

<b>No.6</b>	<b>APPLICATION NO.</b>	2021/0817/FUL
	<b>LOCATION</b>	Mossholm 36 Warpors Moss Lane Burscough Ormskirk Lancashire L40 4AQ
	<b>PROPOSAL</b>	Retrospective detached ancillary building
	<b>APPLICANT</b>	Mr Anthony Marland
	<b>WARD</b>	Burscough East
	<b>PARISH</b>	Burscough
	<b>TARGET DATE</b>	17th August 2021

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## **1.0 REFERRAL**

1.1 This application was to be determined under the Council's delegation scheme however Councillor David Evans has requested it be referred to Committee to consider the impact on the amenities of surrounding residents.

## **2.0 SUMMARY**

2.1 The siting, scale and appearance of the development is acceptable and in accordance with Policy GN3 of the Local Plan and the West Lancashire Design Guide, subject to a condition relating to the external finish to the building. I am satisfied the stated purposes of the outbuilding as a personal gym for the applicant is an ancillary use to the host dwelling. I am of the view the development will not result in significant harm to the amenity of surrounding residents in accordance with Policy GN3.

## **3.0 RECOMMENDATION – APPROVE with conditions**

## **4.0 SITE DESCRIPTION**

4.1 The application site comprises a two-storey semi-detached dwelling house which is located on the south side of Warpors Moss Lane in Burscough. It is flanked to the sides and rear by residential properties. The host dwelling has been previously extended in the form of two storey side and single storey rear extensions. The front of the site is formed of a paved driveway and there is an irregular shaped linear garden space to the rear.

## **5.0 PROPOSAL**

5.1 This application seeks retrospective permission for a detached ancillary building used for a gym training room for the applicant's personal use. The dimensions of the building are as follows: 3.55m x 8.55m with a dual pitched roof ridge height of approx. 3.7m.

5.2 It is noted that at the time of the site visit and assessment of the application the building had been constructed, with the external finish still to be completed.

## **6.0 SUPPORTING INFORMATION**

6.1 Email Correspondence from Agent. Confirmation of external finish for building. Received by the Local Planning Authority on 23<sup>rd</sup> August 2021.

## **7.0 PREVIOUS RELEVANT DECISIONS**

7.1 2004/0378/FUL GRANTED Two storey side extension. Single storey extension to front and rear.

7.2 2009/0898/FUL GRANTED Two storey side extension. Single storey extension to front and rear.

## **8.0 OBSERVATION OF CONSULTEES**

8.1 None.

## **9.0 OTHER REPRESENTATIONS**

9.1 None.

## **10.0 RELEVANT PLANNING POLICIES**

10.1 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.

10.2 The property is located within the Key Service Centre of Burscough as designated within the West Lancashire Local Plan.

### **National Planning Policy Framework – (NPPF)**

Achieving well designed spaces  
Delivering a sufficient supply of homes

### **West Lancashire Local Plan (2012-2027) DPD – (Local Plan)**

GN1 – Settlement Boundaries  
GN3 – Criteria for Sustainable Development

### **Burscough Parish Neighbourhood Plan**

### **Supplementary Planning Document – (SPD)**

Design Guide (Jan 2008)

All the above Policy references can be viewed on the Council's website at:

<http://www.westlancls.gov.uk/planning/planning-policy.aspx>

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

11.1 The main considerations for this application are:

Siting, Design and Appearance  
Impact upon residential amenity

### **Siting, Design and Appearance**

11.2 Policy GN3 of the Local Plan provides criteria in relation to design and layout of the development, in particular development should relate well to adjacent buildings, the area generally and natural features of the site in terms of siting, scale, orientation, design, detailing and material.

11.3 The application plot has a long linear focus which narrows towards the rear southern boundary and is enclosed by close boarded timber fencing. The outbuilding is positioned in this rear section of the garden, detached from and set behind the main dwelling itself by approx. 17m.

- 11.4 Whilst it is acknowledged the length of the building at 8.55m is significant, its width, height and overall design and appearance would not be considered dissimilar to other domestic garaging and outbuildings found in residential settings. Indeed, the adjacent neighbour immediately to the west has a large detached garage in their rear garden sited adjacent to the boundary. When seen in this context and noting the orientation and positioning of the outbuilding which is set back further than the neighbouring structure and enclosed by the boundary fencing, I am satisfied the outbuilding would not appear unduly incongruous or dominant.
- 11.5 The dual pitched roof design of the building and the proposed fenestrations on the front elevation are considered to relate well to character of the main property. It is noted that at the time of the site visit the external finish of the building was not complete. An initial proposal by the applicant for an ebony stained timber finish was not considered appropriate in this setting as it would exacerbate the prominence of the building. A stained timber finish which matches the colour of the host dwelling has been agreed in principle by the Agent and can be secured by condition should the application be approved.
- 11.6 Given the above, I am satisfied the outbuilding would not result in any significant harm to the character and appearance of the dwelling house. Furthermore, owing to its siting to the rear of the property, it would only partially be visible when viewed from Warpers Moss Lane which provides the principle views of the site. On this basis I do not consider the building would disrupt the visual amenity or character of the street scene. The development is therefore considered accordant with Policy GN3 of the Local Plan and the West Lancashire Design Guide.

### **Impact upon Residential Amenity**

- 11.7 Policy GN3 of the Local Plan 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. The Council's SPD Design Guide explains that development must have consideration for the amenity of the neighbouring properties in terms of overlooking, overshadowing and overbearing impact.
- 11.8 The applicant has confirmed the use of the building will be ancillary to the main dwelling for domestic storage and use of gym and training equipment for his own personal use.
- 11.9 The pattern of development surrounding the application site means that both its side and rear boundaries are flanked by residential properties. The outbuilding is positioned in the rear portion of the garden which narrow towards the southern boundary. There is an interface distance of approx. 15.5m between the outbuilding and the rear elevation of the host dwelling. Given the shared building line of the adjoining property of No 38 to the east, the separation distances to their rear elevation would be similar. There are glazed patio doors on the outbuilding which provide rearwards views across the applicants garden, and whilst there may be limited views across to No 38, given the separation distances and oblique angle of the views together with the boundary treatment which provides screening at ground floor level I am satisfied there would be no significant loss of privacy or overlooking impact for No 38. It is acknowledged that the outbuilding is sited very close to the common eastern boundary, and as such would be visible above the boundary line. Nevertheless, owing to its siting at the far rear of the garden and given the orientation of the plots I do not consider it would result in any significant overshadowing or sense of overbearing for the occupants.

- 11.10 To the west of the application site lies No 34 Warpors Moss Lane which is a large modern detached bungalow which has substantial wrap around gardens which flank the western side and south rear boundaries of the site. No 34 is slightly off set from the applicants host dwelling, however there would remain an interface distance of approx. 21m between the outbuilding and the side and rear elevations of No 34. There is furthermore a detached brick garage belonging to No 34 which sits directly adjacent to the common boundary and forward of the outbuilding and as such this provides additional screening and would prevent any direct overlooking to No 34. I acknowledge the outbuilding will be visible above the common boundary when viewed from the rear garden of No 34, however owing to its overall height and siting I do not consider it would in a significant overbearing or overshadowing to the detriment of no 34.
- 11.11 Off set to the far south east of the site is the detached property of No 40a Warpors Moss Lane. Whilst the outbuilding will be visible from their dwelling, owing to its single storey scale and separation distances between the plots I am satisfied it would not result in any significant harm to the amenity of this property.
- 11.12 Overall, on the basis of the above the development is considered accordant with Policy GN3 of the Local Plan in respect of residential amenity.

## **12.0 CONCLUSION**

- 12.1 The siting, design and appearance of the outbuilding is considered acceptable and does not harm the character and appearance of the dwelling house nor disrupt the visual amenity of the local area. It is not considered to result in any significant harm to the amenity of surrounding residents. For these reasons the development is considered accordant with the relevant policies in the West Lancashire Local Plan 2012-2027 and is recommended for approval.

## **13.0 RECOMMENDATION**

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

### **Conditions**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.  
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:  
Building Plan as Constructed. Received by the Local Planning Authority on 22nd June 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. Notwithstanding any description of materials in the application, a full specification of the materials to be used on the external walls of the outbuilding shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials and should be reflective of those within the surrounding area, unless otherwise agreed in writing by the Local Planning Authority.  
The development shall be carried out only in accordance with the agreed schedule of materials and method of construction.

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

### **Reason for Approval**

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

GN1 - Settlement Boundaries

GN3 - Criteria for Sustainable Development

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