in both appearance and materials
 - Original building all but disappeared

8.0 SUPPORTING INFORMATION

8.1 Planning statement (14/04/2022)

9.0 RELEVANT PLANNING POLICIES

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

The application site is located within the small rural village and adjacent the St Michaels Conservation Area as designated in the West Lancashire Local Plan Proposal Map.

9.2 The National Planning Policy Framework (NPPF) relevant sections are:
Chapter 12 – Achieving well designed places.
Chapter 15 – Conserving and enhancing the natural environment

- 9.3 West Lancashire Local Plan 2012-2027 DPD
SP1 – A sustainable Development Framework for West Lancashire
GN1 – Settlement Boundaries
GN3 – Criteria for Sustainable Development
EN2 – Preserving and Enhancing West Lancashire's Natural Environment
EN4 – Preserving and Enhancing West Lancashire's Cultural and Heritage Assets
IF2 – Enhancing Sustainable Transport Choice

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:

- Impact on the character and appearance of the Conservation Area
- Impact on neighbouring properties
- Design and character of area
- Impact on trees
- Highways and Access
- Drainage

Impact on the character and appearance of the Conservation Area

- 10.1 Policy EN 4 (2i) confirms a presumption in favour of the conservation of designated heritage assets. Development will not be permitted that adversely affects listed buildings, a Scheduled Ancient Monument (SAM), a conservation area, historic park or garden or archaeological remains.
- 10.2 The application concerns a modern, 2 storey detached dwelling located within the Old Rectory Green cul-de-sac. Old Rectory Green comprises a mix of detached properties of various type, scale and brick finish. The southern limit of the St. Michael's Conservation Area abuts the north/eastern boundary of the rear gardens of Old Rectory Green, but the properties together with the application site sits outside of the designation.
- 10.3 With consideration to the St. Michael's Conservation Area which comprises the Grade I Listed St Michael's Church, views to the application site would be fleeting at best. The site itself would not be seen in isolation due to the surrounding built development to which it relates and would be physically distanced from the Church due to the large intervening field. There is also an existing band of mature trees which further assists in providing screening to the rear of Old Rectory Green. As such, it is not considered that the proposed works would harm the setting of the Grade 1 Listed St Michael's Church or the wider setting of the Conservation Area. The works would be well contained and would assimilate with the surrounding built form of development and is therefore considered to be compliant with Policy EN4 of the Local Plan and the requirements of the NPPF.

Impact on neighbouring properties

- 10.4 Policy GN3 of the Local Plan states that new development must retain or create reasonable levels of privacy and amenity for occupiers of the proposed and neighbouring properties.

- 10.5 I note the concerns raised by the neighbouring property in terms of flood risk, appearance/character of dwelling/street scene and existing culvert/watercourse.
- 10.6 The neighbour to the south of the application site is No. 11 Old Rectory Green at first floor level the proposal includes removal of the existing dormer window in this side elevation and replacing it with a smaller dormer further to the rear of the main dwelling, it is proposed on the plans the two side facing windows of the dormer will be fitted with obscure glass given the nature of the rooms (En-suite) therefore I do not consider that any significant loss of amenity would result.
- 10.7 The first-floor element of the proposed two storey side extension to the rear of the existing garage would include a Juliet balcony that would face the rear garden of the application site. The neighbour No.11 is currently in the process of building a first floor side extension on this elevation and given the location of this the existing tree coverage along the boundary it is not considered that any significant loss of amenity would result.
- 10.8 The proposal would introduce a Juliet balcony on the rear elevation at first floor level of the main dwelling but given the orientation of the property with No. 11 I do not consider this will create any additional overlooking impacts compared to the existing rear window in this location.
- 10.9 Owing to the separation distance to neighbours opposite the site and the orientation of the neighbour to the north-east No. 8 Old Rectory Green it is not considered that any significant harm would result to the living conditions of residents
- 10.10 Overall it is considered that the proposal would not result in any significant loss of residential amenity in terms of poor outlook, loss of light or loss of privacy. The proposal is therefore considered to comply with Policy GN3 of the Local Plan in this respect.

Design and character of area

- 10.11 Policy GN3 along with the Council's SPD Design Guide requires that new development should be of a scale, mass and built form, which responds to the characteristics of the property and its surroundings. The key elements of the design are considered below and consist of the site layout, front elevation, side extension and rear extension.
- 10.12 The Council's SPD Design Guide gives further advice for extensions to dwellings and states that extensions should be: *"subservient in size, scale and mass to the original dwelling and never dominate or be disproportionate to the existing dwelling and should have a built form which relates to the character and appearance of the existing property"*.
- 10.13 The proposal for a first-floor front extension partially over the flat roof garage would finish in line with the first-floor element of the front elevation and whilst this does not conform to the guidance contained in the 'Design Guide', in that it is not set back, it is not considered to result in an unbalanced appearance.
- 10.14 The proposed two-storey side extension would be set well back from the front elevation and incorporate a lower ridge height than the existing and such would appear subservient to the main dwelling. The proposed materials would introduce render and part brick finishes to the new and existing parts of the site. The street scene is varied and there is a mix of property styles with some properties within the

cul-de-sac having partial rendering. Finally, as seen from the front, the roof tiles, grey aluminium windows and doors, materials and features blend the proposed extension in with the host property and improve the overall appearance.

- 10.15 The proposal for a single-storey flat roof extension would be located to the rear of the dwelling and owing to its location it would not be readily visible from the public highway. The proposed materials would be render finish.
- 10.16 Whilst the proposed development would be relatively significant and would alter the appearance of the property, I am of the view owing to varied house design within the street scene, the proposed development would not impact detrimentally upon of the character of the host building or result to any significant harm to the character of the street scene. The proposal is therefore considered to comply with policy GN3 of the Local Plan and the SPD Design Guide.

Impact on trees

- 10.17 Policy EN2 of the West Lancashire Local Plan (2012-2027) DPD states that development proposals should avoid encroachment into the canopy area or root spread, or trees considered worthy of retention. There are trees to the rear of the site protected by a Tree Preservation Order.
- 10.18 The proposed site plan indicates an area close to the trees covered by a TPO at the rear of the site and the trees in No. 11 as a no dig area and show protective fencing that will be used to protect the RPA of the existing trees.
- 10.19 In relation to the two trees in close proximity to the proposed two-storey side extension which are located within the side/front garden area of No. 11 Old Rectory Green. I have consulted with the Council's Arboricultural Officer who has raised no objection as it is anticipated the proposed development would have no notable conflict with the retained trees. The development is therefore considered to comply with Policy EN2 of the Local Plan.

Highways and Access

- 10.20 Policy IF2 of the Local plan recommends properties with four or more bedrooms have three off-street parking spaces per dwelling. However, though there are only two off-street spaces, the existing dwelling has four bedrooms, as would the extended dwelling. I am satisfied the proposed garage although a little shorter in length than the recommended figure of 6.0m it has extra width at the front of the garage to accommodate any cycle storage. Sufficient parking on the existing drive remains to accommodate two-street parking spaces. The proposal in my view would comply with Policy IF2 in the Local Plan.

Drainage

- 10.21 Policy GN3 of the West Lancashire Local Plan 2012-2027 DPD states that development should not result in unacceptable flood risk or drainage problems.
- 10.22 Neighbours have raised issues about drainage problems in the area and public sewers passing through the application site. The Environment Agency have been consulted as part of the application due the proposed development being located close to a culvert and main river, they have raised no objections to the application however advise that the applicant should ensure they have all the relevant

permissions and consents, should they be considering breaking ground or potentially building near or over the asset.

10.23 The Councils Principal Engineer has also been consulted who initially raised an objection as it was unclear from the submitted plans if the existing front paving was to be replaced, the agent has confirmed in an email received by the Local Planning Authority on 18th August 2022 the front driveway will not be replaced or extended, as such, the Councils Principal Engineer has raised no objection to the proposal.

10.24 Given the above it is considered that any detailed construction considerations in relation to the culvert/main river will be dealt with through the Building Regulations. Therefore, the proposal will not have a significant impact on drainage or give rise to increased flood risk and is considered to be compliant with GN3 in the Local Plan and the Council's Design Guide Supplementary Planning Document.

11.0 CONCLUSION

11.1 The proposal is not considered to adversely impact on the setting of the Conservation Area or that of the Grade I Listed Building St Michael's Church. The proposal is considered to be acceptable in design terms and would not lead to an unreasonable loss of light, privacy or amenity for neighbouring properties or have a detrimental impact upon the character of the host building. The drainage system is outside the footprint of the existing and proposed building and any detailed considerations can be dealt with through the Building Regulations during construction. The application is therefore considered to be compliant with the relevant policies in the NPPF, the adopted West Lancashire Local Plan, and the West Lancashire Design Guide SPD.

12.0 RECOMMENDATION

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

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:

Dwg No. 4112-22-03 D – Proposed plans and elevations received by the Local Planning Authority on 21st June 2022.

Dwg No. 4112-22-04 C – Proposed site plan received by the Local Planning Authority on 22nd June 2022.

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 development (brickwork, cladding and roofing materials along with materials used in any hard surface) shall be as outlined on the following plans and documents:

Materials section of the submitted application form;
Dwg No. 4112-22-03 D - Proposed plans and elevations;

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. The roof area of the single-storey rear extension hereby permitted shall not be used as a verandah, balcony or raised platform.

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.

Note(s)

1. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:
- on or within 8 metres of a main river (16 metres if tidal)
 - on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
 - on or within 16 metres of a sea defence
 - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
 - in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if tidal) and the applicant does not have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

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:

SP1 – A sustainable Development Framework for West Lancashire

GN1 – Settlement Boundaries

GN3 – Criteria for Sustainable Development

EN2 – Preserving and Enhancing West Lancashire's Natural Environment

EN4 – Preserving and Enhancing West Lancashire's Cultural and Heritage Assets

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.

13.0 SUSTAINABILITY IMPLICATIONS

- 13.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder.

14.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 14.1 There are no significant financial or resource implications arising from this report.

15.0 RISK ASSESSMENT

- 15.1 The actions referred to in this report are covered by the scheme of delegation to officers and any necessary changes have been made in the relevant risk registers.

16.0 HEALTH AND WELLBEING IMPLICATIONS

- 16.1 There are no health and wellbeing implications arising from this report.

Background Documents

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

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore, no Equality Impact Assessment is required.

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).

Appendices

None.

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