

## **APPLICATION REPORT – 18/00704/OUT**

**Validation Date: 18 July 2018**

**Ward: Chisnall**

**Type of Application: Outline Planning**

**Proposal: Outline planning application for the erection of 6no. detached dwellings following demolition of existing buildings, including matters of access, scale and layout. All other matters reserved.**

**Location: Lancaster House Farm Preston Road Charnock Richard Chorley PR7 5LE**

**Case Officer: Amy Aspinall**

**Applicant: Thomas and Harold Heaton**

**Agent: Mr Chris Weetman**

**Consultation expiry: 16 July 2019**

**Decision due by: 14 November 2019**

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### **RECOMMENDATION**

1. The recommendation is to approve the application, subject to conditions.

### **SITE DESCRIPTION**

2. The application site comprises various former farm buildings, which have been occupied by various businesses over time as the buildings have become redundant for agricultural purposes. The site comprises outdoor storage, hardstanding areas, parking and various uses such as B2.
3. To the north of the site, (and within the same ownership), is Lancaster House which is a residential property; and the fishery to the northwest also shares the same vehicular access from Preston Road. Further to the west of the site is the M6 motorway and associated services. The site lies wholly within the Green Belt, as defined by the Chorley Local Plan Policies Map.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

4. The application is submitted in outline form, seeking approval of matters of access, scale and layout, for the erection of 6No dwellings. Landscaping details and appearance are reserved for later consideration. Existing buildings on site would be demolished.

### **REPRESENTATIONS**

5. At the time of report preparation 1No objection has been received. This is summarised below:
- 6 houses would result in more traffic on and off the site
  - Dwellings totally out of character for the site within the Green Belt.
  - Over 50% of plot 1 is to be built on the adjacent field
  - The comment regarding the existing businesses possibly no longer needing their premises is no justification to allow development of the site, nor is the fact the existing buildings have been allowed to fall into disrepair.
  - Development would cause irreparably damage to the pleasant rural aspect of the area
  - It would be the start of village sprawl and lead to even more "in fill" development in the future.

## **CONSULTATIONS**

6. Charnock Richard Parish Council states the following:  
*"The Parish Council once again object to these proposals as they consider them to be inappropriate development in the Green Belt. The proposed dwellings, which have increased in number, would not be in keeping with the existing street scene, namely low level buildings associated with a farm. Furthermore, 6 detached homes would be out of character with the rural nature of the surrounding land and environment and would constitute over intensification of the site. The loss of the businesses associated with the diversification of the current farm buildings will result in a loss of much needed employment in the village. The Council are also concerned that the current access to the site would be inappropriate to support the existing farm, granny annexe and an additional 6 detached properties".*

CIL Officers:

7. The development would be CIL liable at final reserved matters stage.

United Utilities:

8. Recommend that foul and surface water shall be drained on separate systems. Surface water shall be drained in accordance with the hierarchy of drainage options in national planning practice guidance.  
They also advise that a public sewer cross the site and that they may not permit building over it.

Greater Manchester Ecology Unit:

9. No objection. Conditions and informatives advised.

Lancashire Highway Services:

10. No objection in principle but recommends conditions.

## **PLANNING CONSIDERATIONS**

### Principle of development

11. The application site comprises employment uses with buildings, outdoor storage, hardstanding areas, and associated parking. The former farm has diversified over time and the application site is no longer agricultural. Having regard to the definition contained in the National Planning Policy Framework at Annex 2: Glossary, the site as a whole is previously developed land. A small parcel of the land to the south of the site was formerly agricultural land, but benefits from planning permission to extend the site with a parking area and extension to the existing building. This planning permission has been implemented and falls within the planning unit of the industrial use. It does, therefore, reasonably fall within the definition of previously developed land.
12. The NPPF at paragraph 145 states that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt. There are a number of exceptions to this which includes (g) limited infilling or the partial or complete

redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.

13. The key test is, therefore, whether or not the proposal would have a greater impact on the openness of the Green Belt than the existing development. Whether harm is caused to openness depends on a variety of factors such as the scale of the development, its locational context and its spatial and/or visual implications. Case law has determined that for there to be a greater impact on openness, there must be something more than merely a change.
14. A volumetric assessment is a long-standing objective way of assessing openness, comparing existing volumes with proposed. The volume of existing buildings equates to 5327m<sup>3</sup> with the submitted plan identifying a proposed total volume of 5177m<sup>3</sup>.
15. Existing buildings are spread across the site, except for areas of open storage which are set to hardstanding and concentrate in three distinct areas which the largest being to the southwest of the site, and also to the north and east. The buildings vary in height from single storey to two storeys, some being more traditional brick-built farm buildings, with others being industrial units.
16. The proposal seeks a courtyard style layout, opening up the central part of the site but spreading the built form out more towards the periphery, onto areas currently used as open storage, particularly to the north and southwest of the site. Proposed garden areas would, however, provide a visual separation from the site boundaries and offer soft landscaping, which is also integrated through the site. The finer detail of landscaping would be controlled at reserved matters stage. In volumetric terms, the proposed development would have less volume than existing buildings on site. Scale is a detailed matter, however, the application does not indicate scale parameters in the form of heights. Nonetheless, if scale parameters to a maximum height of two storeys was secured by condition, in addition to the maximum volumes being conditioned, this would ensure that the proposal would not have a greater impact on openness in both spatial and visual terms.
17. It is considered that a residential scheme would result in an overall visual enhancement compared to the existing situation and is a comprehensive redevelopment of the site as a whole. The proposal would result in a change from what it currently there, but would result in a comprehensive redevelopment of a previously developed site. When considering the dimensions of openness, it is not considered that the proposed would have a greater impact on the openness of the Green belt than the existing development
18. The proposal accords with exception (g) of paragraph 145 and is not, therefore, inappropriate development in the Green Belt.

#### Loss of employment

19. Policy 10 of the Central Lancashire Core Strategy seeks to protect all existing employment premises and sites last used for employment. The policy sets out a presumption for 'Best Urban' and 'Good Urban' to be retained for B use class employment. For proposals on all employment sites/premises for the reuse or redevelopment other than B use class employment will be assessed under the following criteria:
  - (a) there would not be an unacceptable reduction on the type, quality or quantity of employment land supply;
  - (b) the provision and need for the proposed use;
  - (c) the relative suitability of the site for employment and for the alternative use;
  - (d) the location of the site and its relationship to other uses;
  - (e) whether the ability to accommodate smaller scale requirements would be compromised;
  - (f) there would be a net improvement in amenity.

Any proposals for housing use on all employment sites/premises will need to accommodate criteria (a)-(f) above and also be subject to:  
(g) convincing evidence of lack of demand through a rigorous and active 12 month marketing period for employment re-use and employment redevelopment;  
(h) an assessment of the viability of employment development including employment re-use and employment redevelopment.

20. The application is accompanied by an Employment Statement which seeks to justify the loss of the employment site. This is summarised below
  - *The buildings in question consist of a relatively modern, but unattractive green coloured metal profiled sheeting building currently occupied by a timber fencing company, with external storage in the yard area.*
  - *The rest of the site is covered with more traditional red brick buildings immediately to the north of the timber business across the yard. The red brick buildings in the centre of the site are a mixture of single and two storey in height many with old slate roofs and many have signs of significant structural damage*
  - *The buildings to the west are more modern in appearance with metal profiled roofs.*
  - *Approximately a third of the available buildings have been in commercial use in the last 31 years*
  - *At present there are only three businesses operating from the site, one is the timber fencing company whose tenancy expires in 4 months, and he has started to outgrow the existing premises and yard area.*
  - *Of the other two, one has alternative premises elsewhere on another site and the other is about to retire.*
  - *Many of the older buildings, which make up 85 % of the available premises, are no longer fit for purpose. They are constructed of brick, with no insulation in either walls or the roofs, and in addition there are a significant number of timbers inside the former agricultural buildings that need significant repairs.*
  - *To repair those premises would require substantial financial input, and at the same time the remaining tenants who operate there now. would have to vacate the premises and there would be no guarantees that they would return, or that those premises would be suitable for future tenants.*
  - *With the obvious exception of the building used for the timber fencing manufacturing, the site has outlived its commercial usefulness and cannot be realistically said to offer modern commercial facilities.*
21. It can be noted that the Employment Statement submitted as part of the application does not fully address the criteria of policy 10.
22. It should be noted that the site is not allocated as an employment site and is not assessed as part of the Employment Land Review. Nonetheless, policy 10 is still applicable as the site is used for employment purposes.
23. As an employment site, it is relatively small and there is limited scope for expansion beyond the existing confines, given the Green Belt location and policy restrictions in this respect.
24. The site benefits from a mix of buildings, with industrial units of varying quality and traditional buildings which lack adaptability for modern employment purposes or uses. The application purports that significant repairs are required and substantial financial

input, although no specific information has been submitted. In addition, the application states that only 1/3 of the buildings are in use which identifies a lack of overall demand for this site. With the exception of the main building used by Charnock Fencing, it is evident that the remaining buildings are in need of repair and maintenance. In addition, the application advises that all three businesses will be leaving the site either due to retirement, re-location elsewhere, or the business out growing the site / tenancy coming to an end.

25. The site could potentially remain suitable for other employment uses, however it is likely that the site would need to be redeveloped as a whole to be suitable for a single user which would require investment; or alternatively financial investment would be required to bring a number of the existing buildings up to standard. Any redevelopment for employment or other uses, would need to accord with Green Belt policy.
26. The recent annual monitoring report (November 2018) provides that there is a shortfall of employment land take up in the Borough, despite allocated land with planning consent and non-allocated land with planning consent being available for employment development. Given the shortfall in take up, it is not considered that the loss of this particular site would result in the unacceptable reduction of employment land within the Borough.
27. In terms of the proposed use, i.e. residential, this would result in a net increase in amenity, having regard to nearby residential properties and the amenities of the area.
28. In terms of criteria g and h the application has not carried out a 12-month marketing assessment to evidence lack of demand for employment re-use and employment redevelopment or demonstrated viability. The application does not strictly meet the criteria set out in policy 10.
29. Since the Core Strategy was adopted, the National Planning Policy Framework has been revised which re-affirms the Government's objective of significantly boosting the supply of homes. This is further highlighted through the introduction of permitted development rights for the change of use of various industrial uses to residential use, meaning that in many instances planning permission is not required.
30. Having regard to the officer assessment above, the delivery of housing is afforded significant weight and outweighs the non-compliance with Core Strategy policy 10 in this particular case.

#### Design

31. Appearance is not for consideration at this stage. The courtyard layout would cater for parking provision within each plot and provide a central turning area. Development within the area is sporadic, with pockets of development and clusters of residential properties. There is no particular prevailing layout or building to plot ratios and therefore the proposed layout is considered to be acceptable.

#### Amenity

32. Layout is a detailed matter with the plan showing a development centred around a courtyard arrangement, with each dwellinghouse benefiting from sufficiently sized gardens for future occupiers to carry out day-to-day domestic activities. Full details such as position of habitable windows would be reserved for later consideration and would need to safeguard the living conditions of future occupiers and that of Lancaster House Farm.
33. The proposed use would be more compatible with the nearest residential neighbours than the existing industrial uses.

#### Ecology

34. The application is accompanied by a bat and bird nesting survey which has been assessed by the Council's appointed ecologist at Greater Manchester Ecology Unit

(GMEU). The survey found no evidence of roosting bats in any of the buildings and identifies them as having negligible roosting potential. GMEU raise no objection to the application but suggest an informative in relation to bats.

35. Nesting swallows were found in building D and therefore GMEU suggest a nesting birds condition, mitigation for the loss of the nesting site and biodiversity enhancements. These could be conditioned accordingly.
36. Subject to conditions, the proposed development would not be detrimental to nature conservation interests and would accord with Local Plan policy BNE9 (Biodiversity and nature conservation).

#### Highways

37. The application seeks to use the existing access to serve the proposed development of 6No dwellings. This access currently serves Lancaster House which is a residential dwelling, the fishery and a number of industrial uses at the application site, including comings and goings of associated deliveries and customers. The site already generates a level of traffic using the existing access arrangements. The application does not seek to amend the vehicular access but does seek to amend the internal road arrangements.
38. Lancashire County Council Highways consider that the existing access is suitable to accommodate the proposed dwellings, especially as there is good inter-visibility between traffic on Preston Road and traffic leaving the site. In addition, they comment that there are adequate safety measures currently in place, such as right turn lane to the site, road hatchings, arrow markings, 'SLOW' worded carriageway markings on highlighted surfaces, etc. At the time of their comments, LCC confirm that there has also been no recorded traffic accidents at or within close proximity of the site access in the past 5 years.
39. LCC do raise concerns in relation to parking provision within the site, commenting that some spaces are shorter than others, or not of straight lines. The Council's parking standards require 3 spaces for any dwelling of 4 plus bedrooms, therefore each plot requires 3 parking spaces. Although the submitted plan shows a greater level of parking, it is clear that each plot can achieve 3 parking spaces, with at least 2 on the driveway and 1no in the garage. Parking provision is, therefore, adequate to serve the proposed development, in line with the Council's own standards.
40. It should be noted that the fishery does not form part of the application site and it benefits from separate parking to the north of the site. This would remain unchanged.
41. The proposed development would be acceptable in highways safety terms and would accord with Chorley Local Plan policy BNE1 (d) in respect of highways matters.

#### Public open space

42. Chorley Local plan policy HS4 requires public open space contributions for new dwellings to be provided in order to overcome the harm of developments being implemented without facilities being provided. However, the National Planning Practice Guidance (NPPG) post-dates the adoption of the Local Plan and states that planning obligations should not be sought from developments of 10 or less dwellings and which have a maximum combined floorspace of no more than 1000 square metres.
43. In the determination of planning applications, the effect of the national policy is that although it would normally be inappropriate to require any social infrastructure contributions on sites below the thresholds stated, local circumstances may justify lower (or no) thresholds as an exception to the national policy. It would then be a matter for the decision-maker to decide how much weight to give to lower thresholds justified by local circumstances as compared with the new national policy.
44. The Council must determine what lower thresholds are appropriate based on local circumstances as an exception to national policies and how much weight to give to the

benefit of requiring a payment for 10, or fewer, dwellings. The Council has agreed to continue to seek contributions towards provision for children/young people on developments of 10 dwellings or less.

45. There is currently a surplus of provision in Chisnall Ward in relation to this standard, a contribution towards new provision in the ward is therefore not required from this development. The site is also not within the accessibility catchment (800m) of any areas of provision for children/young people that are identified as being low quality and/or low value in the Open Space Study.
46. A financial contribution is not, therefore, required in this instance.

#### United Utilities

47. In their consultation response, United Utilities advise that a public sewer cross the site and that they may not permit building over it. This is a matter for the applicant to address and may prevent the development, should it be granted planning permission, from being implemented. The consultation response is readily available to view on the Council's website

#### **CONCLUSION**

48. The proposed development falls with the exception of paragraph 145 of the National Planning Policy Framework and is not, therefore, inappropriate development in the Green Belt. The proposal would result in the loss of a site last used for employment purposes and does not fully accord with the criteria set out in Policy 10 of the Central Lancashire Core Strategy. Significant weight is, however, attached to the delivery of housing and this is considered to outweigh the loss of a small employment site for the reasons set out in this report. and conflict with Policy 10 of the Core Strategy in this particular case.
49. The application is recommended for approval, subject to conditions.

#### Suggested Conditions

50. To follow.
51. **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.

#### **RELEVANT HISTORY OF THE SITE**

**Ref:** 00/00174/FUL **Decision:** PERFPP **Decision Date:** 19 April 2000  
**Description:** Excavation of land to form second coarse fishery pond,

**Ref:** 02/01097/AGR **Decision:** PAAGR **Decision Date:** 28 November 2002  
**Description:** Application for agricultural determination in respect of the erection of a replacement barn,

**Ref:** 95/00144/COU **Decision:** PERFPP **Decision Date:** 15 June 1995  
**Description:** Use of existing pond for coarse fishing and existing hardstanding for parking of up to fifteen cars

**Ref:** 97/00087/COU **Decision:** PERFPP **Decision Date:** 9 April 1997

**Description:** Change of use of farm building to upholstery workshop,

**Ref:** 04/00157/COU **Decision:** WDN **Decision Date:** 15 April 2004

**Description:** Change of Use of redundant farm buildings to storage facility,

**Ref:** 05/00038/COU **Decision:** PERFPP **Decision Date:** 9 March 2005

**Description:** Change of Use of redundant farm buildings to part workshop and storage of furniture,

**Ref:** 11/00132/ADV **Decision:** PERADV **Decision Date:** 6 June 2011

**Description:** Display of non - illuminated wall mounted sign

**Ref:** 11/00581/COU **Decision:** PERFPP **Decision Date:** 5 October 2011

**Description:** Change of use of existing building from agricultural use to fencing and garden furniture workshop

**Ref:** 13/00321/FUL **Decision:** REFFPP **Decision Date:** 29 July 2013

**Description:** Retrospective application for the siting of a static caravan for use as an office (B1 use) in connection with fence and drain company on site.

**Ref:** 14/00033/FUL **Decision:** REFFPP **Decision Date:** 20 March 2014

**Description:** To continue to use a Static Caravan in the farm yard as an office for a temporary period of 1 year

**Ref:** 14/00844/FUL **Decision:** PERFPP **Decision Date:** 21 November 2014

**Description:** Use of building as fencing and garden furniture workshop on permanent basis (temporary planning permission (Ref No. 11/00581/COU) granted for 3 year period in 2011)

**Ref:** 15/01079/FUL **Decision:** PERFPP **Decision Date:** 5 February 2016

**Description:** Extension to form granny flat

**Ref:** 16/00328/DIS **Decision:** PEDISZ **Decision Date:** 21 April 2016

**Description:** Discharge of conditions 4 (Facing Materials) and 5 (External Joinery) to permission granted under 15/01079/FUL (extension to dwelling)

**Ref:** 17/00137/FUL **Decision:** PERFPP **Decision Date:** 21 April 2017

**Description:** Extension to existing fencing workshop (B2 Use Class) and creation of additional car parking spaces

**Ref:** 81/00919/OUT **Decision:** REFOPP **Decision Date:** 5 January 1982

**Description:** Outline application for agricultural workers dwelling