

APPLICATION REPORT – 23/00811/PIP

Validation Date: 29 September 2023

Ward: Chorley North East

Type of Application: Permission In Principle

Proposal: Permission in Principle application for the erection of 1no. dwelling.

Location: Land On The South Side Of Town Lane Whittle-Le-Woods Chorley

Case Officer: Daniel Power

Applicant: Mr Rob Jones

Agent: PWA Planning

Consultation expiry: 6 November 2023

Decision due by: 22 December 2023

RECOMMENDATION

1. It is recommended that permission in principle is granted.

SITE DESCRIPTION

2. The application site is located on the southern side of Town Lane, at its junction with Dark Lane. The settlement of Wheelton is located approximately 350 metres to the east of the site, along Town Lane. The application site is within the Green Belt and currently an open field, with several mature trees along the boundary of the site and a low stone boundary wall along Town Lane.
3. On the southern side of Town Lane there are a number of detached dwellings, set back from the road within large plots. On the northern side and the wider area, there is a mixture of terraced, detached and semi-detached dwellings.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. This application seeks permission in principle for the erection of one dwelling.

REPRESENTATIONS

5. Objections have been received from 20no. addresses and can be summarised as follows:
 - The proposal does not accord with the Chorley Local Plan.
 - Development on this land would lessen the open and rural character of the locality.
 - The development would cause harm to the Green Belt
 - The development represents inappropriate development.
 - There are no very special circumstances which justify the development and harm to the Green Belt.
 - Will not improve the economic or environmental conditions of the area and so will not prove to be sustainable development.

- Highway on Town Lane via the current dropped kerb is inappropriate due to the junctions of Copthurst Lane and Dark Lane.
 - The proposal does not represent 'infill' development.
 - If passed this Application would create a precedent.
 - The proposed area and volume of the house is far larger than other properties east and west on Town Lane and will be too dominant.
 - 280 dwellings have been permitted nearby, no further dwellings are needed.
 - It is recognised by National Government that green spaces are essential for both mental and physical health of the population, to take away more green spaces would be go against NHS and Government advice.
 - The development would have a harmful impact to road safety.
 - A tree has already been felled on the site.
 - The plot is disproportionate in size to the other dwellings to the east and west of the site.
 - Whilst the site may or may not be within a conservation area, it is next to one.
6. One letter of support has been received and can be summarised as follows:
- One nice home is better than the potential of multiple houses.

CONSULTATIONS

7. United Utilities – No objections and suggested conditions be imposed relating to drainage details.

Conditions can't be imposed at this stage and these matters would be fully considered at technical details stage, where conditions could be imposed if required.

8. Whittle-le-Woods Parish Council – No comments have been received.
9. Lancashire County Council Historic Environment Team – have commented as follows:

A building named *Dalton Pits* is depicted on the 1st Edition 1:10560 Ordnance Survey, Lancashire Sheet 77, surveyed 1844-7, on the south side of Town Lane opposite the junction of Copthurst Lane with Town Lane. The building had been demolished by the time of the 1st Edition 1:2500 Ordnance Survey of 1893. Consequently, as the proposed development site is one with a known archaeological potential, which would need to be addressed during the determination of the application, we would wish for this requirement to be noted. We would also advise of the need for the HET to be consulted with a request for further advice on how to adequately mitigate the impact of the proposed development at the submission of technical details stage. It should be noted that the site is considered to be of a local significance only, and therefore not one that would merit preservation in situ, but rather preservation by record (archaeological excavation and recording).

PLANNING CONSIDERATIONS

10. Paragraph 012 of the National Planning Practice Guidance (NPPG) on Permission in Principle, states that *“the scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these ‘in principle’ matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. In addition, local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission.”*
11. The majority of the neighbour comments/objections relate to technical matters that could only be assessed as part of any future detailed consent application and falls outside the scope of what the Council can assess as part of this current application, as set out in the above paragraph from the NPPG.

12. The application site is located within the Green Belt. The Framework states that the construction of new buildings should be regarded as inappropriate in the Green Belt, except in a limited number of specific circumstances.
13. National guidance on Green Belt is contained in Chapter 13 of the National Planning Policy Framework which states:

'137. 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.

138. 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
- f) land.

147. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

148. 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.

149. A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- 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; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.'

14. The application site is located outside the settlement area of Wheelton and falls to be considered as an 'other place' when considering the location of development in relation to Policy 1 of the Central Lancashire Core Strategy. Policy 1(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.”

15. The proposed development of 1 no dwelling is considered to be small in scale and therefore complies with that element of Policy 1.
16. The application site is open land with no buildings or development on the site. The supporting Planning Statement submitted with the application seeks to engage with paragraph 145.e) of the Framework, the contention being that the site would represent limited infilling in a village.
17. Turning to the matter of infill, policy HS7 of the Chorley Local Plan 2012 - 2026 deals specifically with rural infilling and provides a definition of infill development, which states as follows:

‘Within smaller villages limited infilling for housing will be permitted providing the applicant can demonstrate that the following criteria are met:

- a) The existing buildings form a clearly identifiable built-up frontage;*
- b) The site lies within the frontage, with buildings on either side, and its development does not extend the frontage;*
- c) The proposal would complement the character and setting of the existing buildings.*

Infill is the filling of a small gap in an otherwise built-up street frontage, e.g. typically a gap which could be filled by one or possibly two houses of a type in keeping with the character of the street frontage.

When assessing applications for rural infill sites, the Council will also have regard to site sustainability, including access to public transport, schools, businesses and local services and facilities.’

18. The matter of ‘infilling’ has been the main issue for two recent appeals for similar applications in the borough. In their assessment of the appeal reference APP/D2320/W/21/3282134 (21/00557/PIP) following the refusal of permission in principle for the erection of up to two dwellings on a site with a width of 80 metres, the Inspector concluded that *‘the proposal would represent limited infilling in the Green Belt. It would therefore meet the exception at paragraph 149 (e) of the Framework thus would not therefore be inappropriate development in the Green Belt’*. In additional, the inspector in the consideration of appeal reference APP/D2320/W/21/3283978 (21/00744/PIP) for the erection of 1 no dwelling, with a plot width of 32 metres, concluded that the proposal would represent limited infilling in the Green Belt.
19. In considering whether the current application would amount to ‘infilling’ there are a number of detached dwellings on the southern side of Town Lane, some within large plots, set back from the road. The application site has a width of approximately 60 metres, which is less than applications allowed at appeal and similar to the neighbouring dwelling to the north west. Other than the application site, the street frontage is unbroken, with the proposed site area retaining the character of the area. Furthermore, there is nothing within national or local policy that restricts the number of dwellings that can be considered acceptable in relation to limited infilling. With regards to the sustainability of the application site, given the range of amenities available within walking distance, and the distance to settlement area to the northeast, it is considered the application site is in a sustainable location with the characteristics of a village. The proposal therefore represents limited infilling within a village.
20. Overall and on the basis of the recent appeal decisions, it is considered that the ‘principle’ of the proposed development of one dwelling is acceptable and in accordance with the Framework and Policy HS7 of the Chorley Local Plan 2012 - 2026.

Other matters

21. Objections have been received relating to highway safety impacts: this is not a matter that falls within the scope of consideration of the permission in principle consent stage. This would be addressed as part of the technical details consent, which is the second stage of the process.
22. An objection has been received stating that the application site is close to a Conservation Area and would therefore have a harmful impact to it. The site is not within or near a Conservation Area.
23. LCC Historic Environment have raised a number of matters relating to archaeological potential beneath the site. These matters can be considered fully at technical details consent stage.

CONCLUSION

24. The principle of erecting one dwelling at the application site is considered acceptable in terms of location, land use and the amount of development. It is, therefore, recommended that permission in principle is granted.
25. National Planning Practice Guidance (PPG) advises that it is not possible for conditions to be attached to a grant of permission in principle and its terms may only include the site location, the type and amount of development. Nonetheless, the PPG indicates that, unless some other period is justified, where permission in principle is granted by application, the default duration of that permission is three years. This will be added as an informative note to any grant of permission for this development.

RELEVANT HISTORY OF THE SITE

Ref: 94/00320/TPO **Decision:** WDN **Decision Date:** 14 July 1994

Description: Felling and pruning of trees covered by TPO No 5 Whittle le Woods 1992

Ref: 93/00847/FUL **Decision:** PERFPP **Decision Date:** 2 February 1994

Description: Erection of detached house

Ref: 89/00689/OUT **Decision:** PERFPP **Decision Date:** 28 November 1989

Description: Residential development

Ref: 80/00974/OUT **Decision:** PEROPP **Decision Date:** 20 October 1980

Description: Bungalow

Ref: 5/5/05391 **Decision:** WDN **Decision Date:** 3 December 1965

Description: Site for building contractors depot

Ref: 5/5/03860 **Decision:** WDN **Decision Date:** 21 December 1962

Description: Housing development

Ref: 75/01009/OUT **Decision:** PEROPP **Decision Date:** 1 March 1976

Description: Outline application for bungalow

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.