

Date: 20<sup>th</sup> September 2021

Ref: 4028/TPS

FAO Ms Therese Maguire  
Development Control  
West Lancashire Borough Council  
52 Derby Street  
Ormskirk  
Lancashire  
L39 2DF

Dear Ms Maguire,

**RE: Retrospective Planning Application for works at Harrock Hill Barn**

Peter Dickinson Architects have been instructed to prepare and submit drawings and supporting information to form a retrospective application for Planning Permission for external works at Harrock Hill Barn, Sanderson Lane, Heskin, on behalf of Mr and Mrs Collinson.

- Drawings:
  - 4028-21-02C Existing Site Plan
  - 4028-21-03 Location Plan
- Supporting statement from the landscaper.

**1.0 Overview**

This application has been submitted to West Lancashire Borough Council following enforcement action by the Council. Site inspections by the Council revealed various works which have been undertaken and have been determined to require Planning Permission. As some of the works undertaken are to an existing Listed Building an application for Listed Building Consent has also been submitted. The works undertaken include:

- The construction of a patio to the south of the extended garage, including a retaining wall, steps, an integrated pizza oven and gate.
- The installation of CCTV cameras to both the extended garage and to the dwelling.
- The construction of low-level planter beds to the rear of the dwelling and construction of 'lean-to' garden structures to the rear elevation of the dwelling

## 2.0 Development and Planning Policy

To assist in the determination of the application each aspect of the works has been assessed separately, with supporting information provided below with regard to the relevant planning policies.

### Patio, retaining walls, steps etc.

The works undertaken on site have included the construction of a sandstone patio area to the south of the extended garage on land previously determined as garden and confirmed as such within the applicants' statutory declarations as submitted with the planning application for the extension to the garage (see application ref: 2018/0471/FUL).

The site is located within the Green Belt as defined by West Lancashire Borough Council's Local Plan. The Green Belt is designed to serve five purposes, which are:

- a) *To check the unrestricted sprawl of large built-up areas;*
- b) *To prevent neighbouring towns merging into one another;*
- c) *To assist in safeguarding the countryside from encroachment;*
- d) *To preserve the setting and special character of historic towns; and*
- e) *To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

As the landscaping works area within the defined garden of a residential dwelling, and not on any other form of land (e.g. agricultural) the works do not conflict with the core purposes of the Green Belt.

Paragraph 150 of the NPPF (previously paragraph 146) states:

*Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*

- a) *mineral extraction;*
- b) *engineering operations;*
- c) *local transport infrastructure which can demonstrate a requirement for a Green Belt location;*
- d) *the re-use of buildings provided that the buildings are of permanent and substantial construction; e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and*
- f) *development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.*

The works have been determined to require Planning Permission as they could constitute 'engineering works' by virtue of the modest site excavation and the construction of a retaining wall. The works include the construction of a retaining wall which rises approximately 400mm above the previous ground level. This minor alteration does not result any form of harm to the openness of the Green Belt.

Policy GB4 of the West Lancashire Borough Council Local Plan: Supplementary Planning Document states:

*No development will be permitted in Green Belt areas which would result in the extension of domestic gardens as this is deemed to have a potential impact on openness and conflicts with the purposes of including land in the Green Belt.*

The area of land has already been determined to be a domestic garden due to its continued use for a period exceeding 10 years, as outlined within the applicants' statutory declarations. Notwithstanding this, the property is a Grade II Listed Building, and as such does not benefit from Permitted Development Rights. Therefore, there should be no concern with regards the potential impact on openness as a result of the use of the land as a domestic garden as no domestic garden structures could be erected without Planning Permission.

Due to the topography of the site to the south of the garage a small amount of ground excavation was necessary to facilitate the approved extension. As a result, a small retaining wall was determined to be necessary and constructed between the garden and the patio surrounding the extended garage.

Precedent has been sought within West Lancashire where similar external works have been undertaken. The most relevant example would be application 2019/1130/FUL – South Tunley Farm, in which a sunken patio with retaining walls was constructed within the garden of the existing dwelling, also a Grade II Listed Building. In this instance retrospective Planning Permission was granted as the works satisfied the criteria under planning policies GN1, GN3 and EN4. It is our view that the same assessment can be made for the works at Harrock Hill Barn.

The external works have been constructed to a high aesthetic standard which only serve to enhance the visual quality of the property and of the surrounding area.

The works for the retaining walls commenced following construction of the garden room in October/November 2019. The aim is for all works to be completed by the end of this year. That will of course be dependent on the weather and being able to get the contractors on site. If not, an extended deadline for completed works would be April 2022. The completion of the works would also include the addition of a new gate, which would have a height of 1.8m, and increase security (please see drawing 4028-21-02B).

#### Installation of CCTV Cameras

Due to ongoing anti-social behaviour issues at the site and around neighbouring properties the applicant has installed CCTV cameras to improve their home security. The cameras have been positioned along the eaves and roofline of both the extended garage and the dwelling (see drawing 4028-21-02C), with the exception of one camera which has been positioned just beneath the eaves and onto the barn wall itself.

Rural properties are often the targets of crime due to their secluded locations and the lack of overlooking from neighbouring dwellings. In addition, the site at Harrock Hill Barn and the adjoining property Old Oak Barn has been subject to various incidents of anti-social behaviour with both owners advised by Lancashire Police to install cameras.

The cameras are small units with discreet wiring and are affixed to the eaves and roofline of the garage, the extension and barn- again, with the exception of a single camera which is fixed just beneath the eaves of the barn.





With regard to the cameras affixed to the dwelling (see photograph below), one of the cameras has been attached to the timber eaves which project from the stone walls of the former barn. This ensures that the fixings do not materially affect the original stonework and instead are attached through the timber of the roof structure which is of lower heritage significance. Another camera is attached to the dwelling house however and is fixed stonework itself, just below the eaves and rainwater goods (as shown below). Due to its ultra-discreet positioning, the camera does not affect the appearance of this elevation.



### Planter Boxes and Lean-to Garden Storage Structures

The final aspect of the works undertaken include the construction of 2no. low level timber planter boxes and 2 no. timber garden storage structures, located to the rear of the dwelling.



*Timber garden structures – storage shed and green house.*



*Low-level timber planter boxes.*

In other instances, these structures would not require Planning Permission as the storage structures would be classed as Permitted Development and the planter boxes would be considered as simple landscaping works. However, as the dwelling is a Grade II Listed Building Planning Permission and Listed Building Consent is required.

With regard to the storage structures, these structures are free-standing but are located so that they lean against the rear elevation of the dwelling. They do not include any mechanical fixings and can be moved away from the building freely. They therefore have no impact on the materiality, character, setting or heritage aspects of the Listed Building.

With regard to the two low level timber planter boxes these are simple raised planters and are also not permanent structures. They are located on a parcel of land that have been 'left over' between Harrock Hill Barn and Sanderson Farm House. The inclusion of these boxes does not result in a detrimental impact on the visual character of the surrounding buildings or the openness of the Green Belt.

In relation to both the storage structures and low-level planters I would refer again to application 2019/1130/FUL which concluded the location of the works to the rear of the Listed Building meant that the character and heritage quality of the dwelling was unaffected by the external works. The same conclusion should be made when assessing the timber garden structures.

### 3.0 Conclusion

The works undertaken at Harrock Hill Barn are relatively minor works, largely constituting works to the exterior of the buildings. The works have been assessed against local and national policy, with reference made to a similar retrospective application recently approved within West Lancashire.

The applicants would be grateful if the application could be determined as swiftly as possible so that the concerns over the current enforcement action can be resolved.

Should you require any further information please do not hesitate contact me.

Kind Regards



Thomas Smith