

**Application Number** 07/2018/4739/FUL

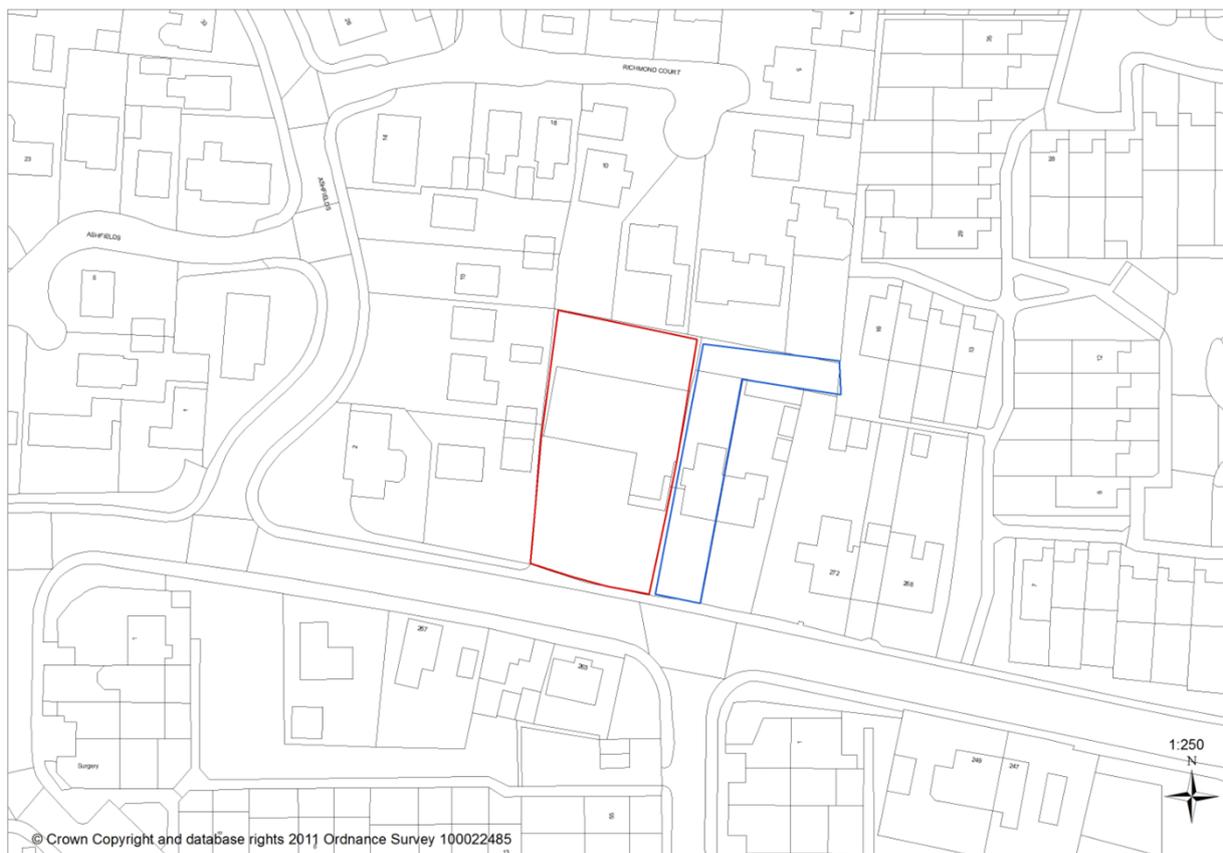
**Address** Dunkirk Garage  
Dunkirk Lane  
Moss Side  
Leyland  
Lancashire  
PR26 7SN

**Applicant** Mr Brendan Mortimer

**Development** Erection of single storey extension and car port  
to rear of existing garage

**Officer Recommendation** Refusal  
**Officer Name** Mrs Linda Ashcroft

Date application valid 02.11.2018  
Target Determination Date 28.12.2018  
Extension of Time 11.01.2019



## **1. Introduction**

- 1.1 This application would normally fall for determination under delegated powers. However following a request from a Councillor it was considered appropriate to bring the application to planning committee for determination.

## **2. Report Summary**

- 2.1 This application seeks permission for a single storey extension and car port to the rear of an existing commercial garage situated on Dunkirk Lane, Leyland.
- 2.2 It is considered that due to the height, scale, siting, proximity, appearance and use of the building, the proposal would be harmful to the living conditions of the occupiers of adjacent residential properties as a result of increased noise, disturbance, dust and fumes and would also appear overbearing and overly dominant. It is for these reasons that the application is recommended for Refusal.

## **3. Site and Surrounding Area**

- 3.1 The application site is Dunkirk Garage which is a family run business undertaking vehicle servicing/MOT's, repairs and more recently opened a new tyre bay. The site is situated in an area which is predominantly residential with dwellings to the north, south, east and west. The site is accessed from Dunkirk Lane.
- 3.2 The site is subject to Policy B1 Existing Built Up Area of the South Ribble Local Plan.

## **4. Site History**

- 4.1 07/1987/0728 – Forecourt canopy. Approved.  
07/1990/0147 – Forecourt canopy, sales shop and office, underground petrol storage tanks and two car washes. Refused  
07/1996/0747 – Retention of car wash facility. Approved  
07/1997/0739 – Application for change of use of land and buildings from mixed use as service station and petrol sales to mixed use as service station and car sales. Approved

## **5. Proposal**

- 5.1 Planning permission is sought for the erection of a single storey extension and car port to the rear of the existing garage.
- 5.2 Single rear extension will project off the rear elevation of the existing garage building by 8.4m for a length of 13.7m with a slightly sloping roof 4.4m to the lowest point and a maximum height of 4.7m. Clear sheeting is proposed into the roof to allow for natural daylight. A roller shutter door is proposed into the western elevation. This element of the proposal will be set some 0.9m off the northern (rear) boundary.
- 5.3 A car port is proposed alongside this extension and will project for 7.1m for a length of 8.5m with a flat roof 4m high constructed of clear sheeting to the roof. The car port area is to provide a dry storage area for used tyres until collection which are presently stored out in the open in the area of the proposal.
- 5.4 The hours of operation are 8am to 5pm Monday to Friday and 9am to 1 pm on a Saturday. The business does not operate on Sundays and Bank Holidays.
- 5.5 As a result of the proposal employees will increase by 1 full-time person to 6.

## 6. **Representations**

### 6.1 **Summary of Publicity**

6.2 11 neighbouring properties have been notified and a site notice has been posted with 4 letters in support being received, commenting as follows:

- Cannot foresee any problems, will have zero impact on us
- Will be no noise impact
- Will be no light blocked
- Have high hedges which will restrict viewing from our property
- Should be supporting small enterprises in investing in their business
- Fully support application
- There will be sufficient space to maintain fences

## 7. **Summary of Reponses**

7.1 **Lancashire County Council Highways** has no objections to the proposed development and is of the opinion that the proposals should have a negligible impact on highway safety and capacity within the immediate vicinity of the site.

7.2 **Environmental Health** have commented that there is not enough information to fully assess the application and it is likely that the proposal would result in an intensification of use of the site which would have a significant adverse impact on surrounding residential properties. Should the Committee be minded however to approve the application then a number of conditions have been recommended to be imposed.

## 8. **Material Considerations**

### 8.1 **Policy**

8.2 **The National Planning Policy Framework** (the Framework) in Chapter 6 paragraph 80 states *“significant weight to be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”*

8.2.1 Paragraph 180 of the NPPF requires *“that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.”*

### 8.3 **Central Lancashire Core Strategy**

8.3.1 **Policy 17 (Design of new buildings)** permits development provided that, amongst other things *“the proposal does not have a detrimental impact on the existing building, neighbouring buildings or on the street scene by virtue of its design, height, scale, orientation, plot density, massing, proximity, or use of materials. Furthermore, the development should not cause harm to neighbouring property by leading to undue overlooking, overshadowing or have an overbearing effect.”*

### 8.4 **South Ribble Local Plan**

8.4.1 **Policy B1 Existing Built Up Area** allows for development provided, amongst other things, it complies with the requirements for parking, is in keeping with the character

and appearance of the area and will not adversely affect the amenities of nearby residents.

8.5 **Policy G17 (Design criteria for new development)** advises that the *“design of new buildings will be expected to take account of the character and appearance of the local area, including, amongst other things:*

- a) *siting, layout, massing, scale, design, materials, building to plot ratio and landscaping;*
- c) *be sympathetic to surrounding land uses and occupiers, and avoiding demonstrable harm to the amenities of the local area;”*

## 9. **Other Material Considerations**

9.1 The garage is a long established business (pre-1970's) which in the past was also run as a petrol filling station. The proposed extension is to provide a workshop for a new business venture, in addition to the existing service station, involving converting panel vans into motor homes. The vans are currently being converted outside the garage workshop building.

9.2 The applicant's joinery workshop is presently on the upper floor of the garage which is only accessible by stairs and involves several trips to build the many elements to create a motor home which slows the build down considerably. Stock for the conversions are presently stored in the garage work space. The workshop will also provide a small office. Machinery used to convert the vans include a sliding panel saw, edgebander, router, pillar drills, dust extractor and hand power tools.

## 10. **Residential Amenity**

10.1 The adjacent residential properties within Ashfields and Richmond Court were constructed in the late 1980's. The proposal will be set some 0.9m from the rear boundary with residential properties at Nos. 8, 9 & 10 Richmond Court and some 2m from the boundary with Nos. 6, 8 & 10 Ashfields to the west. The dwelling to the east at No. 280 is within the applicant's ownership. There are also residential properties to the south at Nos 263 & 265 Dunkirk Lane. Although the commercial garage was in existence at the time the dwellings were constructed, the proposed development will bring the use and buildings to within 0.9m of the common boundary with residential dwellings resulting in increased noise and activity; the present separation distance is 9.3m.

10.2 The boundary to the rear is separated by a 1.8m high timber fence; No. 8 Richmond Court has a rear conservatory, No. 9 has a pitched roof single storey rear projection up to part of the common boundary and several Leylandii some 3m high with mature shrubs to the rear of No. 10. No. 8 is set some 5.5m from the rear boundary, the main part of the dwelling at No. 9 being some 9m away and No. 10 some 18m. The car port area will be used for dry storage of tyres with this element of the proposal being set 2.3m from the rear boundary and some 2m from the dwellings to the west situated on Ashfields.

10.3 Therefore due to the scale and proximity of the building this will appear overbearing and overly dominant and therefore contrary to Policy G17 of the South Ribble Local Plan.

10.4 In addition, due to the proposed intensification of the use of the site, it is considered that there will be an impact on the health and living conditions of adjacent residential properties by increased noise and disturbance together with the potential for fumes/smells associated with the business. Environmental Health have advised that

the proposal would have a significant adverse impact on surrounding residential properties. It is acknowledged that conditions may address these concerns, however no information in terms of an acoustic survey or details to address any fumes and smells to assess these aspects fully has been submitted.

11. Highway Considerations

- 11.1 Lancashire County Council Highways has no objections to the proposed development and is of the opinion that the proposals should have a negligible impact on highway safety and capacity within the immediate vicinity of the site.

12. Conclusion

- 12.1 The application property is situated within a residential areas with dwellings set to the north, east, south and west of the site.
- 12.2 Limited information has been provided with the application in order to assess the full impact of the development on adjacent residential properties.
- 12.3 The National Planning Policy Framework (the Framework) seeks to support economic growth in order to create jobs and prosperity. However the Framework also seeks to secure a good standard of amenity for all existing occupants of land and buildings. Although the proposal will increase employees from 5 to 6, it is considered that the benefits of the proposed commercial activity would be outweighed by the harm to the living conditions of adjoining residents.
- 12.4 Although a number of representations in support of the application have been received, it is considered that due to the height, scale, siting, proximity, appearance and use of the building, the proposal would be harmful to the living conditions of the occupiers of adjacent residential properties as a result of increased noise, disturbance, dust and fumes and would also appear overbearing and overly dominant. The proposal would therefore be contrary to Policy B1 and G17 of the Adopted Local Plan 2012-2026, Policy 17 of the Central Lancashire Core Strategy
- 12.5 It is for the above reasons that the application is therefore recommended for **Refusal**.
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**RECOMMENDATION:**

Refusal.

**REASONS FOR REFUSAL:**

1. By virtue of the height, scale, siting, proximity and appearance of the building, the proposal would have a detrimental impact upon the occupiers of adjacent residential properties at No. 8, 9 and 10 Richmond Court by appearing overbearing and overly dominant. As such the proposal is contrary to, Policy 17 in the Central Lancashire Core Strategy, Policy B1 and G17 of the Adopted Local Plan 2012-2026.
2. It has not been demonstrated that the proposal would not have a detrimental impact on the living conditions of the occupiers of adjacent residential properties, specifically No. 8, 9 and 10 Richmond Court and No. 6, 8 and 10 Ashfields, in relation to noise, disturbance, dust and fumes. As such the proposal is contrary to paragraph 180 of the National Planning Policy Framework, Policy 17 in the Central Lancashire Core Strategy, Policy B1 and G17 of the Adopted Local Plan 2012-2026.

**RELEVANT POLICY**

**17            Design of New Buildings (Core Strategy Policy)**

**POLB1       Existing Built-Up Areas**

**POLF1       Car Parking**

**POLG17      Design Criteria for New Development**

**Note:**

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