



PLANNING COMMITTEE: 23 November 2023

Report of: Corporate Director of Transformation, Housing and Resources

Contact for further information:

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SUBJECT: PLANNING APPLICATION REF: 2023/0169/FUL

PROPOSAL: Retrospective application for demolition of garage, erection of replacement garage, new boundary wall gate pillars and gates and the widening of an access track.

APPLICANT: JA & JA Prescott & Prescott

ADDRESS: Lane Farm, Mossy Lea Road, Wrightington, WN6 9RE

REASON FOR CALL IN: Application has been called in by Cllr Jukes to consider traffic issues as a consequence of the widened access into Lane Farm. Residents are concerned with double parking, pavement parking which leads to chronic traffic congestion and reduced access to residential properties.

Wards affected: Wrightington

1.0 PURPOSE OF THE REPORT

- 1.1 To advise Planning Committee on an application which seeks retrospective permission for the widening of an access onto Mossy Lea Road; the erection of a replacement detached single garage following the demolition of the existing; and for the erection of a boundary wall with gate pillars and gates.
- 1.2 The application was originally described as a partial change of use from residential to agricultural but on closer review, the widening of the track to the frontage is not considered to constitute a change of use. The wider planning unit comprises residential curtilage and an existing access track to the side and notwithstanding the physical changes proposed, this would remain the case in the event of permission being granted. As such the application is purely for the operational components of the development.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

2.1 APPROVE subject to condition

3.0 THE SITE

3.1 The site traverses the residential dwelling of 127 Mossy Lea Road and the access to Lane Farm. Both planning units fall within the ownership of the applicant. The site is located to the northwest of Mossy Lea Road within a row of mainly linear development. The White Lion public house is located to the south, Lane farm to the east and the attached residential dwelling of 129 Mossy Lea Road to the north.

3.2 The site is located within the small rural village of Wrightington as designated in the West Lancashire Local Plan.

4.0 PROPOSAL

4.1 Planning permission is sought in retrospect for the following:

- erection of a new boundary wall, gates pillars and gates
- widening of the access track
- erection of a replacement garage

5.0 PREVIOUS RELEVANT DECISIONS

Lane Farm:

5.1 2023/0594/PNC – PRIOR APPROVAL NOT REQUIRED

Application for determination as to whether prior approval of details is required - Change of use from Agricultural building to storage of building materials (Class B8)

5.2 2023/0299/PNP – PERMITTED

Application for determination as to whether prior approval is required for details - Erection of a monopitch, open fronted steel portal framed agricultural building

5.3 2022/1152/PNP – PERMITTED

Application for Determination as to Whether Prior Approval is Required for Details- Erection of a monopitch, open fronted steel portal framed agricultural building.

5.4 2012/1040/PNP – PERMITTED

Application for Determination as to Whether Prior Approval is Required for Details - Agricultural storage building.

5.5 2003/1229 – REFUSED

Retention of a 28m high telecommunications mast accommodating 3 antennae and 1 dish antennae, an equipment cabinet and associated guy cabling.

6.0 OBSERVATION OF CONSULTEES

6.1 Lancashire County Council – 6th July 2023
No objection

7.0 OTHER REPRESENTATIONS

7.1 Wrightington Parish Council – 23rd May 2023
No objection

7.2 1 neighbouring objection has been received and can be summarised as follows:

- The brick wall and pillars have replaced hedges
- The highway and pavement are already damaged from HGV's using the road
- Additional vehicle movements cause congestion at peak times when cars park on both side of the roads.
- Mossy Lea Road is already a busy, congested road
- The site entrance lies adjacent to the White Lion pub and close to the primary school
- Many people park half on half off the pavement which restricts the pavement width
- The granting of this permission would accommodate the increasing consistent stream of HGV, 4x4s, commercial vans etc who currently use the access 12 hours a day, 6 days a week
 - o traffic survey undertaken by objector on the 19.09.2023 showed 28 vehicle movements in 4 hours (HGVs- 11, Vans-11, 4x4s – 3, Cars 2, agricultural vehicles 0)
 - o traffic survey undertaken by objector on the 20.09.2023 showed 7 vehicle movements in 1 hour (HGVs – 5, 4x4s – 2, agricultural vehicles 0)

Use of Lane farm:

- Over recent years the farm has changed from agricultural to a builders storage yard, heavy plant depot, a site for storage of aggregates and a commercial outlet

7.3 2 letter of support has been received from number 129 Mossy Lea Road and the White Lion public house and can be summarised as follows:

- the measures taken to widen the access track is critical for the safety and wellbeing of local residents and vulnerable children
- it means the farm can operate and enter and leave the site without putting other drivers at risk
- Since the widening of the access there has been a reduction in plant machinery blocking the access
- Reduction in congestion on a busy road
- No loss of light or views
- Aesthetically improves the area
- No impact to wildlife as the gardens remain full and abundant with a wide variety of plants, birds and pollinators

8.0 SUPPORTING INFORMATION

8.1 The application has been supported by a Planning Statement prepared by MacMarshalls and received by the Local planning Authority on the 21st February 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.

9.2 The site is located within the small rural village of Wrightington as designated in the West Lancashire Local Plan 2012-2027 DPD.

9.3 **National Planning Policy Framework (NPPF)**
12: Achieving well-designed places

9.4 **West Lancashire Local Plan Policies**
SP1 – A Sustainable Development Framework For West Lancashire
GN3 - Criteria for Sustainable Development
IF2 - Enhancing Sustainable Transport Choice

9.5 **Supplementary Planning Document**
- Design Guide (January 2008)
- Supplementary Planning Document, Development in the Green Belt (October 2015)

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF TRANSFORMATION, HOUSING AND RESOURCES

Background

10.1 In view of various representations to the application, it is firstly necessary to explain what is being applied for on this application and what matters are not relevant to the assessment under this application.

10.2 It would appear that Lane Farm is currently undergoing a change of use from a traditional agricultural enterprise to a split use site. From my site visit and a Google search it appears that Lane Farm is now partly occupied by JA Prescott plant hire as well as the farming enterprise. JA Prescott website advises that they operate from the site and offer plant hire, tipper /grab hire and sale of aggregates.

10.3 To facilitate the partial use of the site by JA Prescott a prior notification application was submitted to the Council in June 2023 for the change of use from an agricultural building to a use Class B8 (storage and distribution). The development complied with the requirements of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) under the provision of Class R. As such the change of use did not require planning permission.

10.4 Whilst this permitted change of use has some bearing on the application in that HGV vehicles are using the access, the actual change of use of the site does not

fall for assessment under this application and in any event is deemed permitted development. For clarity the only elements of development that are to be assessed are the erection of wall and gates and the erection of the detached garage.

10.5 The main considerations for this application are:

- Principle of development
- Visual amenity / character of the street scene
- Highways
- Impact on residential amenity

Principle of development

10.6 The site is located within the identified small village boundary, and consequently there are no objections in principle to the operational works proposed, subject to compliance with the relevant policies of the Local Plan. The report moves on to address the impact of these works further.

Design / Visual amenity / character of the street scene

10.7 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.

10.8 The garage subject to this application replaced an existing detached garage on site. The footprint of the new garage has been moved slightly eastwards but on a similar building line and remains within the residential curtilage of the dwelling and the settlement boundary. I am satisfied that the garage is of an appropriate design, scale and finished in an acceptable material which is sympathetic to the main dwelling.

10.9 A brick boundary wall has been erected along the north-western side of the access. This wall has replaced a boundary hedge and low wall and has been moved closer to the dwelling of 127 Mossy Lea Road. The wall measures 1.15m in height. About halfway along the wall a brick pillar measuring about 2.45m in height has been erected with another opposite and black gates installed in this location. The pillars and gates are set back from the highway edge by about 11m. Boundary treatments along Mossy Lea Road are a mixture of hedging and low walls and as such I consider that the wall which has been front planted with shrubbery does not appear unduly incongruous with the street scene. The pillars and gates are set a significant distance back from the road and in my opinion do not disrupt the character or appearance of the wider street scene.

10.10 I am satisfied that garage, walls, pillars and gates are acceptable in terms of their design, scale, location and materials and accord with Policy GN3.1.iv of the Local Plan.

Highways

10.11 The proposal involves the widening of an existing access onto Mossy Lea Road. Lancashire County Council Highways have been consulted as part of this

application and note that the works to widen the access track are all within the site boundary and the access gates are set back from the highway. The widening of the access track has provided an improvement for larger vehicles accessing the site to the rear. As a result of this LCC Highways raise no objection to the proposal. The proposal therefore complies with Policy GN3.2.vii of the local plan.

10.12 The proposal involves the removal of the existing private side driveway associated with 127 Mossy Lea Road. This effectively results in a net loss of on site parking provision from the dwelling. However, as part of the proposal a detached garage with 1 parking space in front has been created. Access to this garage is via the newly widened access. Lane Farm and the dwelling of 127 Mossy Lea Road are within the same ownership and as such this arrangement is acceptable. I am satisfied that the proposal provides acceptable on site parking for the dwelling of 127 Mossy Lea Road.

Impact on residential amenity

10.13 Policy GN3 of the West Lancashire Local Plan (2012-2027) DPD allows development provided it retains or creates reasonable levels of privacy, amenity and sufficient garden/outdoor space for occupiers of the neighbouring properties.

10.14 Noting the location of the garage and wall structures along with their height I am satisfied that the development does not impact detrimentally upon immediate neighbours or on other local residents.

10.15 The objection raised from a neighbouring property regarding noise, vibrations and general disturbance is noted. However, the vehicles which use the access and the use of Lane Farm at the rear does not fall to be assessed under this application. Only the operational developments of the access, walls and gates are sought to be assessed and these elements are considered to have an acceptable impact to neighbouring properties.

Other matters

10.16 LCC Highways has noted the letter of objection received in relation to parking issues on Mossy Lea Road associated with the White Lion Public House and the Local School. The parking issues are currently being looking into by LCC Traffic Section with a view to finding a resolution, but this ongoing issue does not affect the merits of the application as per the above LCC have confirmed that they consider the highway impacts resulting to have minimal impact on highway safety and/or capacity.

11.0 CONCLUSION

11.1 Given the above I consider that the proposal satisfactorily meets the requirements of Policies SP1, GN3 IF2 of the West Lancashire Local Plan 2012-2027 DPD and should be recommended for approval.

12.0 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:

SP1 - A Sustainable Development Framework for West Lancashire
GN3 - Criteria for Sustainable Development
IF2 - Enhancing Sustainable Transport Choice

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.

Conditions:

1. The development hereby approved shall be carried out in accordance with details shown on the following plans:

Plan reference

C 402 – existing plan

received by the Local Planning Authority 21.02.2023

C 402 rev B – proposed plan

received by the Local Planning Authority 02.06.2023

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.

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.