



Jacqui Sinnott-Lacey
Chief Operating Officer

52 Derby Street
Ormskirk
West Lancashire
L39 2DF

Wednesday, 27 September 2023

**TO: COUNCILLORS G OWEN, A FOWLER, M ANDERSON, A BLUNDELL,
A FENNELL, 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, 5 OCTOBER 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 horizontal line.

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** 297 - 298
 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** 299 - 304
 To receive as a correct record the minutes of the meeting held on the 7 September 2023.
7. **PLANNING APPLICATIONS**
 To consider the report of the Corporate Director of Transformation, Housing and Resources.
- 7a 2023/0491/FUL - 20 GREGORY LANE. HALSALL, ORMSKIRK 305 - 314
8. **GOVERNMENT CONSULTATION ON "PLAN-MAKING REFORMS: CONSULTATION ON IMPLEMENTATION"** 315 - 320
 To consider the report of the Corporate Director of Transformation, Housing and Resources.

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, 7 September 2023

Start: 7.00 p.m.

Finish: 8.18 p.m.

PRESENT:

Councillor: A Fowler (Acting Chairman)

Councillors: A Blundell S Patel
P Burnside E Pope
G Dowling L Webster
A Fennell J Witter
P Hogan

Officers: Steve Faulkner, Planning Services Manager
David Delaney, Legal Assistant (Planning)
Jill Ryan, Principal Democratic Services Officer
Danielle Valenti, Planning Assistant Solicitor
Hollie Griffiths, Planning Assistant Solicitor

In attendance: Councillor J Gordon (Burscough Bridge and Rufford Ward)

23 APOLOGIES

There were no apologies for absence received.

24 MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, the Committee noted the termination of Councillors Owen and Anderson and the appointments of Councillors Burnside and Dowling for this meeting only, thereby giving effect to the wishes of the Political Groups.

25 URGENT BUSINESS, IF ANY INTRODUCED BY THE CHAIRMAN

There were no urgent items of business received.

26 DECLARATIONS OF INTEREST

1. Councillor A Blundell declared a non-pecuniary interest in respect of planning application 2023/0231/FUL relating to the Wildfowl and Wetlands Trust, Martin Mere, Fish Lane, Burscough as he recently had become a Member of the Wildfowl and Wetlands Trust.
2. Councillor A Blundell declared a pecuniary interest in respect of planning application 2022/1210/FUL relating to land adjacent the Old School, Higher Lane, Dalton, Wigan as the company he worked for handled the sale of the property and that he would therefore leave the Chamber during consideration of this application and take no part in the decision making process.

27 DECLARATIONS OF PARTY WHIP

There were no Declarations of Party Whip.

28 MINUTES

RESOLVED: That the minutes of the meeting held on the 27 July 2023 be approved as a correct record and signed by the Chairman.

29 PLANNING APPLICATIONS

Consideration was given to the report of the Corporate Director of Transformation, Housing and Resources as contained on pages 219 to 291 of the Book of Reports and on pages 293 to 296 of the Late Information Report.

(Notes:

1. An Objector and the Applicant spoke in connection with planning application 2023/0444/FUL relating to 39 Brandreth Drive, Parbold.
2. An Objector and the Applicant spoke in connection with planning application 2023/0231/FUL relating to The Wildfowl and Wetlands Trust, Martin Mere, Fish Lane, Burscough.
3. Councillor A Blundell had declared a non-pecuniary interest in respect of planning application 2023/0231/FUL relating to The Wildfowl and Wetlands Trust, Martin Mere Fish Lane, Burscough.
4. Councillor A Blundell had a declared a pecuniary interest in respect of planning application 2022/1210/FUL relating to Land Adjacent the Old School, Higher Lane, Dalton and therefore left the Chamber during consideration of this application and took no part in the decision making process.

30 2023/0169/FUL - LANE FARM, MOSSY LEA ROAD, WRIGHTINGTON

The Corporate Director of Transformation, Housing and Resources submitted a report on planning application 2023/0169/FUL relating to Lane Farm, Mossy Lea Road, Wrightington.

RESOLVED: That planning application 2023/0169/FUL relating to Lane Farm, Mossy Lea Road, Wrightington be deferred at the request of Officers to allow for further consideration.

31 2023/0444/FUL - 39 BRANDRETH DRIVE PARBOLD

The Corporate Director of Transformation, Housing and Resources submitted a report on planning application 2023/0444/FUL relating to 39 Brandreth Drive, Parbold.

RESOLVED: That planning application 2023/0444/FUL relating to 39 Brandreth Drive, Parbold be approved subject to the conditions and reasons as set out on pages 238 to 240 of the Book of Reports and with a revision to Condition 5 and an additional condition as set out below:-

Amended Condition 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, or for use for business purposes, holiday letting or air bed and breakfast uses.

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.

Additional Condition

All first floor windows on the rear (south west) elevation of the rear extension hereby permitted shall be non-opening and remain fixed shut at all times.

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.

32 2022/1210/FUL - LAND ADJACENT TO 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.

RESOLVED: That planning application 2022/1210/FUL relating to Land Adjacent to the Old School House, Higher Lane, Dalton be approved subject to the conditions and reasons as set out on pages 256 to 258 of the Book of Reports and that a further condition and a revision to Condition 6 as set out on page 294 of the Late Information Report

be added and with an amendment to Condition 6 and an additional Condition as set out below:-

Amended Condition 6

The allotment and replacement building hereby permitted shall be for the personal and private use of the applicant at all times. No trade or business use unconnected to the permitted use of the land shall be carried out at any time, including any use of the replacement building for the storage of building materials.

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.

Additional Condition

The replacement building hereby permitted shall be externally completed in accordance with the applicant's submitted statement of 5 September 2023 (i.e. no later than 31 January 2024) and all existing loose materials removed from site.

Reason

To ensure a satisfactory external appearance and to comply with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

33 2022/1333/FUL - WOODSIDE BARN, CRANES LANE, LATHOM

The Corporate Director of Transformation, Housing and Resources submitted a report on planning application 2022/1333/FUL relating to Woodside Barn, Cranes Lane, Lathom.

RESOLVED: That planning application 2022/1333/FUL relating to Woodside Barn, Cranes Lane, Lathom be approved subject to the conditions and reasons as set out on pages 272 to 276 of the Book of Reports and with a further condition as set out on page 296 of the Late Information Report and with the amendment to Condition 9 and with an additional condition as set out below:-

Amended Condition 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 including additional trees adjacent to the hedgerow on the western boundary of the site, 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 management and maintenance of all soft landscaping is also required to be submitted for approval.

Additional Condition

Prior to the first occupation of the hereby approved dwelling all outbuildings existing on the application site at the time shall be removed in their entirety from the site.

Reason

To ensure that the development does not harm openness of the Green Belt in accordance with Policy GN1(b) of the West Lancashire Local Plan 2012-2027 Development Plan Document and National Planning Policy Framework - Protecting Green Belt Land.

34 **2023/0231/FUL - MARTIN MERE, FISH LANE, BURSCOUGH, ORMSKIRK**

The Corporate Director of Transformation, Housing and Resources submitted a report on planning application 2023/0231/FUL relating to Martin Mere, Fish Lane, Burscough, Ormskirk.

RESOLVED: That planning application 2023/0231/FUL relating to Martin Mere, Fish Lane, Burscough, Ormskirk be approved subject to the conditions (delegated powers following conclusion of matters regarding the HRA with Natural England) and reasons as set out on page 288 of the Book of Reports.

.....
Chairman



PLANNING COMMITTEE: 5 October 2023

Report of: Corporate Director of Housing, Transformation and Resources

Contact for further information:

Case Officer: Daniel Fitzpatrick 01695 585374

E-mail: Daniel.Fitzpatrick@westlancs.gov.uk

SUBJECT: PLANNING APPLICATION REF: 2023/0491/FUL

PROPOSAL: Internal reconfiguration, garage conversion, partial demolition and reconstruction as well as erection of new single storey extension

APPLICANT: Mr P Williams

ADDRESS: 20 Gregory Lane

REASON FOR CALL IN: Application has been called in by Cllr Westley to with concerns regarding the loss of the garage and its proposed conversion to a study, questioning why the study needs a separate entrance and an installation of its own toilet.

Wards affected: Halsall.

1.0 PURPOSE OF THE REPORT

1.1 To advise Planning Committee on an application which seeks permission for Internal reconfiguration, garage conversion, partial demolition and reconstruction as well as erection of new single storey extension.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

2.1 To grant planning permission subject to conditions.

3.0 THE SITE

3.1 The site relates to a detached two-storey dwelling located on Gregory Lane, Halsall. The dwelling has hardstanding and a small garden to the front, with a larger garden to the rear.

4.0 PROPOSAL

4.1 Internal reconfiguration, garage conversion, partial demolition, and reconstruction as well as erection of new single storey extension

5.0 PREVIOUS RELEVANT DECISIONS

5.1 1984/0137 - Garage / utility room extension. APPROVED

5.2 2023/0043/LDP - Certificate of Lawfulness- Proposed two storey rear extension, loft conversion with dormer to rear and erection of new porch. SPLIT DECISION – LOFT CONVERSION, DORMERS, AND PORCH APPROVED.

6.0 OBSERVATION OF CONSULTEES

6.1 None.

7.0 OTHER REPRESENTATIONS

7.1 Five Neighbour and Interested party representations raising concerns which can be summarised as:

- Design
- Overlooking
- Overshadowing
- Impact on the Green Belt
- Impact on the streetscene
- Parking provision
- Use of conversion

8.0 SUPPORTING INFORMATION

8.1 Volume Calculations (31.05.2023)

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.

The site is located within the Green Belt as designated in the West Lancashire Local Plan (WLLP) DPD.

National Planning Policy Framework

Achieving well designed places

Protecting Green Belt Land

West Lancashire Local Plan (2012-2027) DPD

Policy GN1 - Settlement Boundaries

Policy GN3 - Criteria for Sustainable Development

Policy IF2 – Enhancing Sustainable Transport Choice

Supplementary Planning Document (SPD), Design Guide (Jan 2008)

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

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF HOUSING, TRANSFORMATION AND RESOURCES

10.1 The main considerations for this application are:

- Principle of Development / Impact on the Green Belt
- Impact on visual amenity, design, and character of area
- Impact on residential amenity
- Impact on highway safety

Principle of Development / Impact on the Green Belt

10.2 Paragraph 145 of the NPPF advises that the extension or alteration of a building is an acceptable form of development in the Green Belt provided that it does not result in a disproportionate addition over and above the size of the original building. Policy GN1 in the Local Plan states that development proposals within the Green Belt will be assessed against national policy and any relevant Local Plan policies.

10.3 The Council's SPD states proposals for extensions (including domestic outbuildings) to existing buildings in the Green Belt should satisfy the specified criteria, which include: the total volume of the proposal, together with any previous extensions, should not exceed 40% of the volume of the original building.

10.4 I note the concerns raised by the neighbours and interested parties regarding the impact on the Green Belt. Upon checking the planning history of the site, it appears the existing property was extended under applications 1980/0137 and 2022/0043/LDP. Volume calculations have been submitted showing the proposal will be slightly reducing the volume on site, however, these calculations do not include the front porch, loft conversion or dormers. The volume of the property has been increased already by approximately 93% over the original dwelling, and the proposed work will see the volume reduced slightly to 91% over the original dwelling. Whilst this is still over the 40% guideline figure set out in the SPD, there is no additional impact on the Green Belt.

10.5 I consider the proposal would not cause any further harm to the Green Belt, as it is remodelling/slightly reducing the existing built form.

10.6 The proposed extensions are sited in a very similar footprint to the existing extensions. The only notable change is the removal of the garden room from the left-hand side of the rear elevation, and the erection of the kitchen, living, dining extension on the right-hand side of the rear elevation. Given the existing extensions have previously extended into new areas of the Green Belt, the remodelled extensions and their reduced volume ensures the proposal keeps the built form tightly compact around the existing property in a similar fashion to the existing. I do not believe the proposal would result in any additional harm to the Green Belt through the spread of development, as the rear extensions are a

remodel of the existing volume and do not detrimentally protrude much further from the rear elevation than the existing.

- 10.7 Paragraph 137 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 138 sets out the five purposes of the Green Belt; one of which is to assist in safeguarding the countryside from encroachment. It is my view that the proposal would not result in a detrimental encroachment of residential development into an area of the Green Belt, as the proposal is keeping the additions situated between dwellings, to the rear of the property, and the built form tightly compact around the original dwelling. On that basis I consider the development would not have an adverse impact on the openness of the Green Belt.
- 10.8 However, I consider that the resultant degree of extensions is at the limit of policy allowance and therefore additional development on the site has high potential to unduly impact on the openness of the Green Belt – one of its essential characteristics and one that must be attributed substantial weight. In order to ensure that any further development on the site minimises impact on openness I consider it expedient to remove class E of Part 1 of the TCP (General permitted Development) (England) Order 2015 that potentially would result in a further loss of openness of the Green Belt and potential impact on residential amenity. This does not prevent further development it merely provides an opportunity for the LPA to guide development to minimise any further impact on the Green Belt.

Impact on visual amenity, design, and character of area

- 10.9 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 etc.
- 10.10 I note the concerns raised by the neighbours and interested parties with regard to design and impact on the street scene. The application is for the conversion of the garage extension and a new single storey rear extension that will replace the existing. The proposed materials for the conversion and rear extension will be mostly contrary to the existing dwelling, such as the new agate grey UPVC windows, off white render to the front, side, and rear elevations, and new natural slate roof. Whilst the proposed materials will drastically change the look of the property, they will not damage the look of the property on the street scene, as there are other houses on Gregory Lane finished in white render, with slate roofs, and varying window colours. The proposed work will see a new study created where the existing garage is located, and a large utility and kitchen/dining/living area in the rear extension. There are many dwellings on and surrounding Gregory Lane that have extensions/conversions of varying heights, roof types, and materials meaning the proposal is in keeping. For this reason, I believe the design and finish satisfactorily meet the requirements of policies GN3 in respect to visual amenity design and character of the area.

Impact on Residential amenity

- 10.11 Policy GN3 of the Local Plan states that proposed developments should retain or create reasonable levels of privacy, amenity for occupiers of the proposed and neighbouring properties.
- 10.12 I again note the concerns raised by the neighbours and interested parties relating to overlooking, overshadowing, the garage conversion and new entrance.
- 10.13 The rear extension will be a remodel of the existing single storey extension and only extend slightly further from the rear elevation than the original, by approximately 0.2m. As mentioned briefly in paragraph 10.6, the new kitchen/living/dining extension will be constructed on the right-hand side closest to No.22 Gregory Lane. It will extend from the rear wall by around 7.0m, which is approximately 3.6m more than the existing extension. Whilst this projection is quite large, due to its single storey nature, the fact its stepped away from the common boundary, and lower in height than the existing, I consider the proposal will not be overbearing to, or overshadow neighbouring properties.
- 10.14 The proposal is of single storey nature and will feature bi folding doors located in the side elevation of the rear extension, facing No.18 Gregory Lane. The doors will face into the rear garden area of the property which is screened by an approximately 1.8m high fence, ensuring the doors will not overlook neighbouring properties. There are also windows and doors in the rear elevation on both the ground floor and first floor, however, as these look out on to the existing garden area and do not directly look at neighbouring properties, I do not consider they will detrimentally increase the amount of overlooking.
- 10.15 The new entrance to the study is to be located close to the common boundary, however, whilst I note the concerns of the neighbours, on balance I consider that the door location is acceptable if it is used for the sole purpose of the owner entering the study. Therefore, to ensure that the neighbours are not impacted by people coming to the dwelling for business use, I will control this with a condition. Subsequently, the proposal would accord with Policy GN3 of the Local Plan in this respect.

Impact on Highway Safety

- 10.16 Policy IF2 of the West Lancashire Local Plan 2012-2027 DPD states that development should ensure that parking provision is made in line with the standards set out in Local Plan Policy IF2.
- 10.17 As a result of the proposal, the property would be gaining an extra bedroom downstairs due to the internal reconfiguration making it a four-bedroom property, whilst also losing off street parking with the conversion of the garage to a study. Policy IF2 of the Local Plan states that properties with four or more bedrooms should have three off street car parking spaces. Whilst a parking plan has not been submitted, having visited the site I think it would be too small a space for three cars to park at the front of the property. However, the dwelling is located a short walk/cycle away from Halsall village and has access to many public facilities such as local bus routes, convenience stores, the local church, primary school, and parks. As such it is considered that two parking spaces is sufficient.

10.18 As previously mentioned, I note the concerns of the neighbours with regards to the new access door being located close to the common boundary and I consider that the inclusion of a condition to restrict business/ trade use to the property is justified given the limited parking available at the property and on Gregory Lane. As such, the property is located in a sustainable area and whilst it does not fully meet the parking provision, the proposal in my view complies with Policy IF2 of the Local Plan.

11.0 CONCLUSION

11.1 Given the above, the proposed development is considered to be 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 the application should be approved subject to the following conditions;

Condition(s)

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Plan reference

'Site Location Plan - DWG No. TQRQM23150222957883'
received by the Local Planning Authority on 31st May 2023
'Proposed Elevations 01 DWG No: J7_01720_(20)_A008 REV P02'
'Proposed Elevations 02 DWG No: J7_01720_(20)_A009 REV P02'
'Proposed Plans 01 DWG No: J7_01720_(20)_A005 REV P02'
'Proposed Plans 02 DWG No: J7_01720_(20)_A006 REV P02'
'Proposed Plans 03 DWG No: J7_01720_(20)_A007 REV P02'
received by the Local Planning Authority on 18th September 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 development (brickwork, cladding and roofing materials along with materials used in any hard surface) shall be as outlined on the following plans and documents: 'Application Form - Materials'
Proposed Plans 01 DWG No: J7_01720_(20)_A005 REV P02'

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 garage conversion hereby permitted shall be retained for use by the dwelling at all times and used only for private and domestic purposes and no trade or business use shall be carried out therefrom 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.

5. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) Schedule 2, Parts 1 A – F and 2 A - B, or any amendments made to that Order, shall not apply:

(iv) no buildings, greenhouses, swimming pools, gates, walls, fences or other structures shall be erected within the curtilage of the dwellings

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 residential and visual amenity to comply with the provisions of Policy GN3 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.

2023/0491/FUL

20 Gregory Lane, Halsall, Ormskirk





**PLANNING COMMITTEE: 5TH OCTOBER
2023**

Report of: Corporate Director of Housing, Transformation and Resources

**Contact for further information: Tom McGowan (Extn. 3423)
(E-mail: tom.mcgowan@westlancs.gov.uk)**

**SUBJECT: GOVERNMENT CONSULTATION ON "PLAN-MAKING REFORMS:
CONSULTATION ON IMPLEMENTATION"**

Wards affected: Borough-wide

1.0 PURPOSE OF THE REPORT

- 1.1 To inform Members of a Government consultation on proposed reforms to the plan-making system.

2.0 RECOMMENDATIONS TO PLANNING COMMITTEE

- 2.1 That the content of the report be noted.

3.0 BACKGROUND

- 3.1 The Government is undertaking wide-reaching reforms of the Planning system and are currently taking a Levelling-up and Regeneration Bill through Parliament. As the Bill progresses through Parliament, the Government is consulting on a range of technical reforms to the planning system to implement the proposals contained in the Bill.

- 3.2 This consultation seeks views on proposals to reform plan-making to make plans simpler, faster to prepare and more accessible. A link to the consultation document is below:

<https://www.gov.uk/government/consultations/plan-making-reforms-consultation-on-implementation>

- 3.3 The consultation contains 43 questions and closes on 18 October 2023. All Members were informed of the consultation by e-mail on 9 August 2023.

- 3.4 The consultation identifies problems with the current plan-making system and suggests possible solutions. Whilst the consultation focuses on plan-making,

decision-taking is a key thread that runs throughout the consultation and therefore it is considered that this summary report of the consultation is of relevance to Planning Committee as decision-makers on planning applications.

4.0 GOVERNMENT PROPOSALS

4.1 Local Plans are produced by planning authorities to guide and manage development in their areas. They are important documents for local communities because they set the development framework for the area, usually for the next 15 years. Plans can allocate sites for development, set out what land should be protected and contain planning policies, which are the basis for deciding whether to approve planning applications that are subsequently made.

4.2 The Government's vision is for plans to be simpler to understand and use, and positively shaped by the views of communities about how their area should evolve. Plans should be prepared more quickly, updated more frequently, and make the best use of new digital technology.

4.3 There are 15 Chapters to the Consultation and a summary of the proposals follows:

4.4 Plan Content

Plans should contain core principles of: a locally distinct vision, policies linked to the vision, a key diagram, a policies map, and a detailed approach to monitoring and reviewing the plan. Maps illustrating policies should be digital, interactive and accessible by all users. Templates are proposed that all plan-making authorities across England can use to prepare their Local Plans.

4.5 The new 30-month plan timeframe

Four key stages are proposed for making a plan:

- A scoping and early participation stage;
- Plan visioning and strategy development;
- Evidence gathering and drafting the plan;
- Engagement, proposing changes and submission of the plan.

4.6 The timeframe for producing a Local Plan under the proposed system is described as a '30-month plan timeframe', however the proposed timeframe illustrated in the Government consultation shows a 34-month timeframe. Planning authorities will be required to commence the plan-making process at a certain point and not at a time of their own choosing. The reason for this is that there will be three 'Gateway Assessments' whereby a Government official will provide advice to the Council and identify difficult issues earlier in the plan-making process.

4.7 Two public consultation periods are proposed; this is consistent with current Plan-making regulations. Outside of this, there will be a new requirement for planning authorities to "notify" and "invite" early participation on matters that might shape the direction of the plan.

4.8 Digital Plans

There are proposals to develop a common format based on standardised data across plan-making. Problems and opportunities are identified in the consultation that conclude in an illustration of a proposed Digital Toolkit that explains how digital elements might support the makers and users of plans.

4.9 The Local Plan Timetable

Templates will be developed for planning authorities to use to produce their Local Plan timetables. This will replace Local Development Schemes but function in a similar manner.

4.10 Evidence and the tests of soundness

There will be clearer expectations set through national policy and guidance about evidence, increased standardisation of key evidence and data and support on evidence provided through the gateway assessments.

4.11 Gateway assessments during plan-making

Three mandatory gateway assessments are proposed that will ensure a more supportive approach to plan-making and provide greater visibility to key stakeholders and the wider community about how their local plan is progressing. Gateway assessments are proposed to be fully-funded through cost recovery from the planning authority with a standard fee for each gateway defined in regulations.

4.12 Plan examination

Examinations of local plans should take no longer than six months and if a consultation on proposed modifications to the plan is needed, this should add no further than three months to the overall examination process. Emerging proposals include shortening time periods for examination and increasing the number of Inspectors that would examine the plan.

4.13 Community engagement and consultation

The proposals are grouped around four themes:

- The role of digital – in combination with traditional methods;
- Planning and monitoring the engagement approach
- A focus on early participation
- A more standardised approach to consultation

4.14 Requirement to assist with certain plan-making

Plan-making authorities will have the power to legally require that "prescribed public bodies", such as Natural England, the Environment Agency, the Highway Authority, provide assistance to develop or review the local plan. This can be at the beginning of the plan preparation process as well as during plan-development.

4.15 Monitoring of plans

A "light-touch" annual return is proposed; this is likely to be submitted online and is consistent with other data returns that the Council undertakes. In the longer term, a detailed return to inform whether updates to the plan is required, four years after the adoption of a local plan under the new system.

4.16 Supplementary Plans

These will remove the role of Supplementary Planning Documents and Area Action Plans. Supplementary Plans will have the same weight as a local plan and therefore will also be subject to consultation and an independent examination. Supplementary Plans could build on existing policies in the development plan, for example, to set out a design code or masterplan for a site allocated in a local plan. Existing Supplementary Planning Documents will remain relevant until a new-style local plan is adopted.

- 4.17 Minerals and waste plans
Whilst this is a County Council matter, the Government outlines that the wider reform proposals will also apply to Minerals and Waste Plans.
- 4.18 Community Land Auctions
Landowners can 'bid' to have their land selected for allocation in an emerging local plan by stating the price at which they would willingly sell their land for development. The Council could enter into a legal agreement with an 'option' on the land to allocate it for development. Community Land Auction regulations will follow separately.
- 4.19 Approach to roll out and transition
The Government confirms the intention that the latest date for plan-makers to submit local plans for examination under the current system will be 30 June 2025 and that those plans will need to be adopted by 31 December 2026. Phased roll-out options are proposed which planning authorities must follow; as set out at paragraph 4.6 above, planning authorities will have a certain timeframe in which to start and conclude the plan-making process.
- 4.20 Saving existing plans and planning documents
When the new plan-making system comes into force, existing Development Plan Documents and saved policies will remain in force until the local planning authority adopt a new-style local plan.
- 4.19 Equalities Impacts
The consultation concludes with a question on whether there are any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in Section 149 of the Equality Act 2010.
- 4.20 There are tensions between the proposals. It is proposed that there will be a shorter and stricter timeframe in which to produce a local plan, but with more consultation periods than under the existing system and with increased collaboration with the Planning Inspectorate during the mandatory Gateway Assessments. Furthermore, the consultation explains the aspiration for local plans to be positively shaped by the views of communities about how their area should evolve but introduces a standardised template against which plans should be prepared and monitored.

5.0 NEXT STEPS

- 5.1 This is a consultation on proposed changes to the Planning system and is not a confirmed list of all the proposed changes that will take place.
- 5.2 Officers will be diligently monitoring progress of the Levelling-Up and Regeneration Bill as it progresses through Parliament and will report back to the appropriate committees when there is more tangible information about the proposed reforms to the planning system. Government have provided no timeframes for this.
- 5.3 In accordance with item 4.25 of the Scheme of Delegation, after consulting the relevant Portfolio Holder, Directors and Heads of Service have delegated authority to respond to consultation papers where the timescale for reply does not allow time for consideration by the Cabinet, relevant committee or by the Council, subject to a report back in the appropriate Members' Update. Members will note the significant scale of this consultation. At the time of writing, Officers are working on a response to the consultation questions in the run up to the deadline and will provide a verbal

update to the Committee accordingly. This will ensure comments are submitted to Government on or before the deadline of 18 October 2023.

- 5.4 Should any Members have their own views on the proposed reforms they can make these directly to Government using the information provided earlier in this report.

6.0 SUSTAINABILITY IMPLICATIONS

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

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

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

8.0 RISK ASSESSMENT

- 8.1 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.

9.0 HEALTH AND WELLBEING IMPLICATIONS

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

Background Documents

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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.

