



Jacqui Sinnott-Lacey
Chief Operating Officer

52 Derby Street
Ormskirk
West Lancashire
L39 2DF

Wednesday, 30 August 2023

**TO: COUNCILLORS G OWEN, A FOWLER, M ANDERSON, A BLUNDELL,
A FENNEL, P HOGAN, S PATEL, E POPE, L WEBSTER AND
J WITTER**

Dear Councillor,

A meeting of the **PLANNING COMMITTEE** will be held in the **COUNCIL CHAMBER - 52 DERBY STREET, ORMSKIRK, L39 2DF** on **THURSDAY, 7 SEPTEMBER 2023** at **7.00 PM** at which your attendance is requested.

Yours faithfully

A handwritten signature in black ink, appearing to be 'JSL', 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** 213 - 214
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** 215 - 218
To receive as a correct record the minutes of the meeting held on the 27 July 2023.
- 7. PLANNING APPLICATIONS**
To consider the report of the Corporate Director of Transformation, Housing and Resources.
- 7a **2023/0169/FUL - LANE FARM, MOSSY LEA ROAD, WRIGHTINGTON** 219 - 228
- 7b **2023/0444/FUL - 39 BRANDRETH DRIVE PARBOLD** 229 - 244
- 7c **2022/1210/FUL - LAND ADJACENT TO THE OLD SCHOOL HOUSE, HIGHER LANE, DALTON** 245 - 262
- 7d **2022/1333/FUL - WOODSIDE BARN, CRANES LANE, LATHOM** 263 - 280
- 7e **2023/0231/FUL - MARTIN MERE, FISH LANE, BURSCOUGH, ORMSKIRK** 281 - 292

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		Notes
1.	I have a disclosable pecuniary interest.	<input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 below</i>
2.	I have a non-pecuniary interest.	<input type="checkbox"/>	<i>You may speak and vote</i>
3.	I have a pecuniary interest because 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 or 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	<input type="checkbox"/> <input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i> <i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i>
4.	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: (i) Housing where I am a tenant of the Council, and those functions do not relate particularly to my tenancy or lease. (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. (iii) Statutory sick pay where I am in receipt or entitled to receipt of such pay. (iv) An allowance, payment or indemnity given to Members (v) Any ceremonial honour given to Members (vi) Setting Council tax or a precept under the LGFA 1992	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i>
5.	A Standards Committee dispensation applies (relevant lines in the budget – Dispensation 15/09/20 – 14/09/24)	<input type="checkbox"/>	<i>See the terms of the dispensation</i>
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"/>	<i>You may speak but must leave the room once you have finished and cannot vote</i>

'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

Sponsorship

Prescribed description

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

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.

	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, 27 July 2023

Start: 7.00 p.m.

Finish: 8.20 p.m.

PRESENT:

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

Councillors: M Anderson E Pope
A Fennell L Webster
P Hogan D Westley
S Patel J Witter

In attendance: Councillor Rigby (Rural South Ward)
Councillor Howard (North Meols and Hesketh Bank Ward –
from agenda item 7f),

Officers: Steve Faulkner, Planning Services Manager
Kate Jones, Planning Services Team Leader
David Delaney, Legal Assistant (Planning)
Jill Ryan, Principal Democratic Services Officer
Hollie Griffiths, Planning Assistant Solicitor

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 Councillor A Blundell and the appointment of Councillor D Westley 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 urgent items of 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 22 June 2023 be approved as a correct record and signed by the Chairman.

15 **PLANNING APPLICATIONS**

Consideration was given to the report of the Corporate Director of Transformation, Housing and Resources as contained on pages 65 to 197 of the Book of Reports and on pages 199 to 210 of the Late Information Report.

(Notes:

1. Parish Councillor Lewis from Simonswood Parish Council spoke in connection with planning application 2023/0030/FUL relating to the Caravan Site, Newbridge Farm, Stopgate Lane, Simonswood.
2. The Agent also spoke in connection with planning application 2023/0030/FUL relating to the Caravan Site, Newbridge Farm, Stopgate Lane, Simonswood.
3. Councillor I Rigby spoke as Ward Councillor in connection with planning applications 2023/0030/FUL relating to the Caravan Site, Newbridge Farm, Stopgate Lane, Simonswood and also in connection with planning application 2022/1314.FUL relating to Holly Fold Farm, Rainford Road, Bickerstaffe and left the meeting at the conclusion of this item.
4. Councillor J. Howard joined the meeting during planning application 2022/1143/FUL relating to Valera Ltd, Plox Brow, Tarleton and was in attendance for the remainder of the meeting.)

16 **2023/0008/FUL - OLD GORE BARN, ALT CAR LANE, GREAT ALT CAR, LIVERPOOL**

The Corporate Director of Transformation, Housing and Resources submitted a report on planning application 2023/0008/FUL relating to Old Gore Barn, Altcar Lane, Great Altcar, Liverpool.

RESOLVED: That planning application 2023/0008/FUL relating to Old Gore Barn, Altcar Lane, Great Altcar, Liverpool be approved subject to the revised conditions and reasons as set out on pages 199 to 201 of the Late Information Report.

17 **2022/1326/FUL - ALMOND VILLA, SOUTHPORT ROAD, SCARISBRICK**

The Corporate Director of Transformation, Housing and Resources submitted a report on planning application 2022/1326/FUL relating to Almond Villa, Southport Road, Scarisbrick.

RESOLVED: That planning application 2022/1326/FUL relating to Almond Villa, Southport Road, Scarisbrick be refused for the reasons as set out on pages 83 to 84 of the Book of Reports

18 2022/1210/FUL - LAND ADJACENT THE OLD SCHOOL HOUSE, HIGHER LANE, DALTON

The Corporate Director of Transformation, Housing and Resources submitted a report on planning application 2022/1210/FUL relating to Land Adjacent to The Old School House, Higher Lane, Dalton, Wigan.

RESOLVED: That planning application 2022/1210/FUL relating to Land adjacent The Old School House, Higher Lane, Dalton, Wigan be deferred for one cycle to allow for a site visit to take place to investigate the issues of highway safety.

19 2023/0030/FUL - CARAVAN SITE, NEWBRIDGE FARM, STOPGATE LANE, SIMONSWOOD, LANCASHIRE

The Corporate Director of Transformation, Housing and Resources submitted a report on planning application 2023/0030/FUL relating to the Caravan Site, Newbridge Farm, Stopgate Lane, Simonswood, Lancashire.

RESOLVED: That planning application 2023/0030/FUL relating to the Caravan Site, Newbridge Farm, Stopgate Lane, Simonswood, Lancashire be approved subject to the conditions and reasons as set out on pages 114 to 116 of the Book of Reports

20 2022/1314/FUL - HOLLY FOLD FARM, RAINFORD ROAD, BICKERSTAFFE

The Corporate Director of Transformation, Housing and Resources submitted a report on planning application 2022/1314/FUL relating to Holly Fold Farm, Rainford Road, Bickerstaffe.

RESOLVED: That planning application 2022/1314/FUL relating to Holly Fold Farm, Rainford Road, Bickerstaffe be approved subject to the conditions and reasons as set out on pages 128 to 134 of the Book of Reports.

21 2022/1143/FUL - VALERA LTD, PLOX BROW, TARLETON

The Corporate Director of Transformation, Housing and Resources submitted a report on planning application 2022/1143/FUL relating to Valera Limited, Plox Brow, Tarleton.

RESOLVED: That planning application 2022/1143/FUL relating to Valera Ltd, Plox Brow, Tarleton be refused for the reason as stated on page 156 of the Book of Reports

22 2022/0769/FUL - BUNGALOW FARM HOUSE, HEATONS BRIDGE ROAD, SCARISBRICK

The Corporate Director of Transformation, Housing and Resources submitted a report on planning application 2022/0769/FUL relating to Bungalow Farm House, Heatons Bridge Road, Scarisbrick.

RESOLVED: That in respect of planning application 2022/0769/FUL relating to Bungalow Farm House, Heatons Bridge Road, Scarisbrick, the Council should defend the appeal on the basis that the application should be refused for the reason set out on page 164 of the Book of Reports.

.....
Chairman



PLANNING COMMITTEE: 7 September 2023

Report of: Corporate Director of Transformation, Housing and Resources

Contact for further information:

Case Officer: Emma Bailey (Extn. 5130) (E-mail:emma.bailey@westlancs.gov.uk)

SUBJECT: PLANNING APPLICATION REF: 2023/0169/FUL

PROPOSAL: Retrospective application for demolition of garage, erection of replacement garage, new boundary wall, gate pillars and gates and the widening of an access track

APPLICANT: JA & JA Prescott & Prescott

ADDRESS: Lane Farm, Mossy Lea Road, Wrightington, WN6 9RE

REASON FOR CALL IN: Application has been called in by Cllr Jukes to consider traffic issues as a consequence of the widened access into Lane Farm. Residents are concerned with double parking, pavement parking which leads to chronic traffic congestion and reduced access to residential properties.

Wards affected: Wrightington

1.0 PURPOSE OF THE REPORT

- 1.1 To advise Planning Committee on an application which seeks retrospective permission for the widening of an access onto Mossy Lea Road and the erection of a replacement detached single garage following the demolition of the existing, and for the erection of a boundary wall with gate pillars and gates.
- 1.2 The application was originally described as a partial change of use from residential to agricultural but on closer review, the widening of the track to the frontage is not considered to constitute a change of use. The wider planning unit is considered to comprise residential curtilage and an existing access track to the side and notwithstanding the physical changes proposed, this would remain the case in the event of permission being granted. As such the application is purely for the operational components of the development.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

2.1 APPROVE subject to condition

3.0 THE SITE

3.1 The site traverses the residential dwelling of 127 Mossy Lea Road and the access to Lane Farm. Both planning units fall within the ownership of the applicant. The site is located to the northwest of Mossy Lea Road within a row of mainly linear development. The White Lion Public House is located to the south, Lane farm to the east and the attached residential dwelling of 129 Mossy Lea Road to the north.

3.2 The site is located within the small rural village of Wrightington as designated in the West Lancashire Local Plan.

4.0 PROPOSAL

4.1 Planning permission is sought in retrospect for the following:

- erection of a new boundary wall, gates pillars and gates
- widening of the access track
- erection of a replacement garage

5.0 PREVIOUS RELEVANT DECISIONS

Lane Farm:

5.1 2023/0594/PNC – PENDING DETERMINATION

Application for determination as to whether prior approval of details is required - Change of use from Agricultural building to storage of building materials (Class B8)

5.2 2023/0299/PNP – PERMITTED

Application for determination as to whether prior approval is required for details - Erection of a monopitch, open fronted steel portal framed agricultural building

5.3 2023/0160/PNC – PENDING DETERMINATION

Notification - Change of use from Agricultural building to storage of building materials (Class E)

5.4 2022/1152/PNP – PERMITTED

Application for Determination as to Whether Prior Approval is Required for Details- Erection of a monopitch, open fronted steel portal framed agricultural building.

5.5 2012/1040/PNP – PERMITTED

Application for Determination as to Whether Prior Approval is Required for Details - Agricultural storage building.

5.6 2003/1229 – REFUSED

Retention of a 28m high telecommunications mast accommodating 3 antennae and 1 dish antenna, an equipment cabinet and associated guy cabling.

6.0 OBSERVATION OF CONSULTEES

6.1 Lancashire County Council (Highways) – 6th July 2023
No objection

7.0 OTHER REPRESENTATIONS

7.1 Wrightington Parish Council – 23rd May 2023
No objection

7.2 1 neighbouring objection has been received and can be summarised as follows:

- the site entrance lies adjacent to the White Lion pub and close to the primary school
- Mossy Lea Road is already a busy, congested road
- Many people park half on half off the pavement which restricts the pavement width
- The highway and pavement are already damaged from HGV's using the road
- The brick wall and pillars have replaced hedges

Use of Lane Farm:

- over recent years the farm has changed from agricultural to a builder's storage yard, heavy plant depot, a site for storage of aggregates and a commercial outlet
- the granting of this permission would accommodate the increasing consistent stream of HGV, 4x4s, commercial vans etc who currently use the access 12 hours a day, 6 days a week

7.3 2 letters of support have been received from number 129 Mossy Lea Road and the White Lion public house and can be summarised as follows:

- the measures taken to widen the access track is critical for the safety and wellbeing of local residents and vulnerable children
- it means the farm can operate and enter and leave the site without putting other drivers at risk
- Since the widening of the access there has been a reduction in plant machinery blocking the access
- Reduction in congestion on a busy road
- No loss of light or views
- Aesthetically improves the area
- No impact to wildlife as the gardens remain full and abundant with a wide variety of plants, birds and pollinators

8.0 SUPPORTING INFORMATION

8.1 The application has been supported by a Planning Statement prepared by MacMarshalls and received by the Local Planning Authority on the 21st February 2023.

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.
- 9.2 The site is located within the small rural village of Wrightington as designated in the West Lancashire Local Plan 2012-2027 DPD.
- 9.3 **National Planning Policy Framework (NPPF)**
Achieving well-designed places
- 9.4 **West Lancashire Local Plan Policies**
SP1 – A Sustainable Development Framework For West Lancashire
GN3 - Criteria for Sustainable Development
IF2 - Enhancing Sustainable Transport Choice
- 9.5 **Supplementary Planning Document**
- Design Guide (January 2008)
 - Supplementary Planning Document, Development in the Green Belt (October 2015)

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF TRANSFORMATION, HOUSING AND RESOURCES

Background

- 10.1 In view of various representations to the application, it is firstly necessary to explain what is being applied for on this application and what matters are not relevant to the assessment under this application.
- 10.2 It would appear that Lane Farm has undergone or is currently undergoing a change of use from a traditional agricultural enterprise. From my site visit and a Google search it appears that Lane Farm is now partly or fully occupied by JA Prescott. Their website advises that they operate from the site and that they offer plant hire, tipper /grab hire and sale of aggregates. Indeed, the Council currently have 2 pending applications which are seeking advice as to whether permission is required for the change of use of an agricultural building to storage of building materials (Class B8) (2023/0594/PNC) and change of use from an agricultural building to storage of building materials (Class E) (2023/0160/PNC).
- 10.3 Whilst these applications have some bearing on the application in that HGV vehicles are using the access, the actual change of use of the site does not fall for assessment under this application. For clarity, the only elements of development that are to be assessed are the erection of wall and gates and the erection of the detached garage.
- 10.4 The main considerations for this application are:
- Principle of development
 - Visual amenity / character of the street scene

- Highways
- Impact on residential amenity

Principle of development

- 10.5 The site is within the identified small village boundary, and consequently there are no objections in principle to the operational works proposed, subject to compliance with the relevant policies of the Local Plan. The report moves on to address the impact of these works further.

Design / Visual amenity / character of the street scene

- 10.6 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 site and its surroundings.
- 10.7 The garage subject to this application replaced an existing detached garage on site. The footprint of the new garage has been moved slightly northwards but on a similar building line and remains within the residential curtilage of the dwelling and the settlement boundary. I am satisfied that the garage is of an appropriate design, scale and finished in an acceptable material which is sympathetic to the main dwelling.
- 10.8 A brick boundary wall has been erected along the western side of the access. This wall has replaced a boundary hedge and low wall and has been moved closer to the dwelling of 127 Mossy Lea Road. The wall measures 1.15m in height. About halfway along the wall a brick pillar measuring about 2.45m in height has been erected with another opposite and black gates installed in this location. The pillars and gates are set back from the highway edge by about 11m. Boundary treatments along Mossy Lea Road are a mixture of hedging and low walls and as such I consider that the wall which has been front planted with shrubbery does not appear unduly incongruous with the street scene. The pillars and gates are set a significant distance back from the road and in my opinion do not disrupt the character or appearance of the wider street scene.
- 10.9 I am satisfied that garage, walls, pillars and gates are acceptable in terms of their design, scale, location and materials and accord with Policy GN3.1.iv of the Local Plan.

Highways

- 10.10 The proposal involves the widening of an existing access onto Mossy Lea Road. Lancashire County Council Highways have been consulted as part of this application and note that the works to widen the access track are all within the site boundary and the access gates are set back from the highway. The widening of the access track has provided an improvement for larger vehicles accessing the site to the rear. As a result of this LCC Highways raise no objection to the proposal. The proposal therefore complies with Policy GN3.2.vii of the local plan.
- 10.11 The proposal involves the removal of the existing private side driveway associated with 127 Mossy Lea Road. This effectively results in a net loss of onsite parking provision from the dwelling. However, as part of the proposal a

detached dwelling with 1 parking space in front has been created. Access to this garage is via the newly widened access. Lane Farm and the dwelling of 127 Mossy Lea Road are within the same ownership and as such this arrangement is acceptable. I am satisfied that the proposal provides acceptable on-site parking for the dwelling of 127 Mossy Lea Road.

Impact on residential amenity

- 10.12 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 properties.
- 10.13 Noting the location of the garage and wall structures along with their height I am satisfied that the development does not impact detrimentally upon immediate neighbours or on other local residents.

Other matters

- 10.14 LCC Highways has noted the letter of objection received in relation to parking issues on Mossy Lea Road associated with the White Lion Public House and the Local School. The parking issues are currently being looking into by LCC Traffic Section with a view to finding a resolution, but this ongoing issue does not affect the merits of the application and as per the above LCC have confirmed that they consider the highway impacts resulting to have minimal impact on highway safety and/or capacity.

11.0 CONCLUSION

- 11.1 Given the above I consider that the proposal satisfactorily meets the requirements of Policies SP1, GN3 IF2 of the West Lancashire Local Plan 2012-2027 DPD and should be recommended for approval.

12.0 RECOMMENDATION

Reason for approval:

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

GN3 - Criteria for Sustainable Development

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.

Conditions:

1. The development is hereby approved in accordance with details shown on the following plans:

Plan reference

C 402 – existing plan

received by the Local Planning Authority 21.02.2023

C 402 rev B – proposed plan

received by the Local Planning Authority 02.06.2023

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.

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

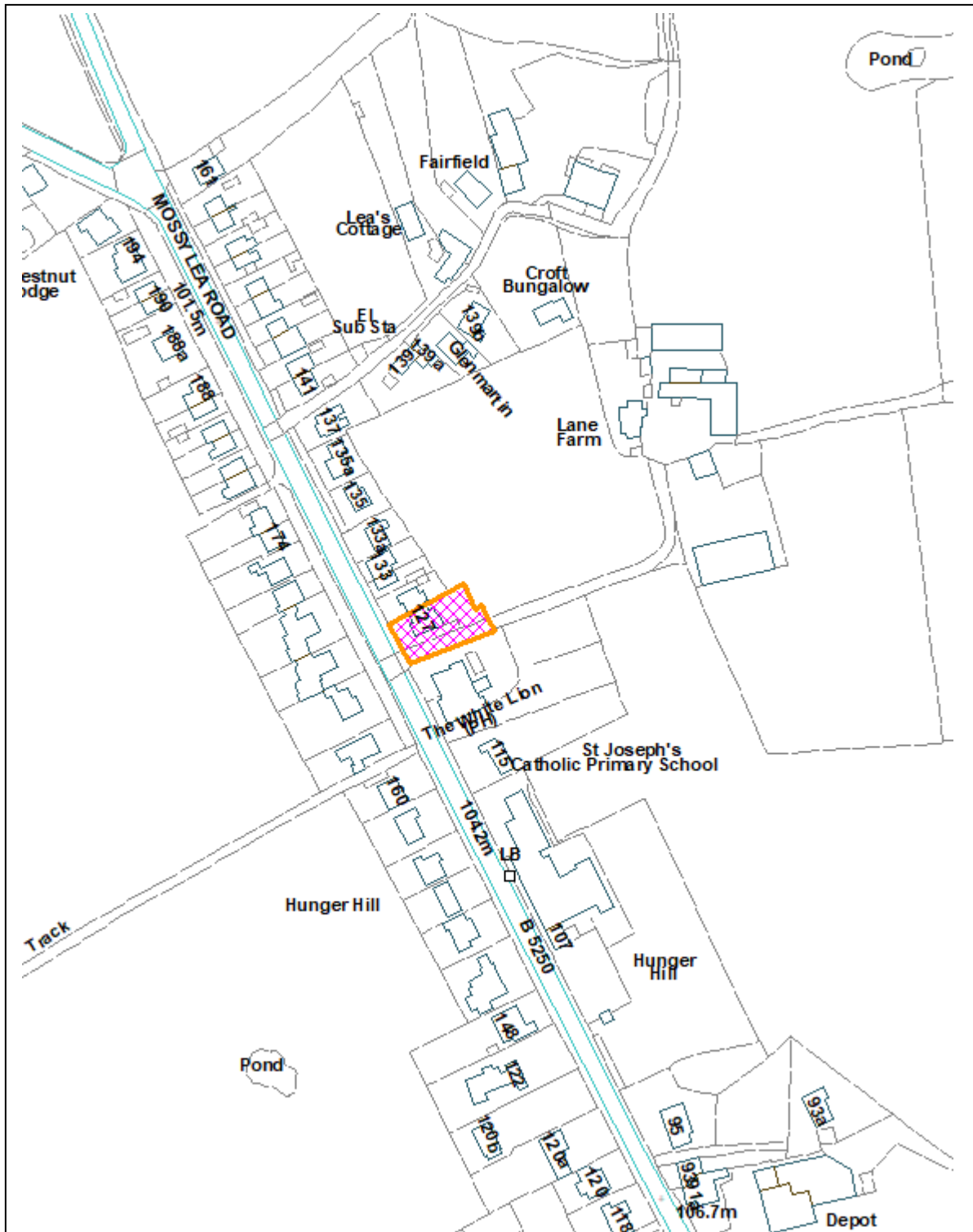
The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly

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.

Lane Farm, Mossy Lea Road, Wrightington





PLANNING COMMITTEE: 7 September 2023

Report of: Corporate Director of Transformation, Housing and Resources

**Contact for further information: Case Officer: Wayne Daly
(Extn. 07745 206 742)
(E-mail:wayne.daly@westlancs.gov.uk)**

SUBJECT: PLANNING APPLICATION REF: 2023/0444/FUL

PROPOSAL: Two storey rear extension and part single storey extension, Front Porch extension, Erection of detached rear garden sunroom.

APPLICANT: John Martin

ADDRESS: 39 Brandreth Drive, Parbold

REASON FOR CALL IN: Application has been called in by Cllr Whittington to consider neighbour concerns regarding impacts to residential amenity.

Wards affected: Parbold

1.0 PURPOSE OF THE REPORT

- 1.1 To advise Planning Committee on an application which seeks to create additional ground and first floor living space by way of an extended open plan kitchen/dining/living area, extended porch entrance, two additional bedrooms and a rear outbuilding (garden sunroom) incidental to the main dwellinghouse.
- 1.2 It is considered that subject to planning conditions, the proposed development is acceptable in terms of design, access, landscaping, layout and scale and amenity.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

- 2.1 To grant planning permission subject to conditions.
-

3.0 THE SITE

- 3.1 The site comprises of a mid C20th two-storey detached dwelling located to the south of Brandreth Drive in a well-established residential area of Parbold. The front of the property has a small garden which is currently overgrown and bounded by small brick wall approx.0.5m in height and wooden panel fencing approx.1.0m in height.
- 3.2 The site is accessed via large driveway which runs up alongside the front garden across the southeast facing side elevation to the rear. The rear garden is extensive and is currently undergoing demolition works to an existing outbuilding. The rear garden is well screened by wooden fencing and metal railings topped with mature hedging and trees of varying heights. The site is flanked to the south by the Wigan to Southport rail line and residential properties in all other directions.

4.0 PROPOSAL

- 4.1 The application proposes a two-storey rear extension and part single storey extension, a front porch extension and a detached rear garden sunroom.
- 4.2 The proposed dimensions of the two-storey rear extension measure approx. 6.3m in depth and 7.3m in width (at its furthest point), with an eaves height of 2.2m and an overall ridge height of 6.7m.
- 4.3 The proposed dimensions of the front porch extension measure approx. 1.75m in depth and 3.65m in width (at its furthest point) with an eaves height of 2.2m and an overall ridge height of 4.5m.
- 4.4 The proposed dimensions of the single-storey rear extension measure approx. 1.5m in depth, 7.3m in width (at its furthest point), with an eaves height of 2.1m and an overall flat roof ridge height of 2.35m
- 4.5 The proposed dimensions of the rear garden sunroom measure approx. 6m in depth and 9.5m in depth, with an eaves height of 2.4m and an overall flat roof ridge height of 2.6m. An additional raised roof lantern will result in a total height of 3.325m.
- 4.6 The original plans for this application featured a first floor rear balcony terrace and a detached rear garage. These plans have since been superseded with removal of the balcony and the re-purposing of the detached garage to a garden sunroom.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 No recent planning applications.

6.0 OBSERVATIONS OF CONSULTEES

6.1 WLBC Drainage Engineer – No objections to proposal. received by the Local Planning Authority 23.08.2023

7.0 OTHER REPRESENTATIONS

7.1 Councillor Whittington

Requests the application be heard at planning committee due to neighbour concerns around impacts to residential amenity – received by the Local Planning Authority 28th June 2023.

7.2 Parbold Parish Council – letter of objection received by the Local Planning Authority on the 10th July 2023 which can be summarised as:

- The proposed balcony at first floor height across the whole rear elevation could be problematic for the privacy of the adjacent houses (*balcony now removed in amended plans received by the Local Planning Authority on 31st July 2023*).
- The siting of the proposed outbuilding at the far end of the garden, offers the opportunity to open up access all the way down alongside the boundary with No 41 and a possible parking turning area at front the new building which would open up the whole rear garden to vehicle movements. This could prove to impact neighbouring amenity (*no evidence of such landscaping works in submitted plans received by the Local Planning Authority on the 17th May and 31st July 2023*)
- The position of the proposed garage (and its design, with raised roof lantern) is suggestive of ancillary use rather than for vehicle storage (*now re-labelled as garden sunroom in amended plans received by the Local Planning Authority on 31st July 2023*).

7.3 39 Brandreth Drive, Parbold

1 no. Letters of objection received by the Local Planning Authority on the 29th June which can be summarised as:

- Concerns around the size, scale and design of the proposed two storey rear extension and the resultant overbearing and overshadowing impacts that may incur on No.39 - this may be exacerbated by the differing ground levels between the two properties with No. 39 in a slightly elevated position above No. 37 - which increases towards the rear end of the garden.
- Concerns in regard to privacy and overlooking impacts being incurred to No. 39 from the proposed window balcony replacement (*balcony/terrace now removed in amended plans received by the Local Planning Authority on 31st July 2023*).
- Concerns around loss of light through overshadowing to habitable rooms to the rear of No. 39 (kitchen/living room area) and additionally to the rear patio.
- Concerns around lack of clarity in plans in regard to increased glazing to rear first floor elevation and possible glass balustrade to the rear balcony incurring privacy

issues on No 39 from No. 37. *(balcony and suggested glass balustrade removed in amended plans received by the Local Planning Authority on the 31st July 2023)*

- Concerns around the lack of cross sectional drawings showing the exact height and location of the and proposed roof lights from the internal first floor. *(Amended plans received by the Local Planning Authority on the 31st July 2023 were deemed sufficient as roof height can be accurately can be measured at a height 2.5m above first floor level).*
- Concerns around the number of increased openings/non-obscured full height windows to the northwest elevation at ground floor level *(windows on amended plans received by the Local Planning Authority on the 31st July 2023 clearly show windows are to be obscurely glazed with frosted glass and an additional obscure glazing condition is to be attached if all other matters are deemed acceptable)*
- Concerns around the distance of the proposed extension being 729cm from the shared boundary with No 39 *(The submitted plans received by the Local Planning Authority on the 17th May 2023 clearly show that there has been no sideways projection of the existing footprint and the existing boundary distance has been maintained).*
- Concerns around whether the rear extension appears subservient and is in accordance with the council's design guide recommendations.
- Concerns around the lack of clarity on the dimensions of the proposed rear garage *(Amended plans received by the Local Planning Authority on the 31st July 2023 clearly show the dimensions of the outbuilding which is now a proposed garden sunroom).*
- Concerns around a lack clarity on the hard surfacing required at the rear to move a vehicle from the road access to the siting of the proposed garage *(amended plans received by the Local Planning Authority on the 31st July 2023 show that the rear outbuilding will no longer be a garage but instead a garden room in which no hard surfacing will be required to access by a vehicle).*
- Concerns around the height of the roof lantern on the proposed garage being set at 725cm above the ridge height *(Amended plans received by the Local Planning Authority July 31st 2023 show the proposed garage is now a proposed garden sunroom but with no amendments to the roof lantern height).*
- Concerns around a lack of clarity on the plans showing how surface water runoff from roof of the proposed detached rear garage will be redistributed away neighbouring gardens because of its close proximity to the shared boundaries *(amended plans received by the Local Planning Authority on the 22nd August 2023 show drainage or rainwater goods to redirect the flow of surface water away from the roof of the amended garden sunroom and shared boundaries into the existing drainage system).*

7.4 39 Brandreth Drive, Parbold

1 no. Letters of objection received by the Local Planning Authority on the 21st August 2023, which can be summarised as:

- Although it is appreciated there have been amendments to the proposal, the amended plans/ proposal lack detail and do not appear to fully address the concerns and objection I raised in June 2023.

8.0 SUPPORTING INFORMATION

8.1 Plans submitted – received by the Local Planning Authority 17th May and 31st July 2023.

8.2 Applicant Photographs – received by the Local Planning Authority on the 20th July 2023

9.0 RELEVANT PLANNING POLICIES

9.1 The application site is located within the Key Sustainable Village of Parbold as designated in the West Lancashire Local Plan Proposal Map.

9.2 **National Planning Policy Framework (NPPF)**

Achieving well-designed places (Chapter 12, Paragraphs 126 -136)

West Lancashire Local Plan 2012-2027 DPD

GN1 - Settlement Boundaries

GN3 - Criteria for Sustainable Development

IF2 - Enhancing Sustainable Transport Choice

Supplementary Planning Document, Design Guide (Jan 2008)

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

10.1 The main considerations for this application are:

- i) Principle of development – *Design and Visual appearance*
- ii) Impact on residential amenity
- iii) Highways – *Impact on parking provision*

Design and Visual appearance

10.2 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.

- 10.3 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 street scene and impact on any significant wider landscape views. The relocation of the front door to the front of the property
- 10.4 Whilst the two storey extension does not appear to be subservient, the eaves and ridge height are maintained to give a more balanced appearance and embraces the local vernacular. From the rear elevation this can make the first floor element of the two storey extension appear overly dominant to the main dwelling when compared to what previously existed. However, the width and length of the proposal do not exceed two thirds of the existing buildings corresponding dimensions (as advocated in the Council's design guide SPD. As such, although the proposal may not appear to be subordinate visually at the rear, it is neither disproportionate in scale and size and is therefore considered acceptable.
- 10.5 In terms of external appearance, the roof tiles and brickwork will match the existing. Changes to fenestration details will include the addition of four evenly spaced rooflights (two on each pitch of the roof) and the introduction of full length 'frosted' glazed windows to the northwest ground floor elevation. This would be a contemporary addition to both the existing and proposed elements of the development that would unify and enhance the external appearance of the existing dwelling.
- 10.6 The 4m increase in rear projection from the existing footprint is relatively modest when compared to the extensive sized garden, and when compared to the building lines of properties either side. The proposal extends approx. 3m further than the rear elevation of No. 37 , and approx. 2m further than the rear elevation of No. 41. Therefore, in terms of layout the proposal is considered acceptable.
- 10.7 Given the rear projection extends less than 4m further than both neighbouring properties and the fact that the full impacts of the lack of subordination are contained to the rear and otherwise hidden from view, I consider the design and visual appearance acceptable.
- 10.8 With regard to the front porch extension, by virtue of its size and scale it appears subservient to the existing with a ridge and eaves height lower than that of the main roofline. The narrow width of the gable ensures at least one side wall is stepped back from the existing side walls and the pitched roof and angle are in keeping with main dwellings roof. The modest depth (1.75m) also respects the proportions of the host building enough to prevent it from appearing overly prominent or unduly incongruous within the street scene.
- 10.9 Changes to fenestration details will see increased glazing to the front porch. This modern and contemporary front façade complements the most important elevation without compromising its architectural integrity. There is a similar example of this style of porch within the immediate street scene at No. 29 Brandreth Drive and therefore I have no concerns of a precedent being set. The external appearance will remain in keeping with the existing from the use of materials that include matching brickwork and roof tiles. Render will be used as

an elevational treatment, for which I have no concerns as partial render already features on the existing property and one fully rendered property exists at No 35 Brandreth Drive.

- 10.10 The relocation of the front door to the principal elevation is a betterment that helps to reinforce the entrance to the property without compromising the rhythm and symmetry of the fenestration. Therefore, I consider the proposal acceptable in terms of design and appearance.
- 10.11 With regard to the single storey element of the rear extension, by virtue of its size and scale it appears subservient and the modest depth of 1.5m ensures it is proportionate to the main dwelling, albeit an addition to the two storey element. The flat roof style is not in keeping with the main roof; however, it is in keeping with the existing flat roof (sunroom) extension being replaced.
- 10.12 Matching brickwork will be used as an elevational treatment to remain in context with the main dwelling and the full length glazing blends well with the first floor glazing directly above to give a more streamlined appearance. Given the replacement principle and the fact it is contained to the rear hidden from public view of the street scene, I consider the proposal acceptable in terms of design and visual appearance.
- 10.13 With regard to the detached rear garden sunroom, by virtue of its size and scale it appears subservient to the main dwelling. The flat roof design is in keeping with the single storey element of the rear extension. All materials including rainwater goods, fascia's and soffits are to match the existing. The addition of a roof lantern full length glazed windows and door are complimentary to the increased glazing to the rear elevation of the main dwelling. The full impacts are focused to the rear and otherwise hidden from view of the street scene. Therefore, I consider the proposal acceptable in terms of design and appearance.
- 10.14 Given the above, I am satisfied the proposal is compliant with Policies GN1 and GN3 of the West Lancashire Local Plan DPD (2012-2027) and the Council's Design Guide |SPD 2008 in regard to design and visual appearance.

Impact on residential amenity

- 10.15 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.
- 10.16 Comments from a neighbouring property and supporting information from the applicant was received in regard to concerns with the proposed two storey extension having a negative impact on privacy and light levels. In regard to overlooking No. 37 from the newly created first floor bedroom of No.39, I acknowledge it will introduce increased glazing to the rear elevation that is slightly elevated above No 37's ground level. However, some level of overlooking is common in residential areas and I am satisfied that the level of overlooking caused from the rear window of the first floor of the proposals slightly elevated

position would be of an indirect nature and not significant enough to cause any detrimental harm to the residential amenity of this neighbouring property.

- 10.17 The same can be said of privacy impacts incurred to No. 39 from the garden of No. 37, as a large majority of the glazed area is placed over an empty eaves space and the main windows will be stepped back from the single storey element of the proposal to further reduce visibility from the ground level of No. 37. Comments were also received in regard to overlooking and privacy impacts being incurred to neighbouring properties because of the introduction of rooflights. However, upon measuring the height of the windows from the submitted elevation plans (Dwg No. 37BD-E2), I can definitively confirm that the first floor level to the bottom of the roof light is approx. 2.5m. Therefore, I do not consider this will give rise to a loss of privacy.
- 10.18 Comments were also received in relation to overbearing and overshadowing impacts being incurred on the rear north western shared boundary because of the size and scale of the proposal. Due to the detached nature of the proposal and the fact that distance between the shared boundary has been maintained, I am of the opinion that overshadowing impacts will be negligible.
- 10.19 As mentioned earlier in the report, the proposal does not project further than 4m of the rear building lines of either of the neighbouring properties. Additionally, there is already an element of overshadowing on No. 39 from the existing boundary treatments. The sun's east to west solar path ensures the majority of overshadowing on the rear gardens would be focused on the south eastern shared boundary with no 41, where the distance from the proposal to the shared boundary is greater and of no concern.
- 10.20 In terms of the proposal incurring overbearing impacts to No 39, given the orientation of the sloping roof angle (gable end facing rear elevation), and the extensive nature of the rear garden, I am of the opinion it would not be obtrusive enough to appear visually oppressive at the shared boundary with No 39, even with the existing boundary treatments removed.
- 10.21 With regard to the single storey element of the proposal, to eliminate the potential of the flat roof being used as a verandah, balcony or platform, a planning condition will be attached as a preventative measure to ensure privacy levels are maintained. The proposed changes to fenestration details will introduce 5 new full length, and 3 enlarged side facing windows on the north western side facing elevation. Concerns were raised by No 37 around these first floor windows impacting privacy of habitable rooms on their own south eastern side facing elevation. However, the submitted plans indicate these windows will be obscure glazed and the existing boundary treatments will ensure any impacts on No. 37 are minimal. Additionally an attached condition will ensure the windows remain obscure glazed and fixed shut at all times thereafter.
- 10.22 Comments were received in regard to the detached rear outbuilding being used as ancillary living accommodation. After undertaking a site visit and assessing the existing plans, I am confident that the rear outbuilding would not have the capacity to function as primary living accommodation. The plans do not suggest any landscaping works to the rear garden and I am satisfied the site does not have the capacity to facilitate vehicle movement alongside the south eastern

shared boundary. In any case, an attached condition will be used as a preventative measure to ensure the rear garden sunroom is used for a purpose incidental to the dwellinghouse. Comments were also received about the height of the raised roof lantern on the garden sunroom (3.32m), however I am satisfied that the single storey nature and the existing boundary treatments are sufficient enough to allay any concerns in regard to significant privacy or overlooking impacts being incurred to neighbouring properties.

10.23 Given the above, I am satisfied the proposal is compliant with Policies GN1 and GN3 of the West Lancashire Local Plan DPD (2012-2027) and the Council's Design Guide SPD 2008 in regard to design and visual appearance.

Highways – Impact on parking provision

10.24 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.

10.25 The applicant seeks to create two additional bedrooms as part of the proposed works, taking the property from a two bedroom to a 4 bedroom dwelling. As a result parking provisions will be affected. However, I am satisfied that parking capacity on site still meets the minimum requirements of 3 vehicle space per 4+ bedroom dwelling as advocated in policy IF2 of the WLLP.

10.26 Given the above, I am satisfied the proposal is compliant with Policy IF2 of the West Lancashire Local Plan DPD (2012-2027) in regard to parking standards.

Drainage and flooding

10.27 Policy GN3 of the West Lancashire Local Plan 2012-2027 DPD states that the Council will ensure that development does not result in unacceptable flood risk or drainage problems.

10.28 The site is located within Flood Zone 1 and is therefore at low risk of flooding. The application property benefits from an existing drainage system implemented as part of the original approval. The proposed extension will connect into this existing drainage system.

10.29 Comments were received about the detached rear garden sunroom being in close proximity to the shared boundaries without any guttering or rainwater goods to prevent surface water run-off from the roof onto neighbouring rear gardens. Amended plans were received illustrating the layout of guttering on both side of the shared boundaries that will re-direct the surface water away from the shared boundaries.

10.30 The Council's internal drainage engineer was consulted on the submitted plans and has no objection to this application in terms of flood risk. Although the consultee would advise the applicant that uncharted watercourses exist in this area, and if one is encountered then the surface water drainage should discharge to it.

10.31 On that basis, I am satisfied the proposal will not conflict with the requirements of Policy GN3 of West Lancashire Local Plan DPD (2012-2027 and the Council's Design Guide SPD (2008) in regard to drainage and flooding.

11.0 CONCLUSION

11.1 The comments from neighbours and other interested parties are acknowledged. In this regard, the applicant is considered to have addressed the most significant neighbour concerns by way of negotiated amendments to the design. The remaining impacts to residential amenity are no longer considered significant enough cause detrimental harm to the occupiers of the affected property(s). In this respect I have no concerns in regard to the neighbouring amenity of No. 39 or 41 Brandreth Drive. I also am satisfied that the proposal is in accordance with the recommended parking standards. On the basis of comments received from the Council's drainage officer I am also satisfied that the drainage plan on site is sufficient enough to prevent any increased risk of flooding to neighbouring properties from surface water run-off.

11.2 Given the above I consider that the proposal satisfactorily meets the requirements of Policies IF2, GN1 and GN3 of the West Lancashire Local Plan 2012-2027 DPD and should be recommended for approval.

12.0 RECOMMENDATION

12.1 That the application should 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:

Drawing title: Plans and Elevations
Drawing Number: 37BD-G1 Rev 1

Drawing title: Existing and Proposed Eastern Elevations
Drawing Number: 37BD-E1 Rev 1

Drawing title: Existing and Proposed Plan of Roof
Drawing Number: 37BD-R1 Rev 1

Drawing title: Existing and Proposed Ground and First Floor Plans
Drawing Number: 37BD-P1 Rev 1

Drawing title: Existing and Proposed Western Elevations

Drawing Number: 37BD-E2 Rev 1

received by the Local Planning Authority 31st July 2023

Application Form (Description of proposed works and materials section)

received by the Local Planning Authority on May 17th 2023.

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 outlined in the following documents:

Application Form (Description of proposed works and materials section)

received by the Local Planning Authority 17th May 2023

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. The flat 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 to comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

5. The building/extension hereby permitted shall be used wholly in conjunction with, and ancillary to the use of 39 Brandreth Drive, Parbold; as a single dwelling-house and shall not be used as a separate independent unit of residential accommodation.

Reason: The proposed development lacks satisfactory standards of privacy, garden space and in-curtilage car parking space to be occupied satisfactorily as a separate dwelling unit complying with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

6. No part of the development hereby permitted shall be used or occupied until the proposed eight windows on the northwest elevation as indicated on drawing 37BD-E2 has been glazed with obscure glass to a degree sufficient to conceal or hide the features of all physical objects from view (level 4). The windows shall be fixed shut 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.

Reasons 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
IF2 – Enhancing Sustainable Transport Choice

together with Supplementary Planning Guidance and all the relevant Material Considerations. The Local Planning Authority considers that the proposal complies with relevant policy criteria as set out in the Officers Report. This 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.

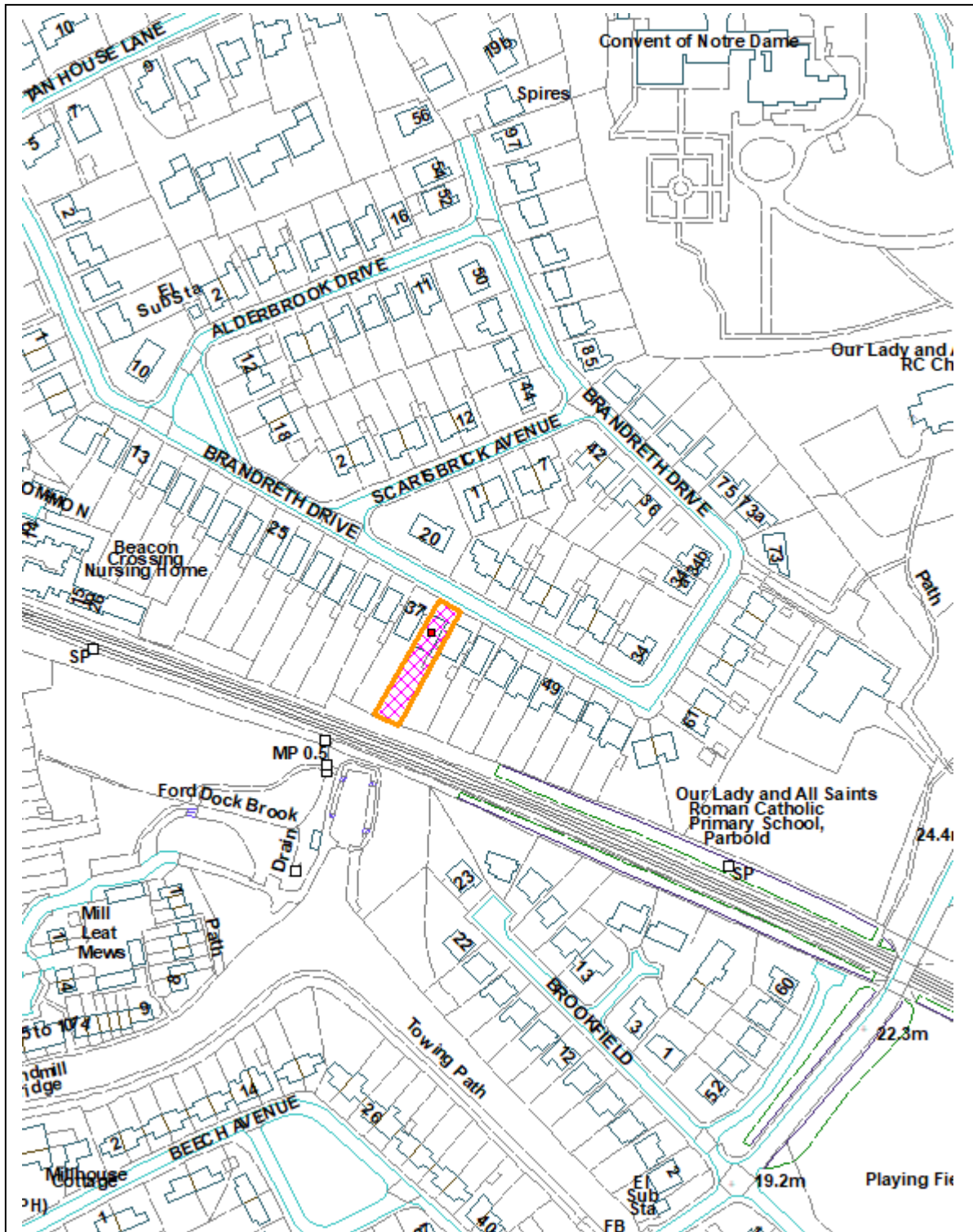
Human Rights

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.

39 Brandreth Drive, Parbold





PLANNING COMMITTEE: 7 September 2023

Report of: Corporate Director of Transformation, Housing and Resources

Contact for further information:

Debbie Walkley (Extn. 5342) (E-mail: debbie.walkley@westlancs.gov.uk)

SUBJECT: Planning Application 2022/1210/FUL

PROPOSAL: Part retrospective change of use to Allotment for personal use. Demolition of existing outbuilding and construction of new building for storage. Widening of existing access including boundary wall and fencing

ADDRESS: Land adjacent to The Old School, Higher Lane, Dalton, Wigan, WN8 7RA

Wards affected: Dalton

1.0 PURPOSE OF THE REPORT

- 1.1 The report advises Planning Committee on an application which seeks part retrospective permission for the change of use of agricultural land to an Allotment for personal use. The development includes the demolition of existing outbuilding and construction of a new building for storage alongside widened entrance to the site, hard standing and boundary wall and fencing improvements.
- 1.2 The application was deferred at 27 July 2023 at the request of Planning Committee for a site visit.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

- 2.1 That planning permission be GRANTED subject to conditions

3.0 THE SITE

- 3.1 The application site relates to a sloping parcel of agricultural land (approx. 0.018 of an acre) which is located on the west side of Higher Lane in Dalton. The residential plot of The Old School lies immediately beyond the northern boundary whilst the rear west and southern side are flanked by open land/ fields. A timber post and rail fence denote the perimeter of the site from the adjacent land uses. The eastern

boundary opens onto the Highway of Higher Lane opposite the junction with Hillock Lane.

3.2 Prior to the development, the application site was previously laid to grassland aside from a modest brick-built outbuilding located in the southwest corner adjacent to the rear boundary. It is however noted that work has commenced on site including the construction of a revised access and driveway entrance comprising of stone setts and the excavation of vegetables beds that are laid out in a grid pattern towards the front boundary of the site.

3.3 The application site has been subject to a recent initial enforcement investigation following which the owner has engaged in pre-application advice prior the submission of the current formal planning application.

4.0 THE PROPOSAL

4.1 A part retrospective planning permission is sought for the change of use of agricultural land to an Allotment for personal use.

At the time of submission/ assessment it is noted that the following elements of the development have already been completed on site:

- Demolition of the existing brick-built outbuilding
- Revised access and creation of a driveway formed of stone setts and stone wall entrance
- Excavation of vegetable beds in grid pattern

The remainder of the development detailed below is yet to be completed:

- Erection of a larger storage building to the rear (southwest) of the site
- Planting of Orchard/ Trees
- Replacement fencing/ boundary wall to the perimeters of the site

4.2 The new storage building would be constructed of reclaimed stone and tiles and would have the following dimensions 5.5m x 3m with a dual pitched roof ridge of 2.6m.

4.3 It is also noted that the application has been revised since its original submission. An extensive area of driveway and turning circle within the site has been removed from the site layout proposals as this had previously been identified as being unacceptable at pre application stage. Furthermore, following receipt of responses from statutory consultees, additional clarification and documentation has been submitted in respect of the access onto the highway/ visibility spays and several documents relating to the drainage proposals for the site. Formal re-consultations have taken place on the revisions.

5.0 PREVIOUS RELEVANT DECISIONS

5.1 **E/2022/0076/UAU** Enforcement Investigation: Change of use of land without planning permission

6.0 CONSULTEE RESPONSES

6.1 **MEAS**
(03.01.2023)

- The ecological survey submitted is considered acceptable
- No notable habitats or plant species recorded, and potential presence of protected species discounted

Roosting Bats

- Outbuilding which has been removed may have provided opportunity for roosting bats
- Implementation of Recommendations 5.3.6 of Ecology Report in relation to Roosting Bats should be secured by condition

Himalayan Balsam (HB) / Virginia Creeper (VC)

- Both species recorded at boundary of site. Recommendations 5.2.3 and 5.2.4 of ecological survey in respect of mitigation of further spread should be secured by condition
- Native landscaping and house sparrow boxes should be provided on site

6.2 LCC Highways

(24.03.2023) v2

- I confirm LCC Highways have no objections. I apologise for the error on my previous comments in respect of the speed limit for Higher Lane
- I note this is a retrospective application. The storage unit and works associated with it should have negligible impact on highway safety and capacity within the site
- From the submitted plans the entrance is wider than the existing dropped kerb and therefore the kerb needs to be extended for the full width of the access
- Requested Condition
Within three months of permission being granted the existing dropped kerb shall be extended for the entirety of the width of the access, at the carriageway edge and a vehicle cross-over constructed across the footway (and/or verge) fronting the site in accordance with the Lancashire County Council Specification for Construction of Estate Roads, to be retained in that form thereafter for the lifetime of the development. Reason: In the interests of pedestrian safety and accessibility.
- Informative
This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 171 (Vehicle crossings over footways and verges) Lancashire County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Therefore, within three months of permission being granted, the applicant must complete the online quotation form found on Lancashire County Council's website using the A-Z search facility for vehicular crossings at <http://www.lancashire.gov.uk/roads-parking-andtravel/roads/vehicle-crossings.aspx>

(21.12.2023) v1

- Plans fail to show visibility splays for the entrance to the site
- Higher Lane classified as Secondary Distributor Road with 60mph speed limit. Visibility Splays required are 2.4m x 152m
- Submission fails to confirm largest vehicle which will utilise the site this also needs to be confirmed so requirement for swept path analysis can be checked

6.2 WLBC Principal Drainage Engineer

(15.06.2023) v4

- I have no objection in principle to the application. I estimate the impact on flood risk due to the development to be negligible

(26.05.2023) v3

- I am willing to accept that a soakaway will work at this location. However, it is not clear to me how the surface water generated within the site is intercepted and conveyed to the proposed soakaway
- The easiest way to demonstrate the drainage falls (gradients) is by providing longitudinal section along the drainage run from the bottom of the access of the soakaway. The section should extend to the store/ potting shed if the intention is to catch runoff from all impermeable areas within the site

(24.03.2023) v2

- The revised drainage details are not sufficient for me to remove my objection to this development. The surfacing used whether formed in cobbles or grasscrete, will undoubtedly increase surface water runoff. The introduction of channel drainage is not sufficient in my view due to the steepness of the ground it drains.
- Also, the reliance of water soaking into the ground without percolation testing being undertaken first is not acceptable
- The applicant refers to an unrelated planning application as an argument for acceptance of a channel drain in the design. This has no bearing on the application as drainage is a site-specific consideration and should not be generalised

(15.12.2022) v1

- According to the Environment Agency Long Term Flood Risk Map Higher Lane is at high risk of surface water flooding.
- One of the photographs contained within the submitted Design & Access Statement (page 7) clearly shows that the surface water runoff is directed toward Higher Lane. This is borne out by my local knowledge of the area.
- A road gully can be seen in the middle of the access opening onto Higher Lane, the purpose of which is to drain the public highway not private land. The applicant has made no effort to prevent the runoff from his property onto the highway, and therefore this development will exacerbate existing flooding.
- Considering the above I **object to this application**.
- To remove my objection, I will need to see measures put in place to prevent the runoff from flowing onto Higher Lane.

7.0 OTHER REPRESENTATIONS

7.1 Planning Committee Call In (17.12.2022)

- The application has been Called-In to Planning Committee by Councillor David Whittington stating, ' the reasons are the same as those raised by the Parish Council'. For avoidance of doubt these are noted as size of replacement building and scale/ extent of driveway and turning area both of which are considered to result in harm to the Green Belt

7.2 Dalton Parish Council

(20.12.2022)

- No objection to retrospective elements (boundary walls, gate, entrance)
- Objection relates to 2 aspects:
 - i) Size of replacement building- significant increase than original
 - ii) Turning Area and driveway is excessive. Previously advised this would be cellular cast (grasscrete). Entrance has been completed in cobbles and

is adequate to accommodate a vehicle clear of the road therefore no need to install remainder of the driveway and turning area- this will also lessen the impact upon the Green Belt

- If planning permission is granted could condition be imposed to restrict use to allotment as concerns that builder owner may use the site for business purposes

(22.02.2023)

- Previous Objections remain
- No special circumstances demonstrated in the submission
- Building will appear dominant as it sits on higher ground than the road
- Building still 65% larger than original
- If nothing valuable is being stored why is the metal door and iron grille necessary?
- Discrepancies in measurements of ridge height of building
- No mention of compost heap?
- Condition restricting use to allotment for personal use and restriction of storage of equipment solely relating to horticultural use

(18.07.2023)

The Parish Council have submitted a recent set of photographs of the site showing stone/ building materials, signage laid on the floor and a garden sofa. The accompanying email states that:

"Despite the applicant's agent claiming it would only be used as an 'allotment' and not for anything to do with the applicant's occupation as a builder, there has been/ is still a pile of bricks, a door, a sofa, chairs and various other items, plus a builders advertising sign- that's just what can be seen from outside of the land boundaries"

Based on the above concerns, the Parish Council have requested that consideration be given to the imposition of a condition on any future permission for the Allotment to restrict what the land and building can be used for and what can be stored there.

- 7.3 6 Neighbour representations have been received in respect of the proposal, a summary of which are outlined below

Layout and extent of driveway and turning area

- Proposed driveway covers $\frac{3}{4}$ of the site with hardstanding with the growing area appearing as a token gesture. Hard to imagine why this extent is required
- Driveway and tuning area out of proportion. Entrance apron already accommodates a transit vehicle to be parked clear of the road
- Concerns about covering the Green Belt with hardstanding

Drainage Issues

- Existing issues on Higher Lane with surface water flooding. Excessive hardstanding may exacerbate this

Concerns re future conversion of site for Residential Dwelling

- If site loses its green status- this could help facilitate passing future planning for construction of a dwelling

Scale of replacement storage building

- Building double the size of the original outbuilding which has been demolished
- Concerns this is a precursor for future dwelling

- Inappropriate scale for storing tools and compost etc
- Single window design would make it difficult for potting
- Structure is elevated from road and this magnifies its scale

Other Comments

- Concerns about the land being used in connection with applicants building business/ for storage or building materials and waste
- No objections to allotment or planting of trees
- If permission granted can a restrictive condition preventing residential dwelling be applied

- 7.4 Following consultation on revised information one further neighbour representation were received a summary of which is outlined below
- The building is still much larger than the one it replaces (65%)
 - Owing to the higher ground levels the building will dominate the street and harm the visual amenity of the green belt and for facing residents
 - Construction of building is far from usual required for growing plants

8.0 SUPPORTING INFORMATION

- 8.1 Ecological Survey and Assessment: ERAP (10.11.2022)
 Design and Access Statement (10.11.2022)
 Additional Supporting Statement: Response to consultees and neighbour representations (03.01.2023)
 Existing Road Signs and Markings (Highways) (08.02.2023)
 Water Drainage Details & Soakaway Design Report (24.04.2023)
 Drainage Soakaway Report & Revised Drainage Plan (09.06.2023)
 Longitudinal Cross Sections on Grid Lines (09.06.2023)

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.

- 9.2 The site is located within the Green Belt

9.3 National Planning Policy Framework

Protecting green belt land
 Conserving and enhancing the natural environment

9.4 West Lancashire Local Plan (WLLP) 2012-2027 DPD

Policy SP1 – A sustainable development framework for West Lancashire
 Policy GN1 – Settlement Boundaries
 Policy GN3 – Criteria for Sustainable Development
 Policy EN2 – Preserving and Enhancing West Lancashire’s Natural Environment
 Policy IF2 - Enhancing Sustainable Transport Choices

9.5 Supplementary Planning Document

Design Guide (2008)
 Development within the Green Belt (2015)

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

10.1 The main considerations for this proposal are as follows:

- Principle of Development- Impact upon the Green Belt
- Siting, Design and Layout
- Impact upon Residential Amenity
- Impact upon Highways
- Ecology
- Drainage

Principle of Development- Impact upon the Green Belt

10.2 National policy for the control of development in the Green Belt is substantially set out in paragraphs 145 and 146 of the NPPF. This lists the types of development which are considered to be appropriate within the Green Belt.

10.3 Paragraph 145 states that “A local planning authority should regard the construction of new buildings as inappropriate in Green Belt.” There are 7 exceptions to this including:

*b) the provision of appropriate facilities (in connection with the existing use of the land or a change of use) for outdoor sport, outdoor recreation and for cemeteries and burial grounds and **allotments** as long as the facilities preserves the openness of the Green Belt and do not conflict with the purposes of including land within it.*

10.4 The current designation of the application site is Agricultural Land and as such planning permission is required for its change to an alternative use. The submission is accompanied by a Design and Access statement and supplementary Supporting Statement which outlines the applicants' intentions in relation to the site as outlined below:

The applicant purchased the land in May 2021 for use as an Allotment for personal use including establishing a grid of vegetable beds for growing and the planting of a fruit orchard. It is presented that the original outbuilding was demolished in June 2022 due to its dilapidated condition which was considered unsafe. Similarly, the existing front stone boundary wall was in poor condition most recently due to a collision with a vehicle and has been rebuilt. Additional appropriate facilities are proposed to support the allotment in the form of a single storey storage building for potting of plant and storing of gardening equipment and replacement/ upgrading of the existing access/ entrance and a number of the existing boundary treatments to the north south and western boundaries

10.5 Based on the nature and scope of the proposal as described in the supporting statements and show on the revised layout plans, it is considered that the Allotment for personal use would fall under exception b) of paragraph 145 of the NPPF as outlined.

10.6 Notwithstanding the above, paragraph 145 further requires an assessment of the appropriateness of any associated infrastructure or facilities based upon their preservation of the openness of the Green Belt and not conflicting with the purposes of including land within it, in this case by way of encroachment. The proceeding section assesses each element in respect of its impact:

Proposed New Storage Building:

- 10.7 The existing site included a dilapidated outbuilding (now removed) which was very modest in scale being 4.4m x 2.5m. It is accepted that the proposed replacement building would be slightly larger being 5.5m x 3m with an overall ridge height of 2.6m, nevertheless the increases are relatively minor, and it would maintain both the single storey scale of the previous outbuilding and the same broad location within the site- set well back in the southwest corner. The overall scale of the building would not be considered unduly excessive and in my view is commensurate with buildings typically utilised on an allotment site for storage of equipment and provision of potting facilities. The nature of the reclaimed stone and slate materials proposed for the building are appropriate in this rural location and consistent with the existing materials used elsewhere on the site for boundary treatments etc.
- 10.8 Overall, based on the above, I am satisfied the replacement building would not result in any significant additional harm to the perceived openness of the green belt and in this respect is acceptable.

Engineering Operations:

- New Access including Driveway Apron & Stone Wall Entrance with Field Gate
- Replacement boundary treatments to north and south

- 10.9 In addition to the construction of the buildings and creation of allotment areas (orchard planting and vegetable beds) the site layout includes the creation of a new access/ driveway apron which includes a stone wall, posts and field gate which is set back from the front boundary of the site. This element of the development has now been completed and forms part of the retrospective aspects of the proposal. The works constitute an engineering operation which is listed in paragraph 150 of the NPPF as being a form of development which is not inappropriate in the Green Belt provided it preserves the openness of the green belt and does not conflict with the purposes of including land within it.
- 10.10 The driveway hardstanding/ apron measures approx. 3.6m in width x 5.8m in length, is laid to an intricate stone sett design and surrounded by a low-level stone wall which is consistent with the existing front boundary to the site. The dimensions would allow the safe access and parking of a vehicle within the curtilage of the site which is considered a reasonable and necessary facility for an individual allotment. The proposed length of the driveway apron (5.8m) is consistent with the requisite set back distance from the pavement/ road requested by the Highways Authority to ensure that the vehicle can pull off clear of the road without causing adverse harm to highway safety or amenity. Both the low-level wall and field gate are furthermore considered appropriate in terms of the rural context.
- 10.11 It is acknowledged that the driveway as described above has been substantially reduced in scale from that originally proposed which covered an expansive area of the site to the detriment of allotment growing space. By comparison, the amended entrance is relatively contained and in my view is appropriately justified in terms of its scale and siting. Whilst it is recognised that a less intrusive treatment such as a cellular cast type material may have been preferential in this green belt setting, it is nevertheless accepted that loose hardstanding at this access point to the site would not have been considered acceptable by the Highways Authority owing to the potential of stones being deposited onto the road creating a hazard/ obstruction.
- 10.12 On balance, noting the above I am satisfied the proposed entrance, driveway, and field gate as facilities for the allotment would be considered appropriate and not result in significant harm to the openness of the green belt.

10.13 The development proposals also encompass the direct replacement/ upgrade of the post and rail fencing along the south-western boundary and the construction of a 0.8m stone wall along the northern boundary shared with the adjacent residential plot of The Od School. Owing to the scale, siting and replacement nature of these boundary treatments they would be considered appropriate in the setting and furthermore would not require planning permission as could be exercised under permitted development rights. In any case I do not consider either aspects would result in any significant additional harm to the openness of the green belt

Siting, Design and Layout

10.14 Policy GN3 in the WLLP requires development to be of high-quality design and have regard to visual amenity, complementing its surroundings through sensitive design.

10.15 The proposed storage building would have a traditional and simplistic form and appearance and whilst the replacement structure would be slightly larger than the original outbuilding, the scale remains commensurate with the size of a personal allotment plot. The reclaimed stone and slate materials would be considered appropriate and consistent with the local rural vernacular. The building would furthermore be sited towards the rear boundary of the site and would be partially concealed by the growing areas (grid layout vegetable plots) and the proposed Fruit Orchard. It would therefore not appear unduly incongruous or prominent when viewed from the roadside of Higher Lane.

10.16 The retrospective elements of the proposals relate to the rebuilding of the stone walls, the excavation of the vegetable beds and the construction of the new access and driveway formed from stone setts. The rebuilding of the existing stone walls to the front boundary of the site are acceptable and at a height below that which would require planning permission. The creation of the new formalised access and repositioning of the gates into the site to allow vehicles to safely pull off from the Highway are also considered acceptable. The materials and design are high quality and whilst the level of detail of the stone setts is somewhat elaborate and unusual for an allotment site, they nevertheless contribute to an overall cohesive appearance which is in keeping with the immediate surroundings of the locality. Similarly, the replacement and upgraded boundary treatments to the south and north of the plot are not incongruous in this setting and therefore considered acceptable.

10.17 Having regard to concerns raised by Dalton Parish Council in late information received prior to the 27 July Planning Committee, it is considered appropriate to add a further condition to what was previously recommended to preclude outdoor storage. On the basis of the above, the proposal is accordant with Policy GN3 of the Local Plan and the West Lancashire Design Guide.

Impact upon Residential Amenity

10.18 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 and outdoor space for occupiers of the neighbouring and proposed properties.

10.19 The proposed change of use of the land for a single allotment would not in itself be considered to result in any significant adverse harm to the residential amenity of

surrounding land uses or occupants. The supporting statement indicates its purpose is for the sole use of the applicant and therefore it is not anticipated there would be any significant intensification of use of the land that would result through increased noise, disturbance, or visitors to the site.

- 10.20 The application site is flanked to the south and west by open land and to the front by the Highway of Higher Lane. The nearest residential dwelling and most likely to be impacted by the proposal is the adjacent property of The Old School House which sits directly adjacent to the north of the site which has a driveway and attached garage abutting the site. The proposed storage building would be sited well away from the neighbouring plot along the rear southwest boundaries and would be further screened by the proposed orchard planting. There would be a pedestrian door on the southern elevation facing the open land and a single window on the western elevation which it is assumed is the rear elevation of the building (albeit both the east and west elevational drawings are annotated on the plan as front) which would therefore overlook the field and not address the neighbouring dwelling.
- 10.21 The new access would be located to the front of the site adjacent to the neighbour's own driveway. The Old School House has a number of side facing ground and first floor windows which directly overlook the site itself and whilst it is acknowledged their outlook will most certainly change because of the proposed development of the land, there does not appear to be any significant harm to their amenity by way of overshadowing or overbearing. The creation of more substantial screening treatments along the common/ shared northern boundary by way of the proposed stone wall shared boundary may assist in providing a more secure separation between the plots.
- 10.22 On the basis of the above, the proposals are not considered to result in any significant harm to residential amenity and are therefore accordant with Policy GN3 of the Local Plan
- 10.23 Notwithstanding the above, it is acknowledged that several of the local representations received in response to the consultations on the application reference concerns about the site being used as part of the owner's business for storage and disposal of building materials. The applicant has submitted a supporting statement which indicates that the site is to be used solely as an allotment for personal use. Any building materials (stone/ slate) currently present on the land are to be used for the construction of the new storage building only.

Impact on Highways

- 10.24 The proposed development includes the creation of a new amended access and entrance to the site from Higher Lane which encompasses a new driveway apron, stone wall field gate. The proposals have been considered by LCC Highways who have no objection in principle to the proposals.
- 10.25 The speed limit immediately to the front of the site is 30mph and therefore owing to positioning and scale of the wall and driveway, the visibility requirements to exit the site onto Higher Lane are considered acceptable. The length of the driveway and the position of the field gate is sufficiently set back from the road to allow for a vehicle to pull off safely off the highway without resulting in any adverse safety or capacity issues on Higher Lane. Based upon the submitted plans the amended site entrance appears wider than the existing dropped kerb which serves the site and

as such the kerb will need to be extended for the full width of the access and this can be secured by way of condition of the application.

- 10.26 Subject to the condition described the proposal is considered accordant with Policy IF2 and GN3 of the Local Plan

Ecology

- 10.27 Given the rural nature and setting of the site and the scope of the development which has included the demolition of an existing dilapidated outbuilding, the submission is accompanied by an ecological survey and assessment. The Councils ecologist MEAS have confirmed the report is considered acceptable
- 10.28 No notable habitats or plant species were recorded during the assessment and the potential presence of protected species on the site has been discounted. Notwithstanding this, whilst it is acknowledged that the original outbuilding has been removed from the site it may have provided an opportunity for roosting bats. On this basis the Ecological Report recommends the implementation of a number of mitigation measures which can be secured by condition of the application
- 10.29 In addition to the above, the presence of both Himalayan Balsam and Virginia Creeper were recorded at the boundary of the site. The submitted Ecological report includes a series of recommendations in respect of mitigation against the further spread of the species which are accepted by the Councils ecologists and can be secured by condition.
- 10.30 Subject to the conditions described, the proposals are considered accordant with Policy EN2 of the Local Plan

Drainage

- 10.31 Policy GN3 of the West Lancashire Local Plan requires that acceptable sustainable drainage provision is made for any new development. The submission was initially accompanied by a Design and Access Statement which outlined the proposed drainage scheme for the site, and which has been considered by the Councils Principal Drainage Engineer.
- 10.32 The application site is located on Higher Lane which is identified as at high risk of surface water flooding by the Environment Agencies Long Term Floor Risk Map. Initial details in the submission indicated that the surface water run off from the site would be directed to the public highway which was considered to exacerbate existing flooding issues known to the area. Channel drainage was not considered sufficient to alleviate these issues owing to the topography of the site.
- 10.33 On the basis of the above, additional supporting information has been submitted in relation to a suitable drainage scheme for the site including percolation test data, a soakaway scheme and supplementary longitudinal sectional drawings of the site. The Engineer considers that cumulatively the sustainable drainage scheme for the site is acceptable and concludes that the impact on floor risk as a result of the development to be negligible
- 10.34 Given the above, the proposal is considered accordant with Policy GN3 of the Local Plan

11.0 Conclusion

11.1 The proposed development is considered compliant with the NPPF and Policies GN1, GN3 and IF2 of the West Lancashire Local Plan 2012-2027 DPD and the application is recommended for approval

12.0 Recommendation

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

1. The development hereby approved shall be carried out in accordance with details shown on the following plans:

Site Location Plan Received by the Local Planning Authority on 10th November 2022

Proposed Site Plan and Elevations Dwg: DPB/22/02/A Rev A Received by the Local Planning Authority on 8th February 2023

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 to be used on the external surfaces of the extension hereby permitted shall match those outlined in Materials Section of the Planning Application Form Received by the Local Planning Authority on 10th November 2022

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.

3. The surface water drainage scheme for the site should be implemented in accordance with the following details

- Proposed Surface Water Drainage Details Dwg: 2023_2636_001 Rev A Received by the Local Planning Authority on 9th June 2023
- Soakaway Design ADM Structural Received by the Local Planning Authority on 9th June 2023
- Longitudinal Cross Section (1) DPB/DM/22/04 Received by the Local Planning Authority on 9th June 2023
- Longitudinal Cross Section (2) DPB/DM/22/05 Received by the Local Planning Authority on 9th June 2023
- Grid of Levels DPB/DM/22/03 Received by the Local Planning Authority on 9th June 2023

The approved works shall be retained as such thereafter.

Reason: To ensure adequate drainage for the proposed development and to ensure that there is no flood risk on- or off-the site resulting from the proposed development and to ensure that the development complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

4. Within three months of permission being granted, a timetable outlining the works to extend the existing dropped kerb shall be submitted to and approved in writing by the local planning authority.

The dropped kerb shall be extended for the entirety of the width of the access, at the carriageway edge and a vehicle cross-over constructed across the footway (and/ or verge) fronting the site in accordance with the Lancashire County Council Specification for Construction of Estate Roads and be retained in that form thereafter for the lifetime of the development.

Reason: To safeguard the safety and interests of the users of the highway and to ensure that the development complies with the provisions of Policy GN3 and IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

5. The development shall be implemented in accordance with the Recommendations outlined in the Ecological Survey and Assessment ERAP (Paragraph 5.3.6 Roosting Bats and Paragraphs 5.2.3 and 3.2.4 Invasive Species Controls) Received by the Local Planning Authority on 10th November 2022.

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

6. The Allotment hereby permitted shall be used only for the personal and private use of the applicant and no trade or business use shall be carried out 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.

7. No raw materials, finished or unfinished products or parts, crates, materials, waste, refuse or any other item shall be stacked or stored outside any building at any time (other than in those areas expressly shown for those purposes on the approved plans).

Reason: In the interests of visual amenity and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

Informative:

1. This consent requires the construction, improvement, or alteration of an access to the public highway. Under the Highways Act 1980 Section 171 (Vehicle

crossings over footways and verges) Lancashire County Council as Highway Authority must specify the works to be carried out.

Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Therefore, within three months of permission being granted, the applicant must complete the online quotation form found on Lancashire County Council's website using the A-Z search facility for vehicular crossing at <http://www.lancashire.gov.uk/roads-parking-andtravel/roads/vehicle-crossings.aspx>

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 RS1- Residential Development
Policy GN1 – Settlement Boundaries
Policy GN3 – Criteria for Sustainable Development
Policy EN2 – Preserving and Enhancing West Lancashire’s Natural Environment
Policy IF2 - Enhancing Sustainable Transport Choices

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.

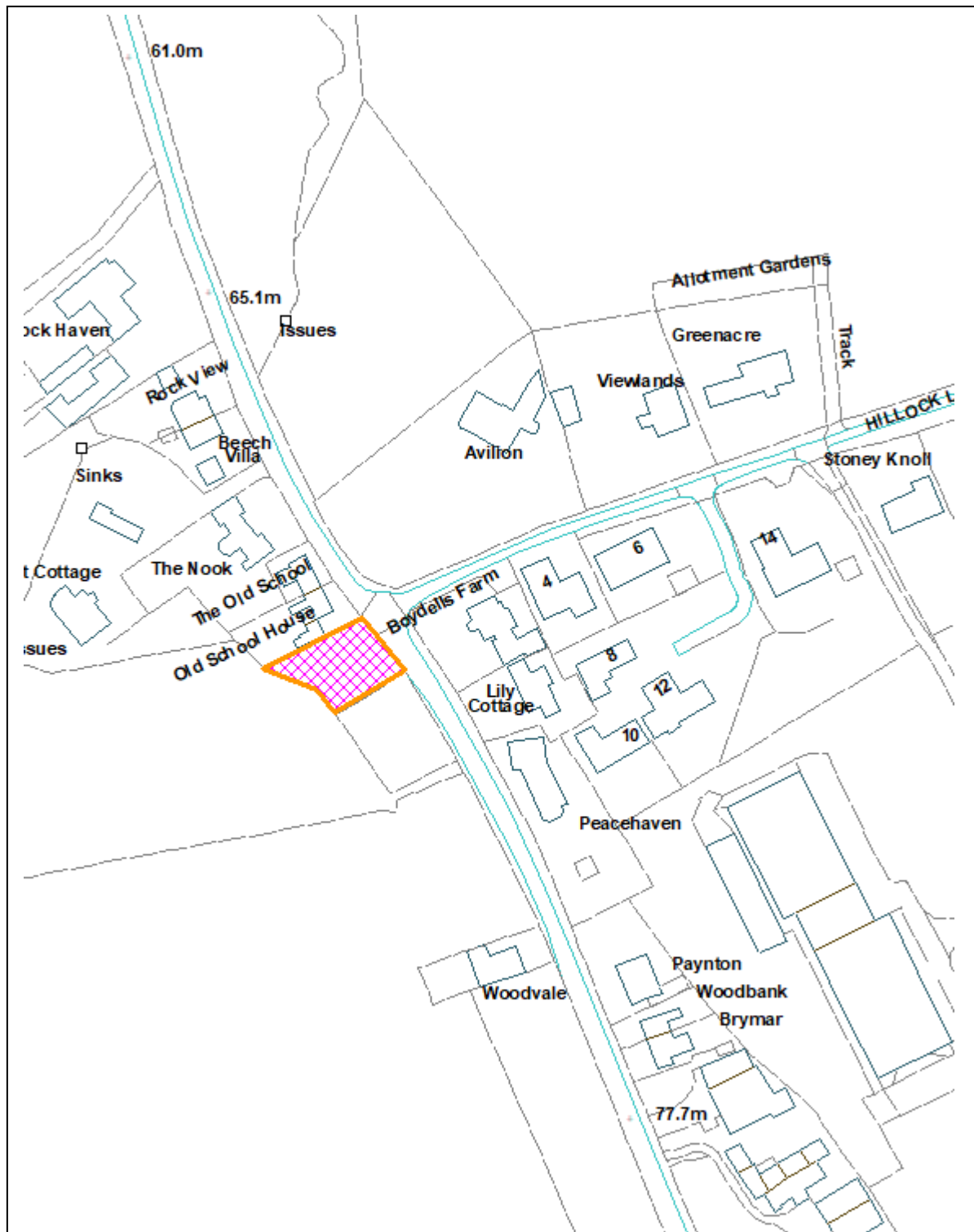
Human Rights

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.

Land Adjacent, The Old School, Higher Lane, Dalton,





PLANNING COMMITTEE: 7 September 2023

Report of: Corporate Director of Transformation, Housing and Resources

Contact for further information:

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

SUBJECT: PLANNING APPLICATION REF: 2022/1333/FUL

PROPOSAL: Conversion of a former barn to a new dwelling, including external landscaping work

APPLICANT: Mr John Groves

ADDRESS: Woodside Barn, Cranes Lane, Lathom

REASON WHY APPLICATION IS AT PLANNING COMMITTEE: Application has been called in by Cllr Pope to consider impact on Green Belt, impact on neighbouring residents and impact on environment, particularly noting the number of trees that have already been removed.

Wards affected: Newburgh

1.0 PURPOSE OF THE REPORT

1.1 To advise Planning Committee on an application which seeks planning permission for the conversion of an existing barn to a dwelling.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

2.1 That planning permission is granted subject to conditions.

3.0 THE SITE

- 3.1 The application relates to a disused barn located on the south side of Cranes Lane which is set well back from the road frontage and screened by a small woodland which sits to the front of the site. The building is substantial in scale and constructed upon on a concrete slab and is steel framed with concrete slab walls. Immediately surrounding the building is a peripheral yard area with the main access to the site located to the east of the barn which gives access onto Cranes Lane. This access is partially shared with the neighbouring property before exiting onto Cranes Lane.
- 3.2 A small copse to the front of the site is protected by Tree Preservation Order no. WLDC 13 2006.

4.0 PROPOSAL

- 4.1 The application seeks permission for the conversion of the disused barn to a two-storey, five bedroomed dwelling. The dwelling would be served by the existing shared access onto Cranes Lane and the existing areas of hardstanding would be altered to create a parking and turning area.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 None

6.0 OBSERVATION OF CONSULTEES

- 6.1 Cadent Gas - 19/01/23

No objection subject to an informative note

- 6.2 LCC Highways - 24/01/23

LCC Highways has no objection to this application and is of the opinion that the proposed development would have a negligible impact on highway safety or highway capacity within the immediate vicinity of the site.

- 6.3 MEAS - 20/02/23

The applicant has submitted a Preliminary Ecological Appraisal report which has minor limitations. However, this does not affect the conclusions of the report and the report is accepted.

SSSI Impact Risk Zones The proposed development is within the Natural England SSSI Impact Risk Zone (IRZ) (January, 2023). As the proposed development falls within the category "All planning applications (except householder) outside or extending outside existing settlements/urban areas

affecting greenspace, farmland, semi natural habitats or landscape features such as trees, hedges, streams, rural buildings/structures.” Natural England must be consulted on the planning application prior to determination.

Habitats Regulation Assessment I have considered the proposals and the possibility of likely significant effects on national and international sites using the source-pathway-receptor model. I advise that there is no pathway that could result in likely significant effects on the national and international sites and the proposals do not warrant a Habitats Regulations Assessment. Conditions are recommended

6.4 Natural England - 14/03/23

Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. The following information is required: A Habitats Regulations Assessment Screening. Without this information, Natural England may need to object to the proposal.

6.5 MEAS - 12/04/23

I have reconsidered the proposals and the possibility of likely significant effects on sites using the source-pathway-receptor model. There are pathways between the proposals and the national and international sites, therefore, the proposal requires Habitats Regulations Assessment for likely significant effects Local Plan policy EN2 applies. An Assessment of Likely Significant Effects (Stage 1) has been carried out prior to determination and is enclosed. Conclusion of Test of Likely Significant Effects (Stage 1) : The proposals have been assessed using the Source-Pathway-Receptor model. I therefore advise there will be no significant effects on national or international sites and no additional mitigation is required.

6.6 Natural England - 21/04/23

No objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection

6.7 WLBC Arboricultural Officer - 12/05/23

The latest revision would suggest that the existing building is actually turned around 180 degrees. This makes the principal elevation south facing and removes most of my objections. The 180 turn around resolves the vast majority of light issues into principal rooms, but still creates a few minor issues. The first is light into the kitchen/dining room. The second issue is vehicle tracking into the garage.

The drainage and sewerage are now resolved from an arboricultural perspective.

Fencing around the perimeter of the site (including gates) could be problematic to trees and hedges. However, this is only an issue if foundations are used for the fence. It is not clear in the application details.

Ground protection measures are not confirmed. However, all ground protection measures are there to protect vehicles not trees. They essentially spread the load of the vehicle tyres wider than the width of a tyre and prevent vehicles from sinking into the ground. They still cause compaction which causes damage to trees. The driveway is shown as 'no dig construction' and is still fatally flawed and does not provide any function of tree protection whatsoever.

The amendments are a huge positive. However, it is not right yet.

6.8 WLBC Arboricultural Officer - 20/07/23

I can confirm that the Hedgerow surveyed as H8 is protected under the Hedgerow Regulations and therefore, is a material consideration when deciding applications. This proposal will have a detrimental impact upon the hedgerow and will likely result in part removal and damage.

6.9 WLBC Principal Engineer - 03/03/23

The drainage proposals for both foul and surface water are acceptable.

7.0 **OTHER REPRESENTATIONS**

7.1 Lathom Parish Council - comment that the only trees that should be removed must only be because of their condition and any trees removed should be replaced

7.2 Two letters of representation have been received and can be summarised as follows:

- Support the application. I am the closest neighbour to the barn and am the only one who shares a direct boundary with the site. Therefore, I am the one who will be most affected and yet I am fully in favour of the development proceeding.

- The barn is currently an eye-sore and adds nothing either to the quality of the green belt or to the local environment.

- Cranes Lane is an unadopted road which is maintained at the sole expense of the local property owners. The use of the road by the public and local agricultural vehicles causes the surface to quickly break up and it is well known for its numerous potholes. Furthermore, services to the local properties are very poor with no mains drainage and very slow internet speeds. Converting the barn to a

private dwelling can only help contribute to the resolution of these problems, especially given the lack of support received from the council.

- Consider any impact of the proposed development on the greenbelt is minimal since the barn can hardly be seen from Cranes Lane (i.e. it can't be seen by the public) and mine is the only neighbouring property from which the barn can be seen.

- I do not object to the barn being converted.

- Raise concerns about the removal of asbestos from the site

- In recent months vehicles have prevented me from accessing my own land and also damaged my driveway and fencing. I would like the new owners to be restricted to using their original driveway. This would also be positive for Cranes Lane as it would mean that the heavy goods building materials delivery vehicles etc would be able to turn more easily in the junction opposite Lady Alice's Walk and so cause less damage to Cranes Lane.

8.0 SUPPORTING INFORMATION

- 8.1 Preliminary Ecological Appraisal Report
Drainage Strategy
Planning, Design And Access Statement
Arboricultural Method Statement - Third issue
Response to Natural England comments
Response to Arboricultural Officer Comments
Structural Condition Report

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.
- 9.2 The site is located within the Green Belt as designated in the West Lancashire Local Plan 2012-2027 DPD.
- 9.3 **National Planning Policy Framework**
Promoting healthy and safe communities
Achieving well-designed places
Conserving and enhancing the natural environment
- 9.4 **West Lancashire Local Plan Policies**
SP1 - A Sustainable Development Framework for West Lancashire
GN1 - Settlement Boundaries
GN3 - Criteria for Sustainable Development
RS1 - Residential Development
IF2 - Enhancing Sustainable Transport Choice
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 (January 2008)

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

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF TRANSFORMATION, HOUSING AND RESOURCES

10.1 The main considerations for this application are:

Principle of development - Residential development

- 10.2 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. Paragraph 150 of the NPPF states that certain forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. This includes (d) The re-use of buildings provided that the buildings are of permanent and substantial construction.
- 10.3 Policy GB2 of the SPD - Development in the Green Belt sets out the criteria that should be satisfied in respect of the conversion of existing buildings.
- 10.4 The submission has been accompanied by a Structural Survey of the barn which states that the basic overall size of the property would remain as existing with no indication of any serious damage to the roof, wall fabric or floor areas of the building. The report concludes that there is no reason from a structural aspect why the conversion would be an issue having regard to the amount of structural and remedial work which would be required.
- 10.5 On the basis of the evidence submitted it is considered that the building is of permanent and substantial construction and furthermore is capable of conversion without major change or extension in line with the NPPF and Policy GB2.
- 10.6 The proposed residential curtilage has not been unduly extended to the rear whilst still providing a suitable private amenity space. It is noted that the front garden is large however this is necessarily dictated by the position of the existing building. In any case this front area would largely remain unaltered and unavailable for use as amenity space due to the existing protected trees. It is considered that the extent of curtilage is appropriate and would not result in harm to the openness of the Green Belt.

Principle of Development - Sustainability

- 10.7 Paragraph 79 of the NPPF promotes sustainable development in rural areas and states that housing should be located where it will enhance or maintain the vitality of rural communities. Consideration must be given to whether the proposal can be considered as sustainable development.
- 10.8 Paragraph 80 states that the development of isolated houses in the countryside should be avoided unless one or more of the stated circumstances apply including c) the development would re-use redundant or disused buildings and enhance its immediate setting.
- 10.9 The application site is situated off the rural lane of Cranes Lane in Lathom. Within the immediate locality of the application site there are a small mixed cluster of residential properties to the east and west of the site and the barn is therefore not considered to be in an isolated position. In addition, having regard to the improvement to the condition and appearance of the site, it is considered that the development would comply with exception c).
- 10.10 In terms of the sustainability of the site, it is located approx. 350m from the junction of Cranes Lane/Hall Lane. Whilst there are no pavements along this stretch of road the road is a private road with little vehicular traffic. Cranes Lane is also a Public Right of Way. On reaching Hall Lane there is a pavement and pedestrians can access the church and school within 800m of the site. Further away approx. 1.3 miles but still accessible on foot is a large farmshop and a petrol station with shop and bus stops with access to public transport to Ormskirk and Wigan. On balance it is considered that the proposal would be located within a sustainable location.

Design/Layout/Impact on residential amenity

- 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 site and its surroundings. Policy EN4 seeks to protect and enhance non-designated heritage assets.
- 10.12 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 properties.
- 10.13 The building would be retained with the addition of new openings to all elevations. It is considered that the proposed conversion whilst retaining the agricultural appearance of the building would lead to an improvement in the surroundings to the building. There is an existing area of hardstanding that would be modified to provide a suitable parking area and external patio at the rear of the building. The main features of hedgerows and trees will be retained to the

side boundaries. Post and rail timber fencing to the rear and front boundaries is acceptable and in keeping with the rural character of the locality. A condition is recommended requiring details of new materials to be submitted for approval to ensure compatibility with the existing building and its surroundings.

- 10.14 The arboricultural officer raised concerns regarding future pressure to prune or remove protected trees that would be restricting light to habitable rooms of the new dwelling. During the course of the application amended plans have been received to alter the internal layout of the dwelling. This has resulted in the main living and bedrooms of the property being located at the rear of the building. This ensures that adequate light reaches these habitable rooms. A store room is located at the front with the kitchen on the eastern side of the dwelling where there is additional light available from the side.
- 10.15 Overall it is considered that the development would comply with the requirements of local plan policy GN3.

Highways

- 10.16 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.
- 10.17 I have consulted the Highway Authority in respect of the proposal. The Highway Authority have indicated there is no objection in principle to the proposed development and is of the opinion that the proposed development would have a negligible impact on highway capacity and highway safety within the vicinity of the site. Suitable parking can be provided within the site for at least three vehicles. Subject to recommended conditions I am satisfied the development would comply with the requirements of local plan policies IF2 and GN3.

Ecology

- 10.18 Policy EN2 (1) of the WLLP states that where there is reason to suspect that there may be a priority species, or their habitat, on or close to a proposed development site, planning applications should be accompanied by a survey assessing the presence of such species and, where appropriate, making provision for their needs. This allows the LPA to screen the project against the Habitats Regulations and relevant national and local policy.
- 10.19 The application has been accompanied by Preliminary Ecological Appraisal Report and a subsequent response to the comments initially made by Natural England and the Council's Ecologist MEAS.

- 10.20 The full submission has been considered by the Council's Ecology advisors MEAS and Natural England. An Assessment of Likely Significant Effects has been undertaken and concludes there will be no significant effects on national or international sites and no additional mitigation is required.
- 10.21 Subject to appropriate conditions and advice notes recommended in regard to breeding birds, invasive species and terrestrial mammals it is my view that the proposed development would not adversely impact on protected species or their habitats and on that basis the proposal complies with the requirements of local plan policy EN2.

Tree issues

- 10.22 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.
- 10.23 It is noted that representations refer to the loss of trees from the site prior to the development being approved. Exact details of the tree(s) concerned have not been provided and no formal report has been submitted to the Council's Arboricultural Officer. The planning application does not propose the direct removal of any tree within the site.
- 10.24 Notwithstanding the above the Council's Arboricultural Officer has assessed the proposal and raised concerns regarding the impact of the protected trees on the amenity of future residents. As detailed above at paragraph 10.14 this matter has been resolved by internal layout amendments.
- 10.25 The Arboricultural Officer also raised concerns regarding the impact of the development, in particular the driveway and creation of new access, on the health of the trees. Following receipt of the final comments from the Arboricultural Officer the applicant has now agreed to remove the proposal for a new access from the scheme. A fence will be erected across the full width of the front boundary and no new driveway will be constructed along the western side of the plot.
- 10.26 However whilst the alterations to the existing driveway are acceptable in principle details of the methods current proposed for the construction are not considered to be appropriate and would lead to harm to the trees. Given that all other parts of the development are now amended to resolve matters relating to the trees it is considered that this final concern can be addressed by a condition requiring details of the construction of all areas of the hardstanding prior to the commencement of any development on site.

10.27 Subject to the above condition it is considered that the development would comply with the requirements of policy EN2.

Drainage

10.28 The submission has been accompanied by drainage documentation which has been considered by the Council's drainage engineer. It is considered that the drainage strategy is suitable for the proposed development and should be implemented in accordance with the submitted details.

11.0 CONCLUSION

11.1 The principle of the proposed development in the Green Belt is considered to be acceptable. The design and layout of the development would be in keeping with the rural area and, subject to appropriate conditions, the proposal is not considered to have any significant adverse impacts on highway safety, neighbouring amenity, drainage, ecological habitat or protected species. I therefore consider that the proposal satisfactorily meets the requirements of Policies GN1, GN3, IF2, EN2 and EN4 of the West Lancashire Local Plan 2012-2027 DPD.

12.0 RECOMMENDATION

12.1 That any planning permission be granted subject to the following 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:

Site location plan JG2022/PL01C and Floor Plans and Elevations JG2022/PL02C received by the Local Planning Authority on 12th June 2023

Proposed site layout JG2022/PL03E received by the Local Planning Authority on 15th August 2023.

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) No site clearance, preparatory work or development shall take place until a Tree Protection Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include:
- measures to be taken during construction to protect the health of the existing trees and hedgerows within and adjacent to the site
 - the method(s) of construction of all areas of hardstanding
 - the method(s) of construction for all new boundary treatments including foundations.

The measures contained in the approved Method Statement shall be fully implemented during construction.

Reason: To protect the existing trees on site and thereby retain the character of the site and the area and to ensure the development complies with the provisions of Policies GN3 and EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

- 4) No development shall take place, until a Construction Traffic Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The plan shall provide for:
- The parking of vehicles of site operatives and visitors
 - Loading and unloading of plant and materials
 - Storage of plant and materials used in constructing the development
 - The location of the site compound
 - Suitable wheel washing / road sweeping measures

Reason: These details are required prior to the commencement of development in order to protect the amenity of neighbouring occupiers and to comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

- 5) The hereby permitted dwelling shall not be occupied until the car/vehicle parking area (and any associated turning space) shown on the approved plans ref: JG2022/PL03E has been completed. The parking (and manoeuvring) area(s) shall thereafter remain available for parking of vehicles associated with the dwelling.

Reason: To ensure satisfactory levels of appropriately constructed off-street parking are achieved within the development and to avoid unnecessary parking on the highway to the detriment of highway safety.

- 6) Prior to the first occupation of the dwelling, it shall be provided with an electric vehicle charging point which shall be retained for that purpose thereafter.

Reason: In the interests of sustainability and air quality in accordance with Policy IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

- 7) Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the building have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, size, colour and texture of the materials including the method of jointing of any stone or brick work and coursing of any roof work and should be reflective of those within the surrounding area/match those on the Listed Building, unless otherwise agreed in writing by the Local Planning Authority.

The development shall be carried out using only the agreed materials and method of construction and shall be retained at all times thereafter.

Reason: To ensure that the external appearance of the building is satisfactory and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

- 8) Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specification of materials to be used in the construction of all areas of hardstanding have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, size, colour and texture of the materials.

The development shall be carried out using only the agreed materials and shall be retained at all times thereafter.

Reason: To ensure that the external appearance of the site is satisfactory and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

- 9) Notwithstanding the details shown on the approved drawings, no part of the development shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority.

The details shall relate to all land surfaces not built upon and shall include:

- Land-levels and gradients resulting in the formation of any banks, terraces or other earthworks
- Hard surfaced areas and materials,
- Planting plans, specifications and schedules, planting size, species and numbers/densities, trees to be retained and a scheme for the timing / phasing of work.
- Existing plants / trees to be retained

- A detailed regime for the ongoing and longer term maintenance of all soft landscaping is also required to be submitted for approval.

The approved landscaping works shall be implemented and completed prior to the occupation of the dwelling to which it relates unless otherwise agreed in writing by the Local Planning Authority.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 7 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to the character of the area and the nature of the proposed development and to comply with Policies GN3 and EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

- 10) The following 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, Part 1 Classes A, B, C, D and E and Part 2 Class A and B, or any amendments made to that Order, shall not apply:

- (i) no extensions shall be carried out to the dwelling
- (ii) no garages or carports shall be erected within the curtilage of the dwelling
- (iv) no buildings, greenhouses, swimming pools, gates, walls, fences or other structures shall be erected within the curtilage of the dwelling
- (vi) no windows or dormer windows shall be added to the dwelling
- (v) no new access to the site shall be created

unless 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 the openness of the Green Belt and to protect the health of trees within the site to comply with the provisions of Policies GN1(b) and EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

- 11) The hereby permitted dwelling shall not be occupied until details of bird nesting boxes (number, type and location on an appropriately scaled plan) to be erected on the site have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: The proposed development will result in the loss of bird breeding habitat and as such mitigation is required in order to comply with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

- 12) No external lighting shall be installed at the site until a scheme detailing the proposed lighting to be installed on the site has been submitted to and approved in writing by the local planning authority. All external lighting shall be installed and maintained in accordance with the agreed scheme.

Reason: To minimise the visual impact of light on nearby residential properties and in the interests of nature conservation in accordance with Policies EN2 and GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

- 13) The access from Cranes Lane in the north-western corner of the site shall not be used for construction traffic at any time. Before the development hereby approved is first brought occupied this access shall have been permanently closed and reinstated in accordance with details shown on drawing ref: Proposed site layout JG2022/PL03E.

Reason: To ensure the proper protection of trees and hedgerows within the site and to ensure that the development complies with the provisions 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

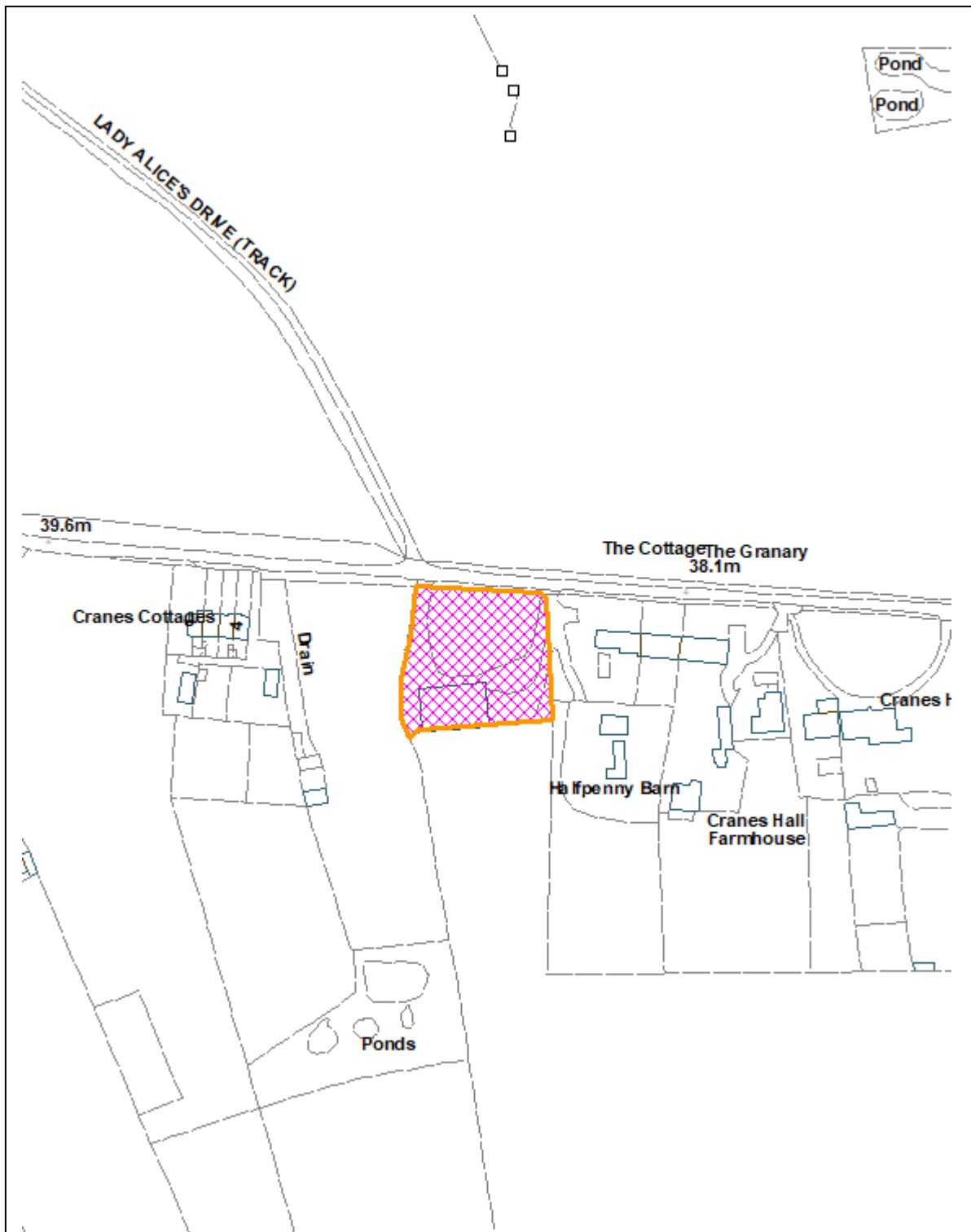
The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from Article 8 (the right to respect for private and family life, home and correspondence) and Article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

Appendices

None.

2022/1333/FUL

Woodside Barn, Cranes Lane, Lathom





PLANNING COMMITTEE: 7 September 2023

Report of: Corporate Director of Transformation, Housing and Resources

Contact for further information:

Case Officer: Rachel Lightfoot (E-mail: Rachel.lightfoot@west.lancs.gov.uk)

SUBJECT: PLANNING APPLICATION REF: 2023/0231/FUL

PROPOSAL: Erection of thatched timber Viking longhouse and approach boardwalk

APPLICANT: The Wildfowl and Wetlands Trust

ADDRESS: Martin Mere, Fish Lane, Burscough, Ormskirk, Lancashire L40 0TA

REASON FOR CALL IN: Application has been called in by Cllr Gordon to consider drainage and amenities

Wards affected: Scarisbrick

1.0 PURPOSE OF THE REPORT

- 1.1 To advise Planning Committee on an application which seeks to secure planning permission for the removal of an existing roundhouse within the 'living history' element of the Martin Mere Visitor Centre. The roundhouse will be replaced by a Viking longhouse which will first be finished in timber to make it waterproof but will eventually be formed of wattle and daub which the remaining roundhouses are all constructed of. Additionally, a boardwalk will be provided to allow access to the longhouse.
- 1.2 It is considered that subject to planning conditions, the proposed development is acceptable in terms of design, access, landscaping, layout and scale and amenity. The proposed development is compliant with the NPPF and Local Plan in respect of drainage, reuse of land and other relevant matters.
- 1.3 Delegated powers are requested for the approval of the scheme subject to ongoing discussions with Natural England regarding a Habitats Regulation Assessment being successfully concluded.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

2.1 To grant planning permission subject to conditions (delegated powers following conclusion of matters regarding the HRA with Natural England)

3.0 THE SITE

3.1 The site relates to an area within the Wildfowl and Wetlands Trust (WWT) Martin Mere, in Burscough. The site is accessed via walkways within the Visitor Centre from the main access off Fish Lane.

3.2 The site is within a wetland area and as such forms part of a flood plain. It is located to the northwest of the town of Burscough and the Southwest of Rufford.

3.3 The site is part of the current learning area of the 'village' which is used during term time to explain the significance of wetlands and the history of the area.

3.4 A roundhouse currently sits on the site, this has fallen into disrepair and will be removed as part of this application.

4.0 PROPOSAL

4.1 The proposed development comprises the construction of a thatched, initially timber but changing over time to wattle and daub, Viking style longhouse. It will also provide a new boardwalk to the longhouse and an existing roundhouse will be removed.

4.2 The walls of the longhouse will be constructed by diving timber posts into the ground and it measures approximately 8m x 3.5m.

5.0 PREVIOUS RELEVANT DECISIONS

5.1 2022/0580/FUL – Thatched timber Viking longhouse and removal of 13 trees. REFUSED on 13 July 2022

6.0 OBSERVATION OF CONSULTEES

6.1 Environment Agency (16.05.23) – the building is classified as water compatible and there is no objection to the proposal.

6.2 WLBC Drainage (22.05.23) – requested copy of warning and evacuation plan for completeness. This has been provided and confirmation received on 23.06.23 from Drainage Officer that there is no objection to the proposal

6.3 MEAS (23.05.23) – noted that data was included from NBN Atlas which was requested to be removed due to a limitation on commercial use. Requested conditions in relation to provision of bat boxes, a Construction Environmental Management Plan, bird nesting boxes and considered that a Habitats Regulations Assessment was not required.
Further response – confirming no objection (19.06.2023)

Letter confirming HRA not required (26.07.2023)

- 6.4 Natural England (21.06.23) – responded requiring a Habitats Regulation Assessment, reconsulted on MEAS response responded further (10.08.23) that Habitat Regulations Assessment required – Discussions ongoing.

7.0 OTHER REPRESENTATIONS

- 7.1 Burscough Parish Council (24.05.23): appreciate that previous comments have been taken into consideration but concerned over works undertaken to trees. Raise concerns in relation to noise which relates to the site.
- 7.2 One letter of objection has been raised by a neighbouring resident who objects to the following:
- Removal of the trees
 - Concern over the flood risk assessment as it does not consider properties on Fish Lane and does not consider that some ditches have previously been removed
 - The impact on increase in traffic should be taken into account, it is noted that there have been other developments in the area which have changed the level of traffic using Fish Lane
 - The potential for an increase in noise levels (the children's play area is referenced as an area where school children may be allowed to play)

8.0 SUPPORTING INFORMATION

- 8.1 Preliminary Ecological Survey (CCNW) (updated 31.05.23)
- 8.2 Flood Risk Assessment (Rutter Johnson)
- 8.3 Design and Access Statement (WWT)
- 8.4 Bat Survey Report (CCNW)
- 8.5 Planning Statement (WWT)
- 8.6 Drainage Statement (Rutter Johnson)
- 8.7 Evacuation Plan
- 8.8 Construction Environmental Management Plan (WWT)

9.0 RELEVANT PLANNING POLICIES

- 9.1 The National Planning Policy Framework (NPPG), the West Lancashire Local Plan (2012-2027) and the Burscough Neighbourhood Plan provide the policy framework against which the development will be assessed.
- 9.2 The site is within the Green Belt as designated in the West Lancashire Local Plan 2012-2027.

9.3 Relevant West Lancashire Local Plan 2012-2027 policies:

SP1 - Sustainable Development Framework for West Lancashire
GN3 – Criteria for Sustainable Development
EN2 – Preserving and Enhancing West Lancashire's Natural Environment

9.4 Relevant Burscough Parish Neighbourhood Plan policies:

BPD1 – Design and Accessibility Principles
BPVE1 – Visitor Economy

9.5 Supplementary Planning Documents

Design Guide (June 2008)
Green Belt (October 2015)

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

10.1 The main considerations for this application are:

1. The principle/Impact on the Green Belt
2. Impact on Ecology
3. Impact on flood and drainage issues
4. Design and visual appearance
5. Highways
6. Residential Amenity

Principle of Development/Impact on the Green Belt

10.2 The West Lancashire Local Plan, Policy GN1, states that development proposals within the Green Belt will be assessed against national policy and any relevant local plan policies.

10.3 In terms of construction of the longhouse, paragraph 149 of the NPPF is a relevant consideration and states that local planning authorities should regard the construction of new buildings in the Green Belt as inappropriate. There are a number of exceptions within the paragraph which include: the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial rounds and allotments, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. It is considered that the development represents the provision of appropriate facilities in connection with the existing use of land for outdoor recreation and therefore represents appropriate development within the Green Belt.

10.4 In relation to the boardwalk, paragraph 150 of the NPPF is relevant which states that engineering operations within the Green Belt are appropriate provided that they preserve the openness of the Green Belt and do not conflict with the purpose of including land within the Green Belt.

- 10.5 The application site is identified as a major tourism destination in West Lancashire. It is one of nine specialist wetland centres run by the Wildfowl and Wetland Trust across the country and plays a significant role in regards to the visitor economy of West Lancashire.
- 10.6 The proposed development will take place within the confines of the existing 'village' within Martin Mere. It will result in the replacement of one roundhouse with a Viking longhouse to improve the ability to tell the story of such settlements within the area to groups of school children.
- 10.7 As the development would be used for outdoor sport and recreation, it is considered that the proposal is appropriate within the larger site and the development is therefore consider acceptable in principle in compliance with Policy GN1 of the West Lancashire Local Plan 2012-2027, BPVE1 of the Burscough Parish Neighbourhood Plan and paragraphs 149 and 150 of the NPPF.

Impact on Ecology

- 10.8 Policy EN2 of the West Lancashire Local Plan states that where there is reason to suspect that there may be a priority species, or their habitat, on or close to a proposed development site, planning applications should be accompanied by a survey assessing the presence of such species and, where appropriate, making provision for their needs.
- 10.9 Natural England and MEAS have been consulted on the application. Natural England have requested that a Habitats Regulations Assessment (HRA) be carried out whilst MEAS consider that such is not required due to a lack of direct impacts to the designated site. This issue has also been raised by the objector to the proposals.
- 10.10 Discussions are ongoing in this regard. MEAS have confirmed that they do not consider a HRA to be necessary, the comments of Natural England are awaited in this regard. It is considered that this element can be resolved pending further information. The development is approximately 100m from the Martin Mere Special Area of Protection (SPA) and the Martin Mere Ramsar Site. These area protected habitats. Following discussions, a HRA has now been provided to Natural England and their comments are awaited. The HRA does not identify any likely significant effects to either European site, those issues considered include:
- Habitat loss (including functionally linked land);
 - Noise and Visual Disturbance (both during construction and operation); and
 - Transfer of construction related pollutants.
- 10.11 The application is supported by a Construction Environmental Management Plan a Ecological Survey and a Bat Survey. The impacts can be appropriately mitigated by conditions which are proposed to be included within any decision.
- 10.12 It is considered that, pending the final comments of Natural England in relation the HRA, the development is in accordance with Policy EN2 of the West Lancashire Local Plan.

Impact on Flooding and Drainage

- 10.13 West Lancashire Local Plan policy GN3 requires that acceptable drainage provision is made for developments. The site is within Flood Zone 3 therefore the Environment Agency have been notified and made comments in relation to the proposed works.
- 10.14 Both the Environment Agency and the Drainage Officer have confirmed that there are no objections to the proposal. A copy of the evacuation plan was provided and this has been confirmed as acceptable.
- 10.15 Representations have been received in relation to past drainage works which it is understood have been undertaken by the WWT in relation to Martin Mere. There are no works, other than those to facilitate the proposed Viking longhouse and boardwalk. These have been confirmed as being acceptable. It is considered therefore that the proposal meets Policy GN3 in relation to acceptable drainage provision.

Design and Visual Appearance

- 10.16 Policy GN3 of the West Lancashire Local Plan together with the Design Guide SPD is relevant to the assessment of the design and external appearance of the development and requires that development should be of a scale, mass and built form which responds to the characteristics of the site and its surroundings. This is supported by policy BPD1 of the Burscough Parish Neighbourhood Plan in relation to design and accessibility.
- 10.16 The location of the proposed Viking longhouse is in an area which is influenced by the existing roundhouses and education area. This is situated to the rear of the Reserve and is not visible within the wider landscape. A Public Right of Way runs in the vicinity of the works and it is possible that glimpses could be caught from this location. However, the natural materials of the proposed longhouse would ensure that it would be recessed into the background.
- 10.17 It is considered that the proposal is in accordance with Policy GN3 of the West Lancashire Local Plan and the Council's SPD.

Highways

- 10.18 Policy GN3 requires that developments provide adequate parking. The proposed longhouse does not introduce a new feature into the Reserve but replaces an existing feature within the existing education facility.
- 10.19 Comments have been received in relation to the impacts of the Reserve on the surrounding highway network and other developments which have taken place in the area. Again, the replacement of the roundhouse with a Viking longhouse is the only consideration in the determination of this application. It is not considered that the replacement with one type of historical replica with another would have any impacts on the overall levels of traffic which access the Martin Mere site or the wider highway network.

10.20 It is not considered that the replacement of the existing roundhouse with a longhouse would have an impact on the levels of car parking required or the local highway network and as such it is considered that the proposal meets the requirements of Policy GN3 in regard to highways.

Residential Amenity

10.21 Policy GN3 of the West Lancashire Local Plan requires that new development 'retain or create reasonable levels of privacy, amenity and sufficient garden/outdoor space for occupiers of the proposed and neighbouring properties'.

10.22 The proposal does not introduce any new works but replaces an existing facility within the wider Martin Mere site. Comments have been received in relation to existing levels of noise which neighbouring properties are subject to, particularly in relation to the children's play area which is situated to the front of the wider site. This is not a matter for this application. Comments are also made in regards to the tannoy announcements regarding feeding demonstrations etc. Again, this is not a matter for this application which deals with the consideration of replacing the roundhouse with the longhouse only and not the wider elements of the Martin Mere attraction.

10.23 The application replaces a facility within a facility which is already operating and does not introduce any new uses into the Martin Mere facility. It is considered that on this basis there would be no unacceptable impacts on residential amenity from the proposed Viking longhouse.

11.0 CONCLUSION

11.1 The replacement of the existing roundhouse with the Viking longhouse and boardwalk will ensure that the education facility of the Martin Mere site continues in a manner which provides a wide range of understanding of the local area for visiting school children. It replaces one type of structure with another which will have limited impacts on the landscape and is not considered to raise any objection from statutory consultees in regard to flooding and drainage.

11.2 The comments from neighbours are noted, however, these are considered to be relevant to the wider Martin Mere site and issues in that regard, not the application which is being considered. The application itself is considered to have no demonstrable impacts beyond those already related to the roundhouse which is being replaced.

11.3 The application is considered to be in accordance with the relevant policies of the NPPF, the West Lancashire Local Plan 2012-2027 and the Burscough Parish Neighbourhood Plan.

12.0 RECOMMENDATION

12.1 That planning permission be GRANTED subject to the following 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 the details shown on the following plans:

Site Location Plan Drawing No MM/SR/LH08

Mere Tun Access Plan

Mere Tun Dock Drawing No LH14

School Access Bridge Sheet 1 Drawing No LH09A Rev 03

School Access Bridge Sheet 2 Drawing No LH06B Rev 03

Roof Detail Sheet 1 of 2 Drawing No LH03 Rev 05

Roof Detail Sheet 2 of 2 Drawing No LH03B

Longhouse Wall Detail Drawing No LH04 Rev 04

Boardwalk Detail Drawing No LH10

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.

3. The development hereby approved shall be carried out in strict accordance with the Flood Risk Assessment (Rutter Johnson Constructing Civil and Structural Engineers) dated August 2022.

Reason: In order to ensure flood risk mitigation measures are implemented to comply with the requirements of Policy GN3 of the West Lancashire Local Plan 2012-2027.

4. The building shall not be brought into use until details and location of bird nesting boxes and a bat box to be incorporated into the scheme have been submitted to and approved in writing by the Local Planning Authority. The bird and bat box shall be installed in accordance with the approved details prior to the first occupation of the dwellings and shall be retained at all times thereafter.

Reason: In the interests of biodiversity conservation and to comply with Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

5. The development shall be implemented in accordance with the details provided in the Construction Method Statement provided on 31st May 2023.

Reason: To safeguard protected species and to ensure that the development complies with the provisions of Policy EN2 of the West Lancashire Local Plan 2012-2027.

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.

2023/0231/FUL

The Wildfowl And Wetlands Trust, Martin Mere, Fish Lane, Burscough

