

Application Number 07/2019/2266/HOH

Address 327 Dunkirk Lane
Moss Side
Leyland
Lancashire
PR26 7SY

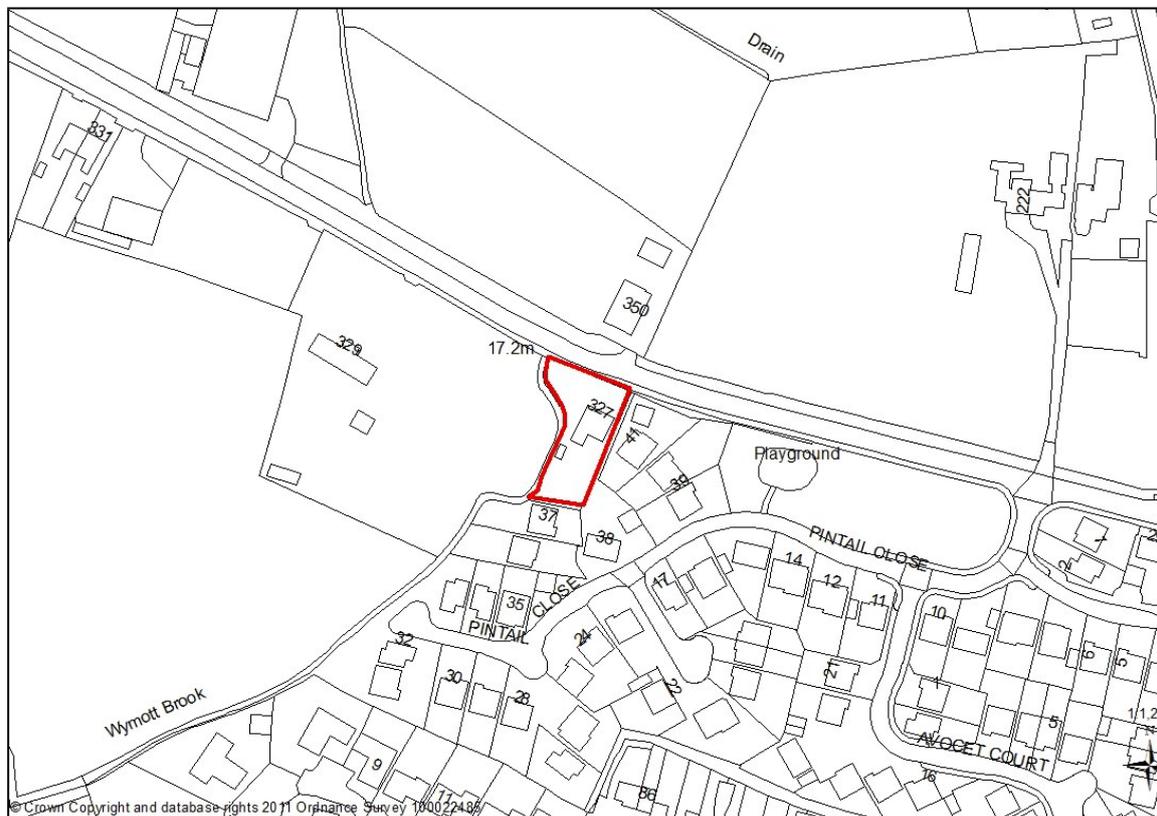
Applicant Mr Liam Derbyshire

Agent Mr Neil Sharp
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Wigan
WN3 6JW

Development Erection of 1.6m high (max) garden wall with new access gates to front to replace existing hedgerow

Officer Recommendation **Approval with Conditions**
Officer Name **Mrs Catherine Lewis**

Date application valid 12.03.2019
Target Determination Date 07.05.2019
Extension of Time None



1. Introduction

1.1. The size and nature of this application would normally fall under the scheme of delegation but as the applicant is related to a member of the Council, the application is now before you.

2. Report Summary

2.1 The application relates to the erection of a garden wall 1.6m high with new access gates and hedgerow to replace the existing hedgerow. The scheme has been assessed against current planning policies including the national planning policy framework and the development plan policies and is recommended for approval.

3. Site and Surrounding Area

3.1 The application site is located approximately 3km west of Leyland town centre and is situated in a plot with an area of approximately 0.19 of an acre. Wymott Brook forms the western boundary with the Green Belt beyond. Access to the site is from Dunkirk Lane which forms the northern boundary and residential housing lies the south and east boundaries.

3.2 The site is located within the existing built up boundary as defined by Policy B1 Existing built up boundary.

4. Site History

4.1 07/2016/0362/FUL Erection of one detached dwelling and double garage following demolition of existing bungalow and garage. Withdrawn

4.2 07/2016/0714/FUL Erection of one detached dwelling following demolition of existing bungalow and garage. Approved October 2016

4.3 07/2016/1049/DIS Application to discharge conditions 3 (Desk study - Contamination) 6 (Surface water) 10 (Dwelling emission rate) 11 (Dwelling).

4.4 07/2016/1359/HOH Erection of a Detached Double Garage. Replacement of existing Hedgerows with Boundary Brick Wall and railings. Withdrawn

5. Proposal

5.1 Planning permission is sought for the construction of a 1.6m high (max) garden wall with new access gates to the front of no. 327 Dunkirk Lane, Moss Side, Leyland. This boundary treatment would run for a total of 22m and would be constructed of part render to be white in colour with black railings on top. Amended proposal drawings also show a hedge between proposed wall and the pavement.

6. Summary of Publicity

6.1 Neighbouring residents have been notified with one letter of objection having been received which makes the following summarised points:

- ☐ As the existing houses from Pintail to the Farm Shop have low walls or hedges, the wall as proposed would be out of place.
- ☐ The objector would have to look at the wall from their house which is opposite the application site.

7. Summary of Consultations

7.1 **LCC Highways:** No objection

7.2 **Environment Agency:** No objection subject to an Informative about the need for the applicant to contact them in case an Environmental Permit is required for any of the proposed works.

7.3 **Tree Officer:** Initially, required clarity as to whether the large ash tree was to be felled. The applicant has confirmed that the tree will be felled and that mitigation tree planting will be provided on site. This is now acceptable to the Council subject to pre-commencement provision of details of mitigatory planting

8.0 Policy Background

Core Strategy

Policy 17: Design of New Buildings expects the design and new buildings to take account of the character and appearance of the local area; be sympathetic to surrounding land uses and occupiers; ensure that the amenities of occupiers of the new development will not be adversely affected by neighbouring uses and vice versa; minimise opportunity for crime; provide landscaping as an integral part of the development, protecting existing landscape features and natural assets, habitat creation, provide open space and enhance the public realm; be adaptable to climate change and adopt the principles of sustainable construction including sustainable drainage systems and ensure that contaminated land is addressed through appropriate remediation and mitigation measures.

Policy 22: Biodiversity and Geodiversity seeks to conserve, protect, enhance and manage the biological and geological assets of an area.

Policy 29: Water Management seeks to improve water quality and reduce flooding

Policy G13: Trees, Woodlands & Development has a presumption in favour of the retention and enhancement of existing tree, woodland and hedgerow cover on site.

Policy G16: Biodiversity & Nature Conservation seeks to protect, conserve and enhance the borough's biodiversity and ecological network resources.

South Ribble Local Plan

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Policy G16: Biodiversity & Nature Conservation seeks to protect, conserve and enhance the borough's biodiversity and ecological network resources

Policy G17: Design Criteria for New Development permits new development provided that the development does not have a detrimental impact on neighbouring buildings or on the street scene by virtue of its design, height, scale, orientation, plot density, massing, proximity, use of materials. In addition any new roads and/or pavements provided as part of the development should be to an adoptable standard; and the proposal would not have a detrimental impact on landscape features such as mature trees, hedgerows, ponds and watercourses.

9. Material Considerations

9.1 The site is allocated under Policy B1 of the South Ribble Local Plan – existing settlements and is a newly constructed residential property. This particular property although located on the very edge of the urban boundary adjacent to the Green Belt is a modern design and is constructed of white render. The plot is also adjacent to the recent housing estate known as Pintail Close but due to the different access arrangements the application site faces and is accessed directly from Dunkirk Lane.

9.2 When considered in context, and viewed from Dunkirk Lane, the application site boundary has a rural appearance with strong countryside hedging to the front boundary, and trees to the western boundary adjacent to the River Wymott. The proposed materials of white render and black railings would complement the existing dwelling. Concern has been raised by a local resident about the design of this boundary treatment within this semi-rural location. The applicant has confirmed that it is their intention to plant hedging to the front of the wall and revised plans have been received which demonstrates suitable native hedge planting to soften the area between the boundary wall and the back of the footpath.

9.3 The applicant has resubmitted an ecology report dated June 2016 which formed part of the details for the newly constructed dwelling. This report identified the wider area as important for foraging. Therefore, the provision of the hedging will soften the impact of the boundary treatment and will continue to provide foraging opportunities for the local wild life. Further, there is a mix of styles of boundary treatment along Dunkirk Lane as you travel in a westerly direction. Therefore, the proposal is considered acceptable and meets the aims of Policies G16 and G17.

9.4 Clarification has been sought from the Council's tree officer with regard to the loss of an Ash tree on the corner of the western boundary who has advised that the tree has sustained damage prior to the previous development and would not warrant a Tree Preservation Order (TPO). Mitigation would be required for the loss of both a smaller tree adjacent to the gate and the larger Ash Tree in the form of 4 broadleaf deciduous trees should be sought. This aspect could be controlled by condition. Subject to the imposition of such a condition the proposal meets the aims of Policy G13 of the South Ribble Local Plan.

9.5 Suitability of Access

9.6 There is an existing access to the site which would be retained and LCC Highways has raised no objection to the proposed access gates and boundary treatment. Therefore the scheme is acceptable and complies with Policy G17 of the South Ribble Local Plan.

9.7 Drainage and Ground Levels

9.8 The application site lies within Flood Zone 3 which is defined as having a high probability of flooding as the site is adjacent to the River Wymott. The Environment Agency has raised no objection but has requested that an Informative is include on any Decision Notice to advise the applicant to contact the EA about the need for an Environmental Permit.

10 CONCLUSION

The application site is located approximately 3km west of Leyland town centre and consists of a recently constructed large detached dwelling. The boundary treatment is considered acceptable and subject to conditions controlling the planting of a native hedge is acceptable and is recommended for approval.

RECOMMENDATION:

Approval with Conditions.

RECOMMENDED CONDITIONS:

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans Dwg 'Proposed Wall & Gate Plan' DL-15: 8.3.19

REASON: For the avoidance of doubt and to ensure a satisfactory standard of development

3. Prior to commencement of work on site, details of the landscaping of the site including the new hedge and 5 no: trees identified on approved plan DL-15 shall be submitted to, and approved in writing by, the local planning authority. Trees shall be broadleaf deciduous species to a minimum of 10-12 standard size The approved scheme shall be implemented in the first planting season following completion of the development hereby approved, or first occupation/use, whichever is the soonest.

The approved scheme shall be maintained by the applicant or their successors in title thereafter for a period of 5 years to the satisfaction of the local planning authority. This maintenance shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies, by the same species or different species, and shall be agreed in writing by the local planning authority. The replacement tree or shrub must be of similar size to that originally planted.

Details submitted shall be compliant with 'BS 5837 2012 - Trees in Relation to Design, Demolition and Construction - Recommendations' and shall include details of trees and hedges to be retained or removed, root protection zones, barrier fencing, and a method statement for all works in proximity to those trees or hedges to be retained during the development and construction period. Details shall also indicate the types and numbers of trees and shrubs, their distribution on site, those areas seeded, turfed, paved or hard landscaped, including details of any changes of level or landform and the types and details of all fencing and screening.

REASON: In the interests of the amenity of the area and to ensure appropriate levels of landscaping, in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G8 in the South Ribble Local Plan 2012-2026

RELEVANT POLICY

National Planning Policy Framework

South Ribble Local Plan

- B1 Existing Built-Up Areas
- G13 Trees, Woodlands and Development
- G16 Biodiversity and Nature Conservation
- G17 Design Criteria for New Development

Central Lancashire Core Strategy

- 17 Design of New Buildings
- 22 Biodiversity and Geodiversity
- 29 Water Management

Note:

1. The applicant is advised to contact the Environment Agency. For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03702 422 549.