

PLANNING COMMITTEE

TUESDAY, 3RD MARCH 2020, 6.30 PM

COUNCIL CHAMBER, TOWN HALL, CHORLEY

I am now able to enclose, for consideration at the above meeting of the Planning Committee, the following reports that were unavailable when the agenda was published.

Agenda No	Item
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E	19/00725/FUL - LAND BETWEEN COCKERS FARM ACCESS ROAD AND LONG LANE, LONG LANE, HEATH CHARNOCK	(Pages 75 - 84)
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GARY HALL
CHIEF EXECUTIVE

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APPLICATION REPORT – 19/00725/FUL

Validation Date: 26 July 2019

Ward: Heath Charnock And Rivington

Type of Application: Full Planning

Proposal: Vehicular access from Long Lane and related track (retrospective)

Location: Land Between Cockers Farm Access Road And Long Lane Long Lane Heath Charnock

Case Officer: Mr Iain Crossland

Applicant: Mr Lawrence Catterall

Agent: Steven Abbott

Consultation expiry: 19 February 2020

Decision due by: 13 December 2019

RECOMMENDATION

1. It is recommended that planning permission is approved subject to conditions.

SITE DESCRIPTION

2. The application site comprises a recently developed access road linking Cockers Farm with Long Lane within an agricultural field to the west of Cockers Farm, Long Lane and the car park that serves the Black Horse public house, Limbrick. Cockers Farm itself comprises a number of commercial units and a dwellinghouse. The site is located in the Green Belt and the character of the area is that of a small rural hamlet surrounded by open agricultural land. The topography of the land is undulating and there is a watercourse to the west towards which the land falls.
3. A previous planning application (ref. 98/00761/FUL) for extensions and alterations to the car park, junction improvements and alterations to form a farm access road was approved in February 2000 and has been partially implemented and therefore remains extant. This led to the development of the access road to the west of Cockers Farm connecting with the car park opposite the Black Horse, however, the car park extension remains outstanding.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. This application seeks planning permission retrospectively for the construction of a vehicular access road linking Cockers Farm with Long Lane. Planning permission is sought for the section of road that circumnavigates the car park, linking the existing access road to the west of Cockers Farm with Long Lane. Although the existing road is 4m wide and is surfaced in compacted stone, the proposal seeks to widen the road to 5.5m and to surface the first 15m of road connecting with the highway in a non loose material.

REPRESENTATIONS

5. Representations in support have been received from 39 individuals. These make the following points:
 - The new access road is safer and easier to use than the previous one.
 - The previous access was often blocked and difficult to use.
 - Business has been affected negatively by the quality of the existing road.
 - The new access is better for the businesses located at Cockers Farm.

6. Representations in objection have been received from 8 individuals. These raise the following concerns:
 - Adverse impact on highway safety.
 - Inappropriate development in the Green Belt.
 - Adverse visual impact on the landscape.
 - Impact on views from nearby properties.
 - The applicant has been pursuing a new access for many years.
 - The existing access is adequate if driven along carefully.
 - The access has been developed to facilitate a future housing development.
 - The volume of traffic along Long Lane is at capacity and the road is not safe.
 - Signage and poles with security cameras have been erected without consent.
 - Permission was refused in 2006 so what has changed?
 - Wildlife impact.

7. **Cllr Kim Snape:** objects to the application. The access is by no means a safe nor suitable access route. Along with the significant traffic flow along Long Lane the use of this access would pose further safety issues at this junction. I echo Lancashire County Council's highways comments in this regard. Lastly there is sufficient access via the existing road.

CONSULTATIONS

8. **Heath Charnock Council** (18 September 2019): has previously commented after its meeting on 8 August 2019. Heath Charnock Parish Council agreed, following a request, that it would hear a presentation from the Agent for the applicant at its meeting on 12 September 2019. The Parish Council recognises the various and differing local interests in respect of this retrospective application. The Parish Council again expressed concerns about the work being done before the planning application was submitted which has caused local concern.

The access road is within the Greenbelt which HCPC wants to protect. The Parish Council understands that the applicant should be required to confirm that the hard core used in extending the existing track to the Long Lane junction is clean given its proximity to a water course. In line with LCC Highways, HCPC is concerned that the sight lines are not sufficient for safe access onto Long Lane. The new access joins Long Lane close to its junction with Back Lane and the existing access to/from the pub car park without any warning for vehicles descending down bend and the hill into Limbrick Village.

LCC Highway design requirements have not been met. This additional unauthorised access has created a potential danger for residents, road users and pedestrians in Limbrick. The applicant initially said the temporary access was for use of the family only. It is now being used by the operators in the industrial units at the back of the Farm.

The Parish Council asks Chorley Council to take these points into consideration, as well as the views of the Highway authority and the concerns of neighbouring properties in determining this application.

9. **Heath Charnock Parish Council** (15 August 2019): considered this application at its meeting on 8 August based on the information then available to it. The Parish Council expressed concerns about: the work being done before the planning application was submitted which has caused concerns locally; the access road is within the Greenbelt: the sight lines are not considered to be sufficient for safe access; visibility onto Long Lane is limited as the new access joins Long Lane close to its junction with Back Lane and the

access from the pub car park. The bend in Long Lane and its descent down the hill into Limbrick Village also restricts visibility.

The applicant initially said the temporary access was for use of the family only. More recently signs indicate this access is also for the use of the industrial units at the back of the Farm. As far as the Parish Council is aware none of the signage that has been installed at the junction of the temporary access with Long Lane has planning consent. The Parish Council asks Chorley Council to take these points into consideration, as well as the views of the Highway authority and neighbouring properties.

10. **Lancashire County Council Highway Services:** Have no objection subject to conditions.
11. **Lancashire Constabulary:** Fully support the access road and feel it benefits all parties involved.

PLANNING CONSIDERATIONS

Principle of development

12. The National Planning Policy Framework (The Framework) is strongly in support of proposals that sustain and enhance economic growth. It states in paragraph 80 that significant weight should be placed on the need to support economic growth and productivity through the planning system taking into account local business needs. Paragraph 84 recognises that sites to meet local business needs in rural areas may be found beyond existing settlements. The proposal would support the efficient functioning of the commercial units already in operation at Cockers Farm.
13. Limbrick is not specified as an area for growth within Core Strategy policy 1 and falls to be considered as an 'other place'. Criterion (f) of Core Strategy policy 1 reads as follows:

"In other places – smaller villages, substantially built up frontages and Major Developed Sites – development will typically be small scale and limited to appropriate infilling, conversion of buildings and proposals to meet local need, unless there are exceptional reasons for larger scale redevelopment schemes."
14. The proposal is small in scale and relates to an existing commercial site.
15. The Framework sets out at Chapter 13 that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence, and their purposes are set out as below:

134. *Green Belt serves five purposes:*

 - 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.*
16. Paragraph 143 sets out that "*Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*"
17. Paragraph 144 of the Framework goes on to state that:

"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations."

18. The access road is located within the Green Belt and is an access road linking Cockers Farm to the highway at Long Lane. With regards to the development of a road within the Green Belt, paragraph 146 of the Framework states that:
“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 brought forward under a Community Right to Build Order or Neighbourhood Development Order.”
19. The access road is considered to be an engineering operation in accordance with paragraph 146 of the Framework. Engineering operations are not necessarily inappropriate development within Green Belt locations providing that they preserve the openness of the Green Belt and do not conflict with the purposes of including land within Green Belt.
20. As such there are two considerations in respect of the proposal and the appropriateness of the development in the Green Belt as follows:
21. 1) Will the development preserve the openness of the Green Belt? Whilst the test for sites such as this relates to preserving openness it is important to note that the Framework contains no specific definition of 'openness'. It is noted that the road itself would be a low lying surface structure, and in this respect would not have a physical impact on openness.
22. 2) Will the development conflict with the purposes of including land in the Green Belt? Paragraph 134 of the Framework sets out the five Green Belt purposes, which the scheme is assessed against as below:
23. Purpose 1 (to check the unrestricted sprawl of large built-up areas).
The proposal does not relate to a large built up area.
24. Purpose 2 (to prevent neighbouring towns merging into one another)
Development of the site would not lead to the coalescence of neighbouring towns. In respect of the neighbouring villages, the development would not lead to a coalescence of neighbouring villages.
25. Purpose 3 (to assist in safeguarding the countryside from encroachment;).
The proposed access road would have a carriageway width of 5.5m, and would be surfaced in compacted stone, with the first 15m connecting with the highway being surfaced in a non loose material, such as tarmacadam. The access road would follow the perimeter of the Black Horse car park and would have a cumulative length of approximately 40m between Long Lane and the previously approved access road. In considering the potential for encroachment it must also be considered that there remains an extant consent to extend the Black Horse car park to the north west across the area where the proposed road is located and connects with Long Lane. The access road is low lying and has an informal agricultural appearance through the use of compacted stone and the absence of boundary treatment and lighting columns. It's positioning around the perimeter of the existing car park results in it being seen in the context of other hard surfacing and structures and is largely screened from view by the car park boundary treatment. The most visible element of the road is that part which joins with Long Lane, however, it must be considered that this area could be hard surfaced at any time through the extension of the car park in implementing the extant consent. In consideration of the limited length of the road, positioning around an existing car park, agricultural appearance and fall back position involving the previously approved

permission, it is not considered that the proposed access road would result in any harmful encroachment into the Green Belt.

26. Purpose 4 (to preserve the setting and special character of historic towns;).
This does not apply as the site is not located near a historical town
27. Purpose 5 (to assist in urban regeneration, by encouraging the recycling of derelict and other urban land).
It is not considered that the proposal conflicts with this purpose.
28. The proposed access track would effectively preserve the openness of the Green Belt, given the low level surfacing and lack of other structures and there would be no conflict with any of the purposes of including land within the Green Belt.

Impact on the character of the area

29. The application site is visible from the north and east along Long Lane. The road itself is of an informal agricultural character in that it is surfaced in loose stone and there are no footways, boundaries or lighting columns. This is appropriate in the context of this rural locality and in the context of the former agricultural buildings close to the site. The use of the track would have some urbanising effect on the character of the site, however, this would be limited by the occasional use that it receives and in the context of an adjacent car park. The road is a low lying feature and overall does not diminish the character of the area to any harmful extent in the context of its immediate surroundings.

Impact on neighbour amenity

30. The proposed access road would, in itself, have very little impact on the amenity of nearby residential occupiers. Its use would have some impact on the disturbance of nearby occupiers through the movement of vehicles along the track, although the frequency of use would be fairly limited. The nearest dwellings are at Brook Cottage and Linesmans Cottage. In addition to this it is recognised that the track would not increase the capacity of the commercial development at Cockers Farm and is an alternative access point that replaces an existing one to the south. As such the access road would convey traffic that would already access Long Lane in any event, albeit via a connection further to the south. There is also a benefit in that traffic would be taken away from the existing access, which is somewhat constricted and passes through a narrow point very close to dwellings at Ivy Cottage and Cockers Farmhouse. Where the proposed access road connects with Long Lane there are no dwellings immediately opposite and therefore no harmful light disturbance through the use of headlights from vehicles exiting the site onto Long Lane.

Highway safety

31. Lancashire County Council (LCC) as the Local Highway Authority (LHA) is responsible for providing and maintaining a safe and reliable highway network. With this in mind, the present and proposed highway systems have been considered and areas of concern that potentially could cause problems for the public, cyclists, public transport, motorists and other vehicles in and around the area have been identified by them.
32. LCC embraces appropriate development within Lancashire in line with local and national policies / frameworks and that which is emerging. This involves working closely with planning authorities, in this case officers of Chorley Council, developers and their representatives and also with Highways England. This approach supports the delivery of high quality, sustainable development and an appropriate scale of development that can be accommodated both locally and strategically.
33. Cockers Farm has been the subject of numerous planning applications over the years resulting in the establishment of a number of small businesses operating from the re-use of former farm buildings. This application relates specifically to access to the businesses and not for an increase in the scale of the business park. As such, apart from the point of access and in the immediate vicinity of the access there will be no impact on the highway network.

34. The business park is currently accessed via a narrow access track between Ivy Cottage and Cockers Farmhouse. This is not an adopted highway maintained by LCC (as the LHA) but carries a Public Right of Way (PROW), FP43. From Long Lane the access track is wide enough for two cars to pass, however, the track reduces significantly in width very quickly meaning that larger vehicles cannot pass unless one reverses. Should this be the vehicle that is entering it would result in the vehicle reversing onto Long Lane. This is considered particularly hazardous at the sightlines at the junction are severely restricted.
35. A Technical Note (TN) on highway matters has been produced in support of the revised access arrangements. The TN highlights the constraints on the current access and provides analysis to show the benefits that would be achieved should the replacement access be granted planning permission.
36. A traffic count has been undertaken by the developer to ascertain the speed and volume of traffic on Long Lane in the vicinity of the replacement access. LCC holds traffic data for Long Lane in this vicinity and from this it can be confirmed that the data produced by the developer is a fair reflection of the existing highway traffic conditions.
37. The TN identifies the 85th percentile speed of traffic along Long Lane to be around 28mph. The recorded speeds would suggest visibility splays with a "Y" distance of 37m would be appropriate. The TN identifies that the existing sightlines at the existing access are 2.4m x 5.1m to the north and 2.4m x 6.1m to the south. The sightlines at the replacement access are identified in the TN as 2.4m x 24m to the north and 2.4m x 4.2m to the south.
38. The sightlines at the existing access are significantly substandard given existing highway conditions. Due to a combination of boundary wall and vegetation, a vehicle that is emerging from the access is at the junction before drivers can see approaching traffic on the highway.
39. The sightlines at the replacement access would also be considered substandard, however, where a replacement access is being considered the question is does the replacement access provide sufficient benefit over the existing rather than does it satisfy all the requirements for a new access.
40. Visibility for sightlines are taken at driver's eye height (1.05m) and are measured over land within the applicant's control and land within adopted highway limits. The sightline to the south is restricted by the pub car park which is bounded by a low wall, which allows vehicles that would approach the proposed access to be seen by drivers emerging and vice versa and as such afford reasonable visibility.
41. Whilst the developer's proposed access arrangements are substandard LCC highways consider the arrangements to be an improvement over the existing access arrangements.
42. Through negotiation with the developer's highway consultants a local traffic calming scheme has been agreed as being appropriate and necessary in order for LCC to accept that the establishment of a new replacement access is acceptable. The traffic calming measures are a signing and lining scheme, which amends the existing signs and lines to further regulate traffic speeds along Long Lane.
43. It has also been agreed that the current access from the PROW would be limited to pedestrian access to the business park. Vehicle access would remain available for the other properties who use the existing access. This would require the erecting of bollards on the boundary of the business park at a location to be agreed so as not to obstruct the PROW.
44. Plan A115022-TP-002 Rev A shows an access arrangement that LCC highways consider to be acceptable. The construction of this access would need to be carried out under a s278 agreement.
45. Plans A115022-TP-003, A115022-TP-004 and A115022-TP-005 Rev A show the agreed traffic calming measures. These works would need to be carried out under a s278 agreement.

46. LCC highways confirm that the principle of the access is acceptable and subject to various conditions being imposed confirm that there are no highway objections.

CONCLUSION

47. It is considered that the proposed access road is an engineering operation that would preserve openness and would not conflict with any of the purposes of including land within the Green Belt. It would not therefore be inappropriate development in the Green Belt. It is also considered that the proposed access road would not be harmful to the character of the area and that the impact on neighbour amenity is considered to be acceptable. In addition no cumulative adverse impact on highway safety has been identified.

RELEVANT HISTORY OF THE SITE

Ref: 07/00058/CLEUD **Decision:** REFEUD **Decision Date:** 2 March 2007
Description: Continued use of part of a building for the manufacture and sale of soft furnishings

Ref: 98/00761/FUL **Decision:** PERFPP **Decision Date:** 18 February 2000
Description: Extension and alterations to car park, junction improvements and alterations to form farm access road,

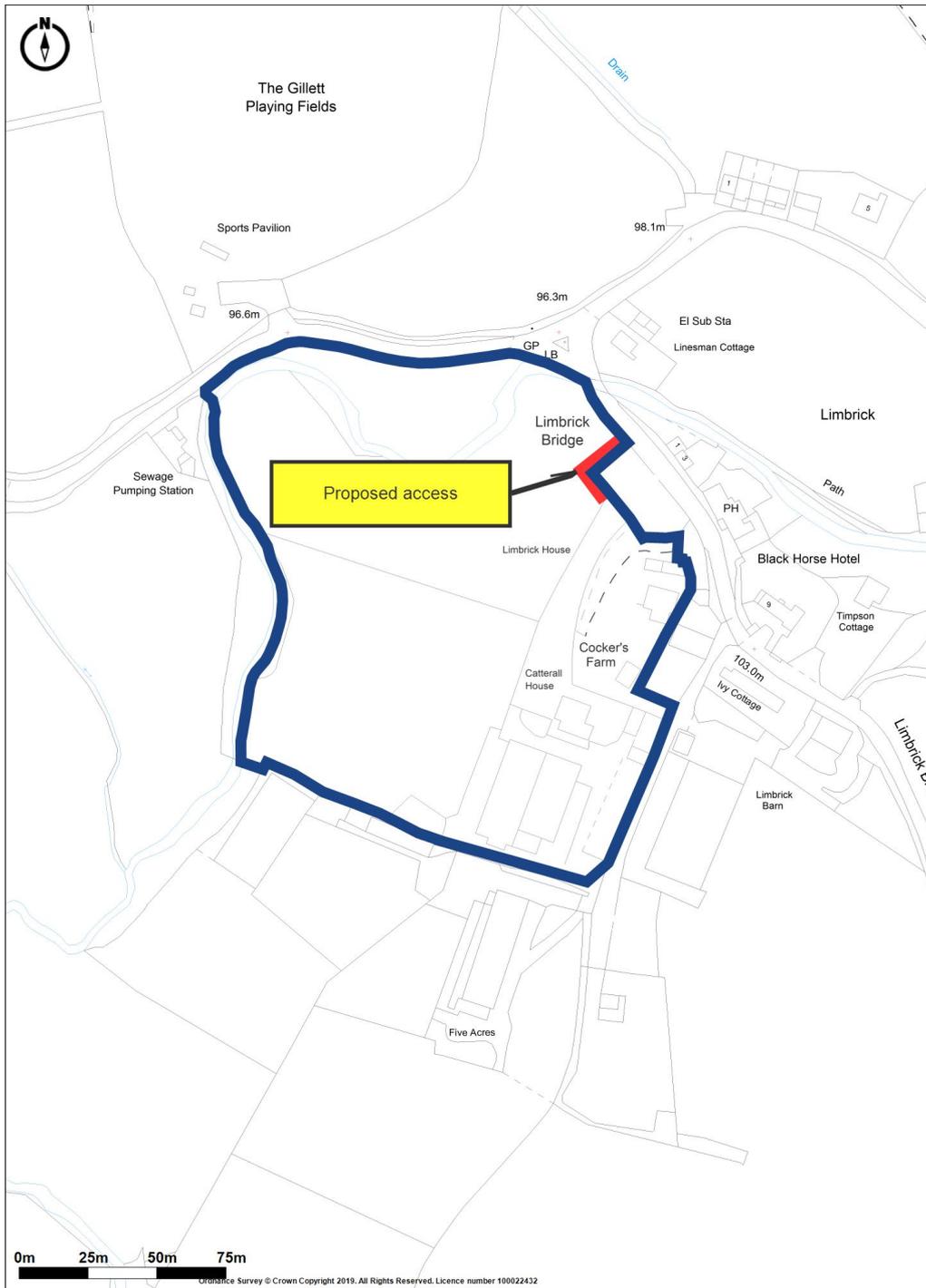
RELEVANT POLICIES: In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/guidance considerations are contained within the body of the report.

Suggested Conditions

To follow.

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Temporary vehicular access to Cockers Farm



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