



PLANNING COMMITTEE: 27th JULY 2023

Report of: Corporate Director of Transformation, Housing & Resources.

Contact for further information:

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SUBJECT: PLANNING APPLICATION REF. 2023/0008/FUL

PROPOSAL: Conversion of barn to dwelling and retrospective construction of rear extension including rebuilding of existing outrigger (Resubmission of application 2022/0900/FUL)

APPLICANT: Ms Stephanie Porter

ADDRESS: Old Gore Barn, Altcar Lane, Great Altcar

REASON FOR CALL IN:

Councillor Gareth Dowling – to consider the heritage impact.

UPDATE: Members will recall that this application was deferred on 16th March Planning Committee in request for a committee site visit and members comments in respect of exploring if a resolution could be found regarding the works carried out and the final design. The below report has been altered following the submission of amended plans.

Wards affected: Great Altcar Parish Ward

1.0 PURPOSE OF THE REPORT

1.1 To advise Planning Committee on an application which is seeking planning permission for the conversion of the barn to a single dwelling (previously approved 2020/0517/FUL) including the addition of a single storey rear extension in retrospect.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

2.1 The planning permission be approved.

3.0 THE SITE

- 3.1 The application site relates to a brick-built barn located to the east of Altcar Lane, Great Altcar. The barn building has recently been converted into residential accommodation under planning permission 2020/0516/FUL. The site is located within the Green Belt.

4.0 PROPOSAL

- 4.1 This is a resubmission following refusal of application, reference 2022/0900/FUL. This application is retrospective. As the principle of development for the conversion of the barn has already been considered acceptable, reference 2020/0516/FUL, this application will solely address the additions to the conversion which have been built and have not had the benefit of consent.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 2022/0900/FUL - Conversion of barn to dwelling and construction of rear extension including rebuilding of existing outrigger - Refused
- 5.2 2020/0516/FUL - Conversion of Old Gore Barn into a single dwelling - Granted
- 5.3 2019/0323/FUL - Conversion of the traditional brick barn into 2 residential dwellings with associated gardens, parking and paddock areas - Granted
- 5.4 2001/1160 - Use of land & building for storage, display and sale of activity toy equipment - Granted
- 5.5 1992/0977 - Consideration of details for prior approval - extension to agricultural storage building - Details Approved

6.0 OBSERVATION OF CONSULTTEES

- 6.1 Cadent Gas – 2nd February 2023
No objection, informative note required
- 6.2 Merseyside & West Lancashire Bat Group – 18th September 2022.
I have previously submitted comments in respect this site Ref: SI/01/OGB 18.09.2022) Planning application 2022/0900/FUL. My previous comments as shown below remain valid for the resubmission of this application.

I note that previous dusk emergence or/and dawn re-entry bat surveys have been undertaken at the application site and that two bat species were identified as using the barn; however, the survey data is now out of date and no updated bat surveys accompany this current application. As this is a confirmed bat roost updated dusk emergence or/and dawn re-entry bat surveys will be required; the level of survey effort should consist of three surveys between the months of May-August inclusive at which time bats are most active. These surveys should be undertaken **Prior** to the determination of this application and the results made known to your Council. All surveys must be conducted by suitably experienced bat ecologists that preferably hold valid Natural England bat survey licences.

Based on our comments we consider that currently WLC do not have a sufficient level of information to determine this application relative to the presence of a protected species in order to meet their obligations under the “The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (SI 2019/579” or Local Planning Policy EN2. Therefore, MWLBG wish to place a holding objection to this planning application until such time that the updated bat activity surveys are undertaken, and the results submitted to WLC.

7.0 OTHER REPRESENTATIONS

7.1 None received at the time of writing.

8.0 SUPPORTING INFORMATION

8.1 Planning Statement and Heritage Statement received 6th January 2023.

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.

The site is located within the Green Belt as designated in the West Lancashire Local Plan (WLLP) DPD.

National Planning Policy Framework

Achieving well – designed places

Protecting Green Belt Land

Conserving and enhancing the historic environment

West Lancashire Local Plan (2012-2027) DPD

Policy GN1 - Settlement Boundaries

Policy GN3 - Criteria for Sustainable Development

Policy EN4 - Preserving and Enhancing West Lancashire's Cultural and Heritage Assets.

Supplementary Planning Document (SPD), Design Guide (Jan 2008)

Supplementary Planning Document (SPD), Development in the Green Belt (October 2015)

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

10.1 The main considerations for this application are:

- Visual appearance/design/Impact upon the setting of a Listed Building
- Principle of development - Green Belt
- Impact on neighbouring properties

Visual appearance/design/Impact upon the setting of a Listed Building

10.2 The principle statutory duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Principal Act') is to preserve the special character of heritage assets, including their setting. Local Planning Authorities (LPA) should in coming to decisions consider the Principal Act which states the following;

Legislation

Listed Buildings - Section 66(1)

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

10.3 Planning Guidance and Policy

Policy EN4 of the West Lancashire Local Plan is relevant as is the guidance contained in NPPF (Chapter 16 paragraphs 189-208).

NPPF

In determining planning applications LPA's should take account of;

- a. The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b. The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c. The desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 199 states that when considering the impact of proposals on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be applied.

Paragraph 202 identifies that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Local Plan 2012 – 2027

Policy EN4 (a) – presumption in favour of the conservation of designated heritage assets. Development will not be permitted that adversely affects listed buildings, SAM, a conservation area, historic park or garden or archaeological remains.

Policy GN3 provides detailed criteria relating to the design and layout of 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, materials and residential amenity.

West Lancashire Design Guide SPD

DP 5 – New development should be of a scale, mass and built form, which responds to the characteristics of the site and its surroundings. Care should be taken to ensure that buildings do not disrupt the visual amenities of the streetscene because of their height, scale or roofline.

DP 9 - Development, which affects a building of historic interest including its setting or a conservation area needs to be sensitive to the character of the historic environment, be of high quality in terms of design and the materials used and aim to enhance the character and appearance of the wider area

- 10.4 Local Planning Authorities should, in coming to decisions affecting heritage assets, refer to Section 72(1) of the Principal Act, to the presumption in favour of the desirability of the preservation of heritage assets including their setting and also to Section 66(1) to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Recent High Court judgements identify the need to give considerable weight and importance to the duty imposed by the above sections.
- 10.5 Old Gore Barn is within the setting of the grade II listed Old Gore Farm, and this was a consideration in previous applications for the change of use of the barn to residential.
- 10.6 The plans have been amended since submission with the removal of the timber cladding which was considered a dominant feature covering the entire extension. The roof lantern has been removed and replaced with a flat skylight and the proposed oak posts which were to sub divide the expanse of glazing to the rear facing patio doors have also been removed.
- 10.7 Although this proposed design as part of this application is similar to that submitted previously in 2022/0900/FUL which was and still is considered to be at odds with the vernacular character of the barn through its overly domestic design and form, on balance, the alternative of removing the entire flat roofed rear extension element would be considered to cause more harm to the appearance of the original building and would disrupt the setting and how the adjacent listed building is experienced. The remedial work that would be required would not be able to return the original barn building to its original appearance and would in my view leave a large expanse of elevation damaged and in a worse state of appearance than what can be achieved through this application. It is my view that, the design proposed, given the options available, would have less of an impact overall on both the character and appearance of the original building and the context of the effected listed building.
- 10.8 With respect to the impact on the setting of the listed Old Gore Farmhouse (Grade II), it is considered that both the listed building and red brick barn and outbuildings are seen within the same context of this setting. Whilst public view and visibility are not determining factors, it is considered that in this context the historic relationship between the buildings run with its former use, they are

connected by virtue of this and reflect similarities in built form. Although we have identified previously the addition of the extension is overly domestic in design and it is considered it would result in a dissection in the relationship between the barn and the listed building, it is considered that the degree of disruption to the setting, on weighing the balance of the resulting impacts on the historic character of the barn and the listed building, the proposed alterations to the existing built extension as opposed to complete removal, would be of a less dominating form of remediation within the context. With the most dominating feature being that of the unsightly removal and corrective restoring attempt of the built fabric being viewed and taken into context when experiencing the setting of the listed building. I consider the harm caused by the removal would outweigh the harm caused by the proposed development.

- 10.9 We are required to give the duties imposed by the Principal Act 1990 considerable weight in our planning balance. Paragraph 199 of the NPPF states that great weight should be given to the conservation of heritage assets and their settings. In respect of the application, it is my view that the proposal would result in harm but, on balance, would be less harmful than the alternative and therefore, I consider it preserves the significance of Old Gore Barn within the setting of the Grade II listed Old Gore Farm House as laid down the Planning (LBCA) Act 1990, and thereby, complies with the guidance contained in the NPPF, paras 200 and 202 and Policies GN3 and EN4 of the Local Plan and the Council's Design Guide SPD.

Principle of development - Green Belt

- 10.10 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.
- 10.11 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.”
- 10.12 The council's 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.
- 10.13 The barn building was granted planning permission under application 2020/0516/FUL and at that time no extensions were proposed as part of the conversion works, as such the converted barn building is as originally built. The proposal is retrospective in form and a single-storey rear extension has been constructed as part of the conversion works without the benefit of planning

permission as permitted development for extensions were removed under condition 8 of planning permission 2020/0516/FUL.

10.14 A Green Belt Assessment has been submitted as part of the enquiry that indicates the proposed volume increase would be approx. 20%. I am satisfied the single-storey extension volume increase would be below the recommended guideline figure of 40% increase to properties located within the Green Belt.

10.15 Given the above I am of the opinion the proposed development would not represent a prominent expansion and would not result in disproportionate additions to the host building and as such, would not comprise inappropriate development in the Green Belt.

Impact on neighbouring properties

10.16 Policy GN3 of the WLLP 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.

10.17 Owing to the location of the retrospective extension at the rear of the property, and the separation distance to any neighbouring properties, I do not consider that any significant loss of residential amenity would occur.

Other Matters

10.18 Comments were received from MWLBG in terms of the requirement for updated dusk emergence or/and dawn re-entry bat surveys to be submitted. As the conversion of the barn has already been approved and completed with this application solely looking at the addition of the single storey rear extension with no alterations to the original roof, I do not consider updated surveys are required.

11.0 CONCLUSION

11.1 Given the above I consider that the proposal does meet the requirements of The National Planning Policy Framework and Policies GN3 and EN4 of the West Lancashire Local Plan 2012-2027 DPD.

12.0 RECOMMENDATION

12.1 That the application should be approved with the following conditions.

12.2 **(1)** The development hereby approved shall be carried out in accordance with details shown on the following plans:

Plan reference

'LOCATION PLAN - DRAWING NO. 2174.27 REVISION A'
received by the Local Planning Authority on 6th January 2023

'PROPOSED SOUTH EAST ELEVATION - DRAWING NO. 2174.21 REVISION
C'

'PROPOSED SOUTH WEST ELEVATION - DRAWING NO. 2174.22 REVISION C'

'PROPOSED NORTH WEST ELEVATIONS - DRAWING NO. 2174.23 REVISION C'

'PROPOSED NORTH EAST ELEVATIONS - DRAWING NO. 2174.24 REVISION C'

'GROUND FLOOR PLAN PROPOSED - DRAWING NO. 2174.30 REVISION A'

'FIRST FLOOR PLAN PROPOSED - DRAWING NO. 2174.30 REVISION A'

received by the Local Planning Authority on 31st May 2023

'PROPOSED SITE & LANDSCAPE PLAN - DRAWING NO. 2174.18 REVISION C'

'Landscape Works - PR/20/JP01/GA/01 REV B'

received by the Local Planning Authority on 19th July 2023

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.

(2) 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: 'PROPOSED SOUTH EAST ELEVATION - DRAWING NO. 2174.21 REVISION C', 'PROPOSED SOUTH WEST ELEVATION - DRAWING NO. 2174.22 REVISION C', 'PROPOSED NORTH WEST ELEVATIONS - DRAWING NO. 2174.23 REVISION C' and 'PROPOSED NORTH EAST ELEVATIONS - DRAWING NO. 2174.24 REVISION C' received by the Local Planning Authority on 31st May 2023.

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.

(3) The replacement roost provision described in the submitted Ecology report (Etive Ecology, June 2020) received by the Local Planning Authority on 23rd June 2020 (reference Planning Permission 2020/0516/FUL) has been installed and the structures provided as mitigation should be retained as bat roosts in perpetuity.

Reason: To ensure that the proposed development has no detrimental impact upon protected species or their habitats and is in accordance with Policy EN2 of the West Lancashire Local Plan.

(4) Visibility splays measuring 2.4 metres by 43 metres in a northerly direction and 2.4 metres by 30 metres in a southerly direction shall be provided, measured along the centre line of the proposed new road from the continuation of the nearer edge of the existing carriageway of Altcar Lane. The land within these splays shall be maintained thereafter, free from obstructions such as walls, fences, trees, hedges, shrubs, ground growth or other structures within the splays in excess of 1.0 metre in height above the height at the centre line of the adjacent carriageway.

Reason: To ensure adequate visibility at the street junction or site access in the interest of highway safety and to ensure compliance with Policy GN3 of the West Lancashire Local Plan.

Justification:

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

Policy EN4 - Preserving and Enhancing West Lancashire's Cultural and Heritage Assets.

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).

Appendices

None.