

<b>No.5</b>	<b>APPLICATION NO.</b>	2021/1095/FUL
	<b>LOCATION</b>	2A Vicarage Lane Westhead Ormskirk Lancashire L40 6HQ
	<b>PROPOSAL</b>	Construction of car port
	<b>APPLICANT</b>	Mr Ian Tomlinson
	<b>WARD</b>	Derby
	<b>PARISH</b>	Unparished - Ormskirk
	<b>TARGET DATE</b>	18th November 2021

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## **1.0 REFERRAL**

1.1 This application was to be determined under the Council's delegation scheme, however, Councillor Johnson has requested it be referred to Committee to consider the impact on the Green Belt.

## **2.0 SUMMARY**

2.1 The proposed development of a car port to the side and front of the property is unacceptable in principle. It is considered the proposal would materially harm the openness of the Green Belt and would not be in keeping with the area. The proposed development is considered to not be compliant with the NPPF and Policies GN1 and GN3 of the West Lancashire Local Plan 2012-2027 DPD.

## **3.0 RECOMMENDATION: REFUSE.**

## **4.0 THE SITE**

4.1 The application site relates to a relatively recent conversion of a detached bungalow to a modern detached two storey dwelling, planning permission reference 2018/0383/FUL. The property is located to the south west of Vicarage Lane with a driveway to the front, integral garage and garden to the rear. The dwellinghouse is located within the Green Belt.

## **5.0 THE PROPOSAL**

5.1 The application is seeking permission for a car port measuring approx. 9.757m in length x 4.745m in width x 2.653m in height.

## **6.0 PREVIOUS RELEVANT DECISIONS**

6.1 2018/0383/FUL - Conversion of a bungalow to house including raising of roof and single storey extensions with balcony above (part retrospective) – Granted

6.2 8/5/5059 - Detached bungalow - Granted (20.11.1969)

## **7.0 CONSULTEE RESPONSES**

7.1 Cadent Gas – 13<sup>th</sup> October 2021 – holding objection whilst the information is reviewed.

## **8.0 OTHER REPRESENTATIONS**

8.1 None.

## **9.0 SUPPORTING INFORMATION**

- 9.1 Supporting Statement – 15<sup>th</sup> September 2021
- 9.2 Green Belt Assessment – 23<sup>rd</sup> September 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 the Natural Environment

**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

Impact on trees

*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 As stated within the officer's report for the approved conversion of the property, 2018/0383/FUL, the existing dwelling has reached the upper limits of the total volume increase advised in the Council's SPD - Development in the Green Belt. The cumulative volume increase with the proposed car port would be approx. 65% over and above the size of the original dwelling. Therefore, the proposal would constitute a disproportionate addition to the original dwellinghouse.

- 11.4 The 40% increase is provided as only a guide and in accordance with the Council's adopted SPD Development in the Green Belt, other factors must also be considered when assessing the impact of the proposal on the Green Belt. In this particular case the application site is surrounded by residential buildings to the west, south and east with open fields to the north. The proposal would project 5.76 metres forward further than the existing front building line of the dwelling and also towards the north away from the existing residential built forms. Due to the, position in relation to the existing dwelling, and the overall projection and scale of the proposed development, I consider the impact of this form of extension would be a disproportionate extension that materially harms the openness of the Green Belt. Therefore, the proposed car port would constitute inappropriate development in the Green Belt and in my view would not comply with the requirements of the NPPF and Policy GN1 of the West Lancashire Local Plan (WLLP).
- 11.5 The NPPF explains that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 147 clarifies that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.
- 11.6 No very special circumstances have been submitted as part of the application and I have not identified any, as part of my assessment. As such the proposal remains inappropriate development and therefore contrary to Policy GN1 and the NPPF.

*Visual appearance/design/layout*

- 11.7 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.
- 11.8 The proposed materials are to match with the existing dwelling. Although these will be in keeping with the existing property, the proposed development projects out towards the front and will be visible as part of the street scene. I consider the proposed development would not be in keeping with the rural area and characteristics of the surroundings. Further to this, due to its position and projection from the principal elevation, I am of the opinion, the proposed development would appear as an incongruous addition to the property and would not be compliant with Policy GN3 of the WLLP and the Councils SPD – Design Guide.

*Impact on residential amenity*

- 11.9 Policy GN3 of the Local Plan requires that new development should retain reasonable levels of privacy and amenity for occupiers of the neighbouring properties.
- 11.10 The neighbour closest to the proposed development would be Bluebell Cottage, no. 2 Vicarage Lane. I do not consider, given the height of the proposed development, there would be any negative impact on the residential amenities of any neighbouring properties.

*Impact on Trees*

- 11.11 There are a number of trees with Tree Preservation Orders within the application site and adjacent. I am satisfied the proposed development would have no impact on these trees.

## **12.0 CONCLUSION**

- 12.1 The proposed extension would be disproportionate and by virtue of its projection in front of the principal elevation would result in harm to the openness of the green belt and the visual appearance of the property.

## **13.0 RECOMMENDATION**

- 13.1 That planning permission be REFUSED.

### **Notes**

1. Despite the requirements of Paras 38-46 of the National Planning Policy Framework it has not been possible to reach a positive agreed solution through the Council's adopted and published procedures, which advise that pre-application advice should be sought prior to the submission of an application. This application was submitted without the applicant/agent having entered into meaningful pre-application discussions in relation to the planning policies and material considerations that apply to the proposal and the development shows insufficient regard to the policy requirements as detailed in the reasons above.

### **Reasons for Refusal**

1. The proposed development is contrary to Policy GN1 in the West Lancashire Local Plan (2012-2027), Section 13 of the NPPF, SPD Design Guide (January 2008), and Supplementary Guidance on Development in the Green Belt (October 2015), in that, by virtue of its location, projection and scale the proposed car port would result in a disproportionate addition to the dwelling to the detriment of the openness of the Green Belt and constitute an inappropriate form of development in the Green Belt. The application fails to demonstrate any special circumstances which would outweigh the harm to the green belt.
2. The proposed car port conflicts with Policy GN3 of the West Lancashire Local Plan 2012-2027 DPD and Policy DP5 of the SPD - Design Guide in that by reason of its position and projection from the principal elevation, it would not be in keeping with the characteristics of the area and would result in an incongruous addition to the dwelling.