



PLANNING COMMITTEE: 19TH JANUARY 2023

Report of: Corporate Director of Place & Community

Contact for further information:

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SUBJECT: PLANNING APPLICATION REF. 2022/0895/FUL

PROPOSAL: Single storey extension to rear and side of existing dwelling within the Green Belt.

ADDRESS: Hoscar Cottage, Hoscar Moss Road, Lathom, L40 4BG

REASON FOR CALL IN:

Councillor E Pope – impact of development on the Green Belt and amenities of neighbours

The application was deferred following the Committee Meeting of 24 November 2022 and a further update provided in section 11 of the report below.

Wards affected: Newburgh

1.0 PURPOSE OF THE REPORT

1.1 To advise Planning Committee on an application which seeks a single storey extension to the rear and side of the existing dwellinghouse.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

2.1 APPROVE with conditions

3.0 THE SITE

3.1 The site comprises a large, extended dwelling located to the north west of Hoscar Moss Road within a cluster of linear residential dwellings. To the rear, the dwelling has a large semi attached barn building which is currently used for storage of domestic paraphernalia. The dwelling is finished in a white render with slate roof.

3.2 The site is located within the Green Belt as designated in the West Lancashire Local Plan.

4.0 PROPOSAL

4.1 Planning permission is sought for a single storey extension to the rear / side of the dwelling. The extension would have a flat roof with glazed lantern details.

5.0 PREVIOUS RELEVANT DECISIONS

5.1 2022/1080/FUL - Part retrospective application for the conversion of residential garage to form Hair and Beauty Salon and erection of a standalone Cattery within the existing on-site barn. – Application under consideration

5.2 1996/0169 - Two storey side extension – Granted

5.3 1993/0273 - Two storey extension and conservatory at side – Granted

5.4 8/77/89 – Extensions - Approved

6.0 OBSERVATION OF CONSULTEES

6.1 None received at the time of writing.

7.0 OTHER REPRESENTATIONS

7.1 None received at the time of writing.

Noting that no 3rd Party/Neighbour representations have been received as part of the consultation period.

8.0 SUPPORTING INFORMATION

8.1 The application has been supported by the following documents.

8.2 **Green Belt Assessment** – Paul Ennis. Received by the Local Planning Authority on 10th August 2022.

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 site is located in the Green Belt as designed in the West Lancashire Local Plan Proposals Map

National Planning Policy Framework (NPPF)

Achieving well designed places

Protecting green belt land

West Lancashire Local Plan (WLLP) 2012-2027 DPD

Policy GN1 – Settlement Boundaries
Policy GN3 – Criteria for Sustainable Development
Policy IF2 - Enhancing Sustainable Transport Choices

9.5 **Supplementary Planning Document**

- Design Guide (2008)
- Development within the Green Belt (2015)

10.0 **OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY**

10.1 The main considerations for this application are:

- i) Principle of development
- ii) Design/ visual appearance
- iii) Impact on living conditions

Principle of Development / Impact on the Green Belt

- 10.2 Paragraph 149 of the NPPF states that local planning authorities should regard the construction of new buildings in the Green Belt as inappropriate unless it falls within one of the 7 exceptions listed. One such exception is for '*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*'.
- 10.3 The Council's 'Development in the Green Belt' SPD also 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, and the design of the extension is in-keeping with the original form and appearance of the building and does not materially harm the openness of the Green Belt and landscape.
- 10.4 From looking into historic maps of the site, together with the previous relevant planning history, it is difficult to ascertain the exact built form which would be considered the 'original dwelling'. It is apparent in 1948 that the main building was present with some rear outbuildings. At some point a large 2 storey barn has been erected and semi connected to the building. A two storey rear outrigger has also been added and it is also possible that side extensions have also been added to the property.
- 10.5 The Green Belt assessment submitted with this application calculates the existing buildings and takes into consideration the two storey rear outrigger as an addition. It does not however take into consideration the large 2 storey semi attached barn. The submitted statement identifies that the volume increase of extensions would be 39% from the original building. However as not all historic additions have been taken into consideration, I consider that the volume of extensions could be far greater than this figure. On this basis I consider that the proposal would represent disproportionate additions when looking at the volume figures alone. On this finding the proposal would result in inappropriate development within the Green Belt.

- 10.6 Paragraph 147 and 148 sets out that, by definition, inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to this harm, and very special circumstances will not exist unless the potential harm to the Green Belt by reasons of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Other considerations / Openness

- 10.7 Volume is only one aspect of assessing if development is disproportionate. Other factors are scale, height, projection, site location/context and design.
- 10.8 Openness is an essential character of the Green Belt that has spatial as well as visual aspects. It can be considered to be the absence of buildings and development, and this does not depend on visibility.
- 10.9 The proposed site is located within a row of existing houses and agricultural buildings. Some of the neighbouring plots have large, detached outbuildings within them. The proposed extension would be sited to the rear of the building not projecting beyond the building line of the rear barn extension or the detached outbuilding in the neighbour's garden. The extension would form an infill of development and would be single storey in nature. I find that these aspects of the proposal result in limited harm to the openness of the Green Belt and do not conflict with any of the criteria for including land within it.

Green Belt Balance / very special circumstances

- 10.10 The proposed extension would amount to disproportionate additions to the original dwelling and as such would result in inappropriate development in the Green Belt which is, by definition, harmful. However, because of on-site specific circumstances such as the fact that the development would not project out beyond existing structures and would for the most part form infill, coupled with the single storey nature of the extension, the proposal would have minimal impact upon the openness of the Green Belt. Subsequently, whilst the proposed extension is disproportionate in volume, I consider that the layout of the site and its immediately surrounding area, provide sufficient site-specific very special circumstances, which, when combined, outweigh the harm identified above. Therefore, the principle of the proposal is acceptable.
- 10.11 Given the above, it is considered that the proposed extension is acceptable and satisfies the requirements of the NPPF, Policy GN1 of the West Lancashire Local Plan and the West Lancashire Development in the Green Belt SPD.

Removal of Permitted Development Rights

- 10.12 In consideration of the above, it is recommended a condition be included on the decision that permitted development (PD) rights be removed so that the LPA can exercise control over future development on this site. Any additional volume created by virtue of extensions or outbuildings will be disproportionate, and thereby, by definition, a risk to the openness of the Green Belt. The removal of PD rights will ensure that the LPA can protect the openness of the Green Belt, and comply with the provisions of Policy GN1(b) in the West Lancashire Local

Design / Appearance

- 10.13 Policy GN3 along with the Council's SPD Design Guide requires that new development should be of a scale, mass and built form, which responds to the characteristics of the site and its surroundings.
- 10.14 The proposed extension would be a single storey, flat roofed addition with lantern detail. It would be designed on an 'L' shape around the existing two storey rear outrigger. It would be finished in render to match the host dwelling and would have windows in the rear elevation only. I am satisfied that the scale, design and form of the extension is acceptable for this location and the extension would not result in harm to the host building. The extension would be partially seen from the front elevation, however its scale and recessed nature would result in minimal impact to the wider street scene.

Impact on living conditions

- 10.15 Policy GN3 of the Local Plan states that proposed development should retain or create reasonable levels of privacy, amenity and sufficient garden/outdoor space for occupiers of the proposed and neighbouring properties. The Council's SPD Design Guide, explains that extensions must have consideration for the amenity of the neighbouring properties in terms of overlooking, overshadowing and overbearing impact.
- 10.16 As the proposed development is to the south west of the application site, I consider the only neighbouring dwelling the development would have an impact on is Arbor Del. Due to the single storey nature of the extension and the neighbours existing outbuilding which runs along the common boundary I do not consider there would be any detrimental impact caused by overshadowing or overbearing. Arbor Del does have a window within the rear elevation and north east facing elevation closest to the common boundary, I believe these windows serve non-habitable rooms and I am satisfied given the distance between the neighbouring dwelling and the proposed development there would be no significant negative impact caused by loss of light or overshadowing.

11.0 UPDATE FOLLOWING PREVIOUS COMMITTEE MEETING

- 11.1 Members will recall that this application was reported to Planning Committee on the 24th November 2022. It was however deferred by members to allow members the opportunity of a site visit before the application is determined. Whilst the report remains largely the same, the Applicant has confirmed that the rooms within the proposed extension labelled 'cat room' and 'cat living' are for the benefit of the applicant's cats only and will not be used as part of any business enterprise.

12.0 CONCLUSION

- 12.1 The proposed extension does result in disproportionate additions (volume) to the original building and as such are considered inappropriate. However, given the

scale, siting, and location of development between built form which extends greater than the proposal and at height, the proposed development is considered on balance to have limited impact upon the openness of the wider Green Belt. Consequently, the site-specific very special circumstances, when combined, outweigh the harm identified.

- 12.2 The design, scale and form of the extension is considered acceptable and the proposal would not impact upon any neighbouring properties.
- 12.3 Given the above I consider that the proposal satisfactorily meets the requirements of Policies GN1 and GN3 of the West Lancashire Local Plan 2012-2027 DPD and should be recommended for approval.

13.0 RECOMMENDATION

Reason for Approval

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:

Policy GN1 - Settlement Boundaries
Policy 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.

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. LAN21240
Proposed Plans and Elevations dwg no. 409.04.001 rev. H2

Received by the Local Planning Authority on 10th August 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 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

Proposed Plans and Elevations dwg no. 409.04.001 rev. H2

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 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:
 - (i) no extensions shall be carried out to the dwelling(s)
 - (ii) no garages or carports shall be erected within the curtilage of the dwellings
 - (iii) no buildings, greenhouses, swimming pools shall be erected within the curtilage of the dwellings
 - (iv) no windows or dormer windows shall be added to the dwelling

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 the openness of the Green Belt and to comply with the provisions of Policy GN1(b) in the West Lancashire Local Plan 2012-2027 Development Plan Document and National Planning Policy Framework - Protecting Green Belt Land.

14.0 SUSTAINABILITY IMPLICATIONS

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

15.0 FINANCIAL AND RESOURCE IMPLICATIONS

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

16.0 RISK ASSESSMENT

- 16.1 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.

17.0 HEALTH AND WELLBEING IMPLICATIONS

17.1 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.