



PLANNING COMMITTEE: 20<sup>th</sup> APRIL 2023

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Report of: Corporate Director of Place & Community

Contact for further information:

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**SUBJECT: PLANNING APPLICATION REF. 2022/1080/FUL**

**PROPOSAL:** 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.

**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

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**Wards affected:** Newburgh

## **PURPOSE OF THE REPORT**

To advise Planning Committee on an application which seeks part retrospective permission for the conversion of the residential garage to form a hair and beauty salon and for the erection of a Cattery within the existing on-site barn.

## **2.0 RECOMMENDATION TO PLANNING COMMITTEE**

### **2.1 APPROVE with conditions**

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## **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 (subject to this application)

which is currently used for storage of domestic paraphernalia and has partly been converted into a cattery. This element is currently non operational and the conversion works are not yet fully completed. The integral garage has also been converted to a hair salon.

- 3.2 The property is stepped back from the road frontage and has a large front and side drive with vehicular access directly onto Hoscar Moss Road.
- 3.3 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 in retrospect for the conversion of the integral garage to a hair salon. Egress to this business is via a newly created glazed opening to the front elevation of the property.
- 4.2 The salon is complete and ready to use however the applicant informed me during my site visit that it is not currently fully operational. The opening hours would be 12:00 – 16:00 Monday to Sunday. There will be a maximum of 3 clients per day. All customers will be by appointment only. The salon will be staffed with 1 member of staff (the applicant).
- 4.3 Retrospective permission is also sought for the conversion of part of the rear barn to form a 15 bay cattery. A quarantine room and hygiene /wash / store room is also proposed. Access to this building is via an egress to the side north/east of the building where a UPVC door and window frame has been installed.
- 4.4 The cattery is not completed in construction and is not in operation. Internal walls for the pens have been installed but work to finish them is not yet completed. Hours of operation will be 07:00 – 12:00 and 16:00 – 18:00 Monday to Sunday. During this time customers will be able to drop off and pick up their pets. The cattery will be staffed by 2 full time workers.
- 4.5 Parking for both enterprises and the residence will be accommodated to the front and side of the dwelling. The dwelling has an existing in / out driveway arrangement.

#### **5.0 PREVIOUS RELEVANT DECISIONS**

- 5.1 2022/0895/FUL - Single storey extension to the rear and side of the existing dwellinghouse within the greenbelt. – Granted
- 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 CONSULTTEES**

- 6.1 Environmental Health:  
No comments received at the time of writing the report.

## **7.0 OTHER REPRESENTATIONS**

- 7.1 1 neighbouring letter has been received and can be summarised as follows:  
No particular objection to a hairdressing salon

Certain concerns about the proposed cattery;

- Concern the use could turn into a dog kennels
- No proposal to install ventilation in the existing barn containing the cattery.
- Concern main roller shutter door would be left open leading to smells affecting neighbouring property of Hoscar Hall Farmhouse
- There is no proposal to screen the cattery off from Hoscar Hall Farmhouse.
- The existing and proposed right elevations on the plan do not show the UPVC doorframe that has been installed on the outside of the roller door.
- The foul water is to drain into the existing septic tank. Concerns regarding the capacity of such a unit with the dwelling, salon and cattery

## **8.0 SUPPORTING INFORMATION**

- 8.1 The application has been supported by the following documents.
- 8.2 **Design and Access Statement and Green Belt Assessment** – Paul Ennis. Received by the Local Planning Authority on 5<sup>th</sup> October 2022.
- 8.3 Structural Engineers Report – Fisher Consulting Engineers. Received by the Local Planning Authority 14<sup>th</sup> December 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
- 9.3 **National Planning Policy Framework (NPPF)**  
Achieving well designed places  
Protecting green belt land
- 9.4 **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 proposal involves 2 aspects, conversion of the garage to salon and part conversion of barn to cattery. For ease of discussion, I will separate these matters as below. Matters impacting both proposals will be discussed together.

### **Part conversion of rear barn to cattery**

#### *Background*

- 10.2 Little information is available regarding the barn however it is believed that it has been in situ for over 15 years. The barn is constructed from a steel portal frame with brickwork to the lower level and cladding above.
- 10.3 The current occupier took ownership of the dwelling in 2021 and began work on the cattery in 2022. A PVC cattery has been erected within the barn although it is not yet completed and is not currently operational.
- 10.4 Visitors to the cattery will be by appointment only and mainly focused around the hours of 07:00-12:00 and 16:00–18:00.
- 10.5 When operational the cattery will employ 2 full time members of staff.

#### **Assessment**

- 10.6 The main considerations for this application are:

Principle of development  
Design/ visual appearance  
Impact on living conditions

#### **Principle of Development / Impact on the Green Belt**

- 10.7 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.
- 10.8 Para 150 d) of the NPPF outlines that the re-use of buildings within the Green Belt is acceptable, provided that the buildings are of permanent and substantial construction and that the development preserves openness and does not conflict with the purposes of including land within it.

- 10.9 To support the application a structural survey has been submitted. This survey concluded that the steel framed building is of a suitable condition which is capable of adaptation.
- 10.10 It is worth noting that the proposal does not alter the external fabric of the building or rely on the elevations of the building for support. The cattery has been built of a stand alone construction within the walls of the barn. No extensions are proposed as part of the development and there is no requirement to provide additional hardstanding areas for parking etc, as such I am satisfied that the proposal would not be inappropriate development within the Green Belt and that no impact to the openness of the Green Belt would result.

### **Impact on living conditions**

- 10.11 Policy GN3 of the West Lancashire Local Plan (2012-2027) states that development should retain or create reasonable levels of privacy and amenity for occupiers of the neighbouring properties.
- 10.12 The site sits within a row of mainly residential dwellings however the site immediately to the north east is commercial.
- 10.13 The cattery would be sited entirely within the confines of the existing rear barn and as such in terms of its physical presence would not impact any neighbouring properties or land uses.
- 10.14 It is considered that the cattery itself would not be expected to be a source of noise (a condition will be added to any permission to restrict the use to cats only and no other form of animal boarding). Therefore, the main noise source would be from customers arriving by car to drop off or collect their pets and noise from any deliveries or waste collections.
- 10.15 The cattery proposes operational hours of 07:00 – 12:00 and 16:00- 18:00 Monday to Sunday. During these hours customers will be able to drop off and collect their cats, outside of these hours will be restricted to staff operations only. Whilst I am satisfied with the afternoon hours, I consider that an opening time of 07:00 for drop off/pick up could result in disturbance to neighbours in this rural setting at a time when people are likely to expect quiet. Consequently, I consider that an opening time of 08:30 would be more appropriate. I propose that a suitable condition should be added to ensure this later opening time.
- 10.16 To minimise any amenity issues, planning conditions will be placed on any permission to restrict times of operation and delivery times ensuring that neither activity conflicts with the other, restrict the use to cats only and for the storage of waste. I also consider it appropriate for the LPA to retain control of the installation of any external lighting, I am satisfied that this can be achieved by way of a suitably worded planning condition.
- 10.17 Subject to conditions, I am satisfied that the proposal would comply with Policy GN3 of the Local Plan.

## **Design / Appearance**

- 10.18 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.
- 10.19 The only external alteration to the barn is the introduction of a UPVC doorway. The existing roller shutter closes behind this door. I am satisfied that this doorway is acceptable and would not impact detrimentally upon the host building or the wider street scene.

### **Conversion of garage to hair salon**

#### **Assessment**

- 10.22 The main considerations for this application are:

Principle of development  
Design/ visual appearance  
Impact on living conditions

#### **Principle of development**

- 10.23 Para 150 d) of the NPPF outlines that the re-use of buildings within the Green Belt is acceptable, provided that the buildings are of permanent and substantial construction and that the development preserves openness and does not conflict with the purposes of including land within it.
- 10.24 To accommodate the salon the integral garage has been converted. I am satisfied that the garage as part of the main dwelling was of permanent and substantial construction. The works have not resulted in any extensions or any development which would impact upon the openness of the Green Belt. As such the principle of development is acceptable.

#### **Design/ visual appearance**

- 10.25 The only visible external alteration to the building is the changing of the garage door for a 3-pane glazed opening with frosted glass and the letter 'P' on either side of the door. Whilst the etched lettering on the windows does appear un domestic, it is not obtrusive. I do not consider on balance that this would result in any reason to refuse the proposal on design or visual amenity grounds. Consequently, I am satisfied that the proposal accords with Policy GN3 of the Local Plan.

#### **Impact on living conditions**

- 10.26 The proposed opening hours of the salon would be 12:00 – 16:00 Monday to Sunday. It has been advised that there will be a maximum of 3 clients per day

with all customers being by appointment only. The only member of staff will be the applicant. I consider that owing to the opening hours and the only staff member being the applicant, the salon should not result in significant noise or disturbance to neighbouring dwellings. Opening hours can be conditioned to ensure amenity to neighbours is preserved.

### **Matters affecting both applications**

#### **Drainage**

- 10.27 It is advised within the drainage statement that there are no proposed changes to the existing surface water and foul drainage systems. Foul water will drain to the existing septic tank.
- 10.28 The applicant has confirmed that the cats will utilise litter trays using recycled pine pellets which absorb the urine. The cat's excrement and fouled pine pellets will be disposed of via a contract with licenced waste management contractors (no excrement or urine is to be disposed via the drainage system). I am satisfied that this is appropriate.
- 10.29 The combined use of the salon, cattery and domestic dwelling could place additional demands on the existing septic tank. Details of the capacity of this tank are unknown. As such I consider it appropriate to attach a condition to obtain details of the capacity of this tank prior to the commencement of the uses on the site.

#### **Highways**

- 10.30 Policy GN3 of the West Lancashire Local Plan 2012-2027 DPD states that development should incorporate suitable and safe access and road layout design in line with latest standards.
- 10.31 The proposal would utilise the existing egress points onto Hoscarr Moss Road. This is considered acceptable.
- 10.32 The site has a large gravelled area to the front and side of the dwelling. These areas are to be utilised for parking. These parking facilities are considered sufficient to accommodate the existing dwelling as well as customers to the salon and cattery including the 2 staff members required to facilitate the cattery business. I am satisfied that the proposal would accord with Policy IF2 of the Local Plan in this regard.

### **11.0 CONCLUSION**

- 11.1 It is considered that the proposed cattery and salon are not inappropriate development within the Green Belt. Furthermore the proposals would have no impact upon the openness of the Green Belt. Limited external alteration have been undertaken and I am satisfied that the alterations are acceptable and do not result in harm to the host building or that of the wider area. The uses are unlikely

to result in significant impacts to the living conditions of neighbouring properties and conditions can be attached to any approval to safeguard this. Sufficient parking is provided on site noting the transient nature of visitors to the cattery and salon. Whilst on the whole the proposed drainage for the site is not considered problematic, details of the capacity of the foul water drainage should be sought prior to the uses commencing to ensure adequate capacity is provided.

- 11.2 Given the above I consider that the proposal satisfactorily meets the requirements of Policies GN1, GN3 and IF2 of the West Lancashire Local Plan 2012-2027 DPD and should be recommended for approval.

## **12.0 RECOMMENDATION**

### **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:

Site Location Plan dwg no. LAN21240

Received by the Local Planning Authority on 5<sup>th</sup> October 2022

Existing and proposed elevations. Floor Plans and site plans - dwg no. 409.04.001 rev. J

Received by the Local Planning Authority on 14<sup>th</sup> December 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 Cattery within the rear barn shall be used only for the housing of domestic cats, associated equipment and feedstock and for no other purposes including any other forms of animal boarding.

Reason: To safeguard the amenity of adjacent properties and the area generally and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document

4. The Cattery accommodation hereby permitted shall not exceed a maximum number of 20 domestic cats at any one time.



Reason: To safeguard the amenity of adjacent properties and the area generally and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

5. Collections / drop-offs for the Cattery hereby permitted shall only take place between the hours of 08:30 - 18:00 on Mondays to Sunday

The salon hereby permitted shall only be open to customers between the hours of 12:00 -16:00 Monday to Sundays

Reason: To safeguard the amenities of nearby residents and to comply with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

6. Collections of waste from the premises or deliveries shall only take place between the hours of 08:00 - 18:00 on Mondays to Saturdays, and at no time on Sundays and Bank Holidays.

Reason: To safeguard the amenities of nearby residents and to comply with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

7. No external lighting shall be installed on the land and buildings without the prior approval in writing from the local planning authority.

Reason: These details are required to be approved before the commencement of development to minimise the visual impact of light on nearby residential properties in accordance with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

8. Prior to the first use of the cattery and salon hereby permitted, details of the capacity of the existing septic tank shall be submitted to and approved by the Local planning Authority. The septic tank shall be serviced and retained thereafter.

Reason: These details are required prior to the commencement of the use to ensure adequate drainage for the proposed development and to ensure that the development complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

## **SUSTAINABILITY IMPLICATIONS**

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

## **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.
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### **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.