



PLANNING COMMITTEE: 28 July 2022

Report of: Corporate Director of Place & Community

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

SUBJECT: PLANNING APPLICATION 2022/0107/FUL

PROPOSAL: EXTENSION OF EXISTING ANCILLARY BUILDING TO FORM STORE/SHED (RETROSPECTIVE)

ADDRESS: MOSSHOLM, 36 WARPERS MOSS LANE, BURSCOUGH, ORMSKIRK, LANCASHIRE, L40 4AQ

Wards affected: Burscough East

1.0 PURPOSE OF THE REPORT

- 1.1 To advise Planning Committee on an application which seeks retrospective planning permission for the extension of an existing ancillary building to form a store / shed.
- 1.2 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 extension to the previously approved outbuilding for additional storage area 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.
- 1.3 This application was to be determined under the Council's delegation scheme however Councillor Evans has requested it be referred to Committee due to concerns over its retrospective nature and to consider the impact on the amenities of surrounding residents.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

- 2.1 **Approve subject to conditions.**
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3.0 THE SITE

- 3.1 The application site comprises a two-storey semi-detached dwelling house which is located on the south side of Warpers 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.
- 3.2 A retrospective application for a detached outbuilding was recently referred to Planning Committee and subsequently given approval in October 2021.

4.0 PROPOSAL

- 4.1 This application seeks retrospective permission for an extension to the previously built detached outbuilding which is used as a gym training room for the applicant's personal use. The stated purpose of the extension is to provide additional storage and is directly adjoined to the main building. It has the following dimensions: 2.27m x 3.55m with a flat roof overall height of approx. 2.62m. Whilst the host building has a pitched roof design, the proposed extension would be finished with a flat roof.
- 4.2 It is noted that at the time of the site visit and assessment of the application both the main building and the extension had been constructed, with the external finish still to be completed.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 E/2021/0254/NAP PENDING (Enforcement Investigation) Non-Compliance with approved plans 2021/0817/FUL
- 5.2 2021/0817/FUL GRANTED Retrospective detached ancillary building
- 5.3 E/2021/0071/UST CLOSED (Enforcement Investigation) Unauthorised Structure- Outbuilding without planning permission
- 5.4 2004/0378/FUL GRANTED Two storey side extension. Single storey extension to front and rear.
- 5.5 2009/0898/FUL GRANTED Two storey side extension. Single storey extension to front and rear.

6.0 OBSERVATION OF CONSULTEES

- 6.1 None

7.0 OTHER REPRESENTATIONS

- 7.1 Former Councillor Sue Evans
Requests the application be heard at planning committee for the reasons that the application has been made in retrospect and raises concerns that the

development will have a negative impact upon the living conditions of neighbouring properties.

- 7.2 Burscough Town Council
No Objection- Although the Town Council again raised concerns about this application being retrospective

8.0 SUPPORTING INFORMATION

- 8.1 Plans submitted

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 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.westlancs.gov.uk/planning/planning-policy.aspx>

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

- 10.1 The main considerations for this application are:

- Siting, Design and Appearance
- Impact upon residential amenity

Siting, Design and Appearance

- 10.2 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.

- 10.3 The application plot has a long linear focus which narrows towards the rear southern boundary and is enclosed by close boarded timber fencing. The main outbuilding (gym) is positioned in this rear section of the garden, detached from and set back from the main dwelling by approx. 17m.
- 10.4 The extension to the outbuilding is relatively modest in scale form and design and appears as a subservient addition owing to its flat roof design and ridge height (approx. 2.62m) which sits below the pitched roof of the main outbuilding. The extension adjoins the rear elevation and maintains the side building lines of the outbuilding and is therefore set back minimally from the timber boundary fencing which encloses this part of the site.
- 10.5 Owing to its siting and scale the extension would not therefore appear unduly prominent or dominant in appearance. Furthermore, whilst it is acknowledged that the addition does increase the overall length of the outbuilding previously approved, its design and scale does somewhat mitigate its cumulative impact. On balance I am therefore of the view that the outbuilding along with the extension would appear not dissimilar to other domestic garaging and outbuildings found in domestic settings.
- 10.6 As outlined in the previous assessment for the outbuilding, 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 and extension which is set back further than the neighbouring structure and enclosed by the boundary fencing, I am satisfied the extension to the building would not appear unduly incongruous or dominant.
- 10.7 It is noted that at the time of the site visit the external finish of both the main outbuilding and the newly constructed extension was not complete. The previous approval included a condition for the submission of materials details for the external cladding which were to be a stained timber finish to match the colour of the host building. I am of the view that for consistency the extension should be clad in matching materials. As the previous condition has not yet been discharged it is therefore considered appropriate to secure this detail by condition, if approved. Given the retrospective nature of the application, it is considered reasonable that the wording of any such conditions will require details to be submitted for approval within 1 month of any permission hereby granted.
- 10.8 Given the above, I am satisfied the extension to 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 and application site, it would only partially be visible when viewed from Warpers Moss Lane which provides the principal views of the site. On this basis I do not consider the cumulative impact of the extension would disrupt the visual amenity or character of the street scene. The development therefore accords with Policy GN3 of the Local Plan and the West Lancashire Design Guide.

Impact upon Residential Amenity

- 10.9 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.

- 10.10 The applicant has confirmed the use of the main outbuilding will be ancillary to the main dwelling for gym and training equipment for his own personal use. The current submission states that the rear addition will provide additional storage facilities and shows no internal access between the two elements of the buildings, the extension store being accessed externally by a pedestrian door on the side elevation.
- 10.11 The pattern of development surrounding the application site means that both 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. The new extension/store has been built directly off the rear elevation of the outbuilding and therefore is somewhat concealed and does not affect the interface distances of the front face of the outbuilding to the rear elevations of the residential properties which flank either side of the site (No 38 and 34)
- 10.12 Notwithstanding the above, it is noted that No 34 Warpors Moss Lane which lies to the west has a substantial wrap around garden which flanks the western side and south rear boundaries of the application site. In the circumstances described I acknowledge that the new extension will be partially visible above the common boundary when viewed from the rear garden of No 34. Nevertheless, owing to its overall height and siting I do not consider it would result in overbearing or overshadowing to the detriment of the neighbouring occupants. Furthermore, there are no windows on the extension and a single pedestrian door on the western elevation, however as this is screened by the existing boundary fencing, I am satisfied it would not result in any overlooking into the garden of the neighbour.
- 10.13 Off set to the far southeast of the site is the detached property of No 40a Warpors Moss Lane. Whilst the extension to 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 living conditions of this property.
- 10.14 Overall, based on the above the development is considered accordant with Policy GN3 of the Local Plan in respect of residential amenity.

11.0 CONCLUSION

- 11.1 The siting, design and appearance of the extension to the existing detached 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 additional harm to the living conditions 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.

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 details shown on the following plans: Site Location Plan Received by the Local Planning Authority on 7th February 2022 Site Layout and Side Elevation 'Sheet 1 of 3' Received by the Local Planning Authority on 7th February 2022 Building Plan as constructed ' Sheet 2 of 3' Received by the Local Planning Authority on 7th February 2022.

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 Section 10 of Planning Application Form Received by the Local Planning Authority on 7th February 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.

4. Within 1 month of this permission, 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.

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).

Appendice

Site Plan.