

<b>No.5</b>	<b>APPLICATION NO.</b>	2021/0549/FUL
	<b>LOCATION</b>	Delph Cottage Crow Lane Dalton Wigan Lancashire WN8 7RY
	<b>PROPOSAL</b>	Demolition of dilapidated garage to be replaced with new oak frame carport and home office.
	<b>APPLICANT</b>	Ms S Waterworth
	<b>WARD</b>	Parbold
	<b>PARISH</b>	Dalton
	<b>TARGET DATE</b>	29th July 2021

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## **1.0 REFERRAL/DEFERRAL**

1.1 As the applicant is a West Lancashire Borough Council employee the application is to be considered at Committee.

## **2.0 SUMMARY**

2.1 The proposed development of a car port with home office space following the demolition of an existing garage is acceptable in principle. It is considered the proposal would not materially harm the openness of the Green Belt. The proposed development is considered to be compliant with the NPPF and Policies GN1, GN3, EN2 and IF2 of the West Lancashire Local Plan 2012-2027 DPD.

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

## **4.0 THE SITE**

4.1 The property is a previously extended detached cottage in an isolated position on a private track off Crow Lane. There is an existing garage to the east of the site.

## **5.0 THE PROPOSAL**

5.1 The application is seeking permission for a detached car port and home office, following demolition of the existing dilapidated garage, measuring approx. 8.65m in length x 6.00m in width x 3.89m in height.

## **6.0 PREVIOUS RELEVANT DECISIONS**

6.1 1993/0566 - Demolition of existing single storey extension, erection of replacement two storey extension, erection of rear porch, provision of parking area and realignment of existing private track – Granted

6.2 2012/1146/FUL - Single storey side extension - Granted

## **7.0 CONSULTEE RESPONSES**

7.1 Environmental Health - 28<sup>th</sup> May 2021  
No contaminated land report required – See note for advice.

7.2 Merseyside & West Lancashire Bat Group – 11<sup>th</sup> June 2021  
Recommend that an appropriately experienced and bat licensed ecologist investigates the building for evidence of bat use prior to the determination of this application.

- 7.3 Merseyside Environmental Advisory Service – 9<sup>th</sup> August 2021  
The building offers very limited roosting opportunities for bats due to its timber and corrugated sheet construction and the general poor condition of the structure. I advise that no further bat surveys are required. The Council does not need to consider the proposals against the three tests (Habitats Regulations). Conditions recommended.

## **8.0 OTHER REPRESENTATIONS**

- 8.1 Dalton Parish Council – 18<sup>th</sup> June 2021 - no objection to this application, providing all the criteria for development within the green belt have been met.

## **9.0 SUPPORTING INFORMATION**

- 9.1 Design & Access Statement – 26<sup>th</sup> April 2021
- 9.2 Wildlife Assessment – 26<sup>th</sup> May 2021.
- 9.3 Historic photograph of previously demolished outbuildings – 10<sup>th</sup> August 2021.

## **10.0 RELEVANT PLANNING POLICIES**

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

### **National Planning Policy Framework**

Chapter 12 – Achieving well-designed places

Chapter 13 – Protecting Green Belt Land

### **West Lancashire Local Plan Policies**

GN1 - Settlement Boundaries

GN3 - Criteria for Sustainable Development

EN2 – Preserving and Enhancing West Lancashire's Natural Environment

IF2 – Enhancing Sustainable Transport Choice

**Supplementary Planning Document - Design Guide (January 2008)**

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

## **11.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY**

The main considerations for this application are

Impact on the Green Belt

Visual appearance/design/layout

Impact on residential amenity

Ecology

Trees

Parking

*Impact on the Green Belt*

- 11.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan 2012-2027 DPD provide the policy framework against which the development proposals will be assessed. National policy for the control of development in the Green Belt is set out

in paragraph 149 and 150 of the NPPF. This lists the types of development which are considered to be appropriate within the Green Belt.

- 11.2 Paragraph 149 in the National Planning Policy Framework states that “A local planning authority should regard the construction of new buildings as inappropriate in Green Belt.” There are 6 exceptions to this rule including “the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.”
- 11.3 The design has been altered since first submission removing the need for some engineering works including an area of hardstanding, has been reduced to a single storey building and has been brought closer to the footprint of the existing garage to reduce the spread of development.
- 11.4 Volume calculations have been submitted with the application but include previous outbuildings as original. I do not consider any of the previous outbuildings to be original and by means of previous applications officers have performed their own calculations. The existing property with the previous additions already exceeds the 40% increase guideline. The replacement of the existing garage with car port and home office will have a further approximate increase of 16%. An aerial photograph has been submitted showing evidence of the application site area being previously developed in the past.
- 11.5 The Council's SPD – Development in the Green Belt states 'In some cases very small outward additions to an already disproportionately extended building may often have no further material impact on the perceived openness of the Green Belt' Although this proposal exceeds the volume increase guide, I consider, given the car port and home office is of a single storey height, of a concealed nature, replacing an existing dilapidated garage close to the footprint of this existing building, the proposed development would not materially harm the openness and visual amenity of the Green Belt. The proposal in my view would comply with the requirements of the NPPF and Policy GN1 of the West Lancashire Local Plan (WLLP).

#### *Visual appearance/design/layout*

- 11.6 Policy GN3 of the West Lancashire Local Plan 2012-2027 (DPD) requires that new development should be of scale, mass and built form, which responds to the characteristics of the site, its surroundings and also in the case of extensions or alterations to existing buildings, the proposal should relate to the existing building, in terms of design and materials.
- 11.7 The proposed materials being oak frame, larch lap boards, slate roof and grey uPVC windows and doors are acceptable for the area and I consider the proposed development would be in keeping with original dwelling. The development would be subordinate to the host property and would not be readily visible from Crow Lane. I consider the proposal complies with Policy GN3 of the WLLP and SPD – Design Guide.

#### *Impact on residential amenity*

- 11.8 Policy GN3 of the Local Plan requires that new development should retain reasonable levels of privacy and amenity for occupiers of the neighbouring properties.
- 11.9 There are no direct neighbours to the application site with the proposed development being sited off the access road and given the current boundary treatments would not have views of any of the neighbouring properties within the vicinity. I do not consider there would be any negative impact on the residential amenities of any neighbouring properties.

## *Ecology*

- 11.10 Policy EN2 in the WLLP confirms that the need to take account of any potential impact on priority species or their habitat and to pay particular attention to the Habitat Regulations. This follows the advice provided at national level. It is a requirement of both local and national policy that appropriate surveys are submitted to address any impact or potential impact.
- 11.11 I am satisfied, taking into account comments received from both the Merseyside & West Lancashire Bat Group and Merseyside Environmental Advisory Service, the existing garage offers very limited roosting opportunities for bats due to its construction materials and general condition. Other ecology matters can be addressed through the imposition of conditions and notes. I therefore consider that the development complies with policy EN2 in respect of priority species.

## *Trees*

- 11.12 There are a number of trees within the immediate vicinity of the proposed development. Due to their proximity the applicant must ensure these trees are protected in accordance with BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations during all construction work. A Method Statement detailing measures to be taken during construction to protect the health of the existing trees will need to be submitted to and approved in writing by the Local Planning Authority. This can be secured by a suitably worded planning condition.

## *Parking*

- 11.13 Policy IF2 sets out parking requirements for development. Following development there would be no increase in the parking requirements but there will be an increase in available parking spaces within the proposed car port. I am satisfied the proposed development complies with Policy IF2 of the WLLP.

## **12.0 RECOMMENDATION**

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

### **Conditions**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.  
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:  
Plan reference 'DCD/WD03 - Revision: A' and 'DCD/WD01' received by the Local Planning Authority on 12th August 2021.  
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 - Section 5. Materials' received by the Local Planning Authority on 26th April 2021.

Reason: To ensure that the external appearance of the building(s) is satisfactory and that the development therefore complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

4. No site clearance, preparatory work or development shall take place until a Method Statement detailing measures to be taken during construction to protect the health of the existing trees has been submitted to and approved in writing by the Local Planning Authority. 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.

5. No development shall commence until an Ecological Management Plan (EMP) has been submitted to and approved in writing by the Local Planning Authority. The EMP shall propose measures to mitigate environmental biodiversity effects during the construction phases of the proposed development.

With regard to ecology the EMP should include:

Reasonable Avoidance Measures for protected and notable species (badger and hedgehog);

The development shall be implemented in accordance with the approved details.

Reason: These details are required prior to the commencement of development to as the proposed development may result in the loss of ecological habitat and as such precautions are required during the construction phase in order to comply with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

6. No development shall take place (including any demolition, ground works, site clearance) until a method statement for swallow has been submitted to and approved in writing by the Local Planning Authority. The content of the method statement shall include:

- o Avoidance measures to avoid harm to swallow;
- o Extent and location of proposed swallow nesting provision; and
- o Timing for implementation of replacement swallow nesting provision.

Reason: These details are required prior to the commencement of development as the proposed development may result in the loss of ecological habitat and as such precautions are required during the construction phase in order to comply with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

## **Notes**

1. You are advised no tree works, vegetation clearance or demolition works should take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all trees, vegetation and the building is to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.
2. The applicant, their advisers and contractors should be made aware that if any European protected species are found during demolition, then as a legal requirement, work must cease and advice must be sought from a licensed specialist.

## **Reason for Approval**

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

GN1 - Settlement Boundaries

GN3 - Criteria for Sustainable Development

EN2 - Preserving and Enhancing West Lancashire's Natural Environment

IF2 - Enhancing Sustainable Transport Choice

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