



**PLANNING COMMITTEE: Thursday,
21 November 2024**

Report of: Assistant Director Planning & Regulatory Services

Contact for further information: Richard Maunsell (Extn: 3482) (Email: richard.maunsell@westlancs.gov.uk)

SUBJECT: PLANNING APPLICATION REF: 2024/0687/FUL

PROPOSAL: Refurbishment of former three bedroomed warden's flat to create two new single person flats, within existing retirement scheme.

APPLICANT: Tawd Valley Developments

ADDRESS: Mere Court, Red Cat Lane, Burscough, L40 0TQ

REASON WHY APPLICATION IS AT PLANNING COMMITTEE:

The council's constitution requires that applications submitted by Tawd Valley Developments are determined by the Planning Committee.

Wards affected: Burscough Bridge & Rufford;

1.0 PURPOSE OF THE REPORT

- 1.1 To advise Planning Committee on an application which seeks planning permission for the refurbishment of a former three bedroomed warden's flat to create two new single person flats.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

- 2.1 To grant planning permission subject to conditions.

3.0 THE SITE

- 3.1 Mere Court is located in Burscough and is accessed from Red Cat Lane. It comprises of a linear two storey building generally orientated east to west with three two storey projections parallel to the building facing south.
- 3.2 It comprises of 20no. 1 bedroom retirement flats with a small parking area to the west. There are residential properties to the east and north with commercial premises to the west and south with Burscough railway station further beyond.

4.0 PROPOSAL

- 4.1 Planning permission is sought for the conversion of the existing flat to form 2no. flats. A staircase would be removed and the ground floor space converted to a store.
- 4.2 The first floor space would be divided centrally to provide a bathroom, bedroom and kitchen/ dining room/ living space in each flat. The flats would be accessed from the existing building at first floor level. The existing bay window would be extended at first floor.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 2012/0789/WL3 – Provision of 3no. additional car park spaces to existing parking area. Granted - 12/09/2012.

6.0 OBSERVATION OF CONSULTEES

- 6.1 None received at the time of writing this report.

7.0 OTHER REPRESENTATIONS

- 7.1 None received at the time of writing this report.

8.0 SUPPORTING INFORMATION

- 8.1 This application is accompanied by the following supporting information:

Design and Access Statement Rev A;
Biodiversity Net Gain Exemption Statement.

9.0 RELEVANT PLANNING POLICIES

- 9.1 National Planning Policy Framework (NPPF) and the West Lancashire Local Plan 2012-2027 provide the policy framework against which the development proposals will be assessed.
- 9.2 West Lancashire Local Plan 2012-2027 DPD:
SP1 - A Sustainable Development Framework for West Lancashire
GN1 - Settlement Boundaries
GN3 - Criteria for Sustainable Development
RS1 - Residential Development
IF2 - Enhancing Sustainable Transport Choice
- 9.3 West Lancashire Borough Council Supplementary Planning Document (SPD):
Design Guide (Jan 2008)

Burscough Plan Parish Neighbourhood Plan 2017-2027.

10.0 OBSERVATIONS OF ASSISTANT DIRECTOR OF PLANNING AND REGULATORY SERVICES

- 10.1 The main considerations for this application are:
- i. Principle Of Development
 - ii. Scale, Layout, Design And Visual Appearance
 - iii. Impact On The Occupiers Of Neighbouring Properties/ Residential Amenity
 - iv. Highways And Parking
 - v. Biodiversity/ Ecology

Principle Of Development

- 10.2 The application site is located within Burscough. Policy RS1 of the Local Plan advises that residential development will be permitted within Regional Towns, Key Service Centres, Key Sustainable Villages and Rural Sustainable Villages. As the development would subdivide an existing lawful flat, the principle of development is acceptable, subject to compliance with the remaining planning policies.

Scale, Layout, Design And Visual Appearance

- 10.3 Paragraphs 131 to 141 of the NPPF emphasises that the creation of high-quality buildings and places is fundamental to what the planning system and development process should achieve.
- 10.4 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.
- 10.5 The development generally seeks to undertake internal alterations to facilitate the conversion with minimal changes to the external appearance. The three windows in the west elevation would be replaced with a slightly enlarged opening and one window being repositioned to the north elevation to serve the bathroom. On the south elevation, the existing bay first floor bay window would be extended in width with the void underneath being enclosed to provide a bay window for the communal lounge on the ground floor. These changes would be acceptable in the context of the appearance of the building and as such, the proposals would not result in an obtrusive or discordance feature and would be acceptable in terms of the NPPF, Policy GN3 Local Plan DPD and the council's SPD.

Impact On The Occupiers Of Neighbouring Properties/ Residential Amenity

- 10.6 In addition to the NPPF, Policy GN3 of the Local Plan allows development provided it retains or creates reasonable levels of amenity for occupiers of the neighbouring and proposed premises.
- 10.7 The building is located centrally within and adjacent to other properties which, as previously acknowledged, are one-bedroom flats. The submitted drawings show that the width of the bay window would extend from approximately 2.5 metres to 4.3 metres, an increase of 1.8 metres. Although this would extend further towards the flats to the west, there would remain a distance of approximately 18 metres. Furthermore, the bay window would be at oblique angle and set back from the west elevation of the proposed flat. The provision of a ground floor bay window

would serve the communal lounge and would not, therefore, impact on the amenity of the occupiers of any premises.

- 10.8 Given the siting and scale of development and the distance from neighbouring premises, it is not considered that the development would be not detrimental to the amenity of occupiers of neighbouring premises and the proposal meets the requirements of Policy GN3 in this regard.

Highways and parking

- 10.9 Policy GN3 of the Local Plan states that developments should integrate well with the surrounding area and provide safe, convenient and attractive pedestrian and cycle access, ensure that parking provision is in line with Policy IF2, and incorporate suitable and safe access and road layout.
- 10.10 There is a small parking area to the west of the building that can accommodate eight cars. The site provides one-bedroom accommodation for retired persons where there are currently eight parking spaces for 20no. flats. The site is located within Burscough where there are shops and amenities as well as convenient access to alternative means of transport including buses and the rail network. The site is sustainably located, with access to both convenience, services and transport options and is in line with the NPPF paragraph 108 which supports development which promotes walking, cycling and public transport use, ultimately reducing the reliance of the private car. As such, the need for additional parking provision to accommodate the additional 1 bedroom flats is discounted on this basis.
- 10.11 As such, it is not considered that the development would adversely affect the highway network nor, based on the nature of the application in this location, does it raise any highway issues and is acceptable in regard to Policy GN3 of the Local Plan DPD.

Biodiversity/ Ecology

- 10.12 Policy EN2 of the Local Plan refers to priority species and habitats and requires that:

"Where there is reason to suspect that there may be priority species, or their habitat, on or close to a proposed development site, planning applications should be accompanied by a survey assessing the presence of such species and, where appropriate, making provision for their needs."

- 10.13 Following the enactment of the Environment Act (2021) into law, there is a mandatory requirement for all development (not including those that are exempt) to achieve a minimum 10% Biodiversity Net Gain (BNG) provision. A completed Biodiversity Metric, Draft Biodiversity Net Gain Report and Biodiversity Credits Details accompany the application.
- 10.14 The proposal largely refers to internal alterations. The extended bay window would be over a void on which there is currently paving. As such, there would be no loss of any habitat and the development is exempt from any BNG contributions. No

further surveys are required, and no biodiversity or ecological issues are raised. As such, the proposal is acceptable in the context of Policy EN2 of the Local Plan DPD.

11.0 CONCLUSION

- 11.1 In conclusion, the proposal is acceptable and would be in keeping with the existing local vernacular whilst also having minimal impact on the character and appearance of the original dwelling. Parking arrangements have been retained and impact upon the living conditions of neighbouring properties has been assessed and considered negligible. The proposal is in line with both national and Local Planning policies and the relevant guidance. It is therefore recommended that planning permission be granted.
- 11.2 Given the above, it is considered that the proposal complies with the National Planning Policy Framework and Policies SP1, GN1, GN3, RS1 and IF2 of the West Lancashire Local Plan 2012-2027 DPD.

12.0 RECOMMENDATION

- 12.1 That planning permission be GRANTED subject to the imposition of 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 strict accordance with details shown on the following plans:

Location Plan (Drawing no. 24012-PJA-00-00-DR-A-0001-B);
Proposed Roof Plan (Drawing no. 24012-PJA-00-00-DR-A-0012);
received by the Local Planning Authority on 6th August 2024;

Proposed Ground Floor Plan (Drawing no. 24012-PJA-00-00-DR-A-0010-A);
Proposed First Floor Plan (Drawing no. 24012-PJA-00-00-DR-A-0011-B);
Proposed Elevations (Drawing no. 24012-PJA-00-00-DR-A-0100-B);
received by the Local Planning Authority on 31st October 2024;

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.

Note(s)

1. The development approved by this permission may be liable to a Community Infrastructure Levy, which is payable after development begins. If your scheme is liable, and you have not already done so, you must submit an Assumption of

Liability Notice to the Council before development commences. If your scheme is issued with a CIL charge, it is essential you submit a Commencement Notice to the Council before the development commences. Any application for relief or exemption should also be submitted before commencement.

The Council will impose penalties where the correct forms are not submitted, or are late, or where the information provided is inaccurate.

All forms are available at

<http://www.westlancs.gov.uk/planning/planning-policy/community-infrastructurelevy/the-cil-process.aspx>

and once completed, should be emailed to CIL@westlancs.gov.uk.

Further information on CIL can be found at www.westlancs.gov.uk/CIL or by contacting the Council's CIL and S106 Officer on CIL@westlancs.gov.uk or tel: 01695 585171.

Reasons 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.

SP1 – A Sustainable Development Framework for West Lancashire

GN1 – Settlement Boundaries

GN3 – Criteria for Sustainable Development

RS1 – Residential Development

IF2 – Enhancing Sustainable Transport Choice

together with Supplementary Planning Guidance and all the relevant Material Considerations. The Local Planning Authority considers that the proposal complies with relevant policy criteria as set out in the Officers Report. This 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.