

Item	11/00490/CB3
Case Officer	Mrs Nicola Hopkins
Ward	Adlington & Anderton
Proposal	Formation of car park and haulage access way to serve 54 allotment plots at The Common including the erection of a 1.2 metre high post and wire fence and compost/ wood chip bays.
Location	Land 200 Metres North Of Shepherds Cottage The Common Adlington Lancashire
Applicant	Mrs L Ralston

Consultation expiry: 12 July 2011

Application expiry: 2 August 2011

Proposal

1. The application relates to the formation of a car park, haulage access way, the erection of a fence and compost/ wood chip bays to serve 54 allotment plots and a Community Food Growing Area at The Common.
2. The Council's Parks and Open Space Team have submitted the application as they intend to provide 54 allotment plots and a Community Food Growing Area on the site. The creation of allotment plots does not require planning permission however the creation of the car park and haulage road and the erection of a fence adjacent to the highway does. As such this application wholly relates to these elements of the scheme which will serve the allotments.

Recommendation

3. It is recommended that this application is granted conditional planning approval.

Main Issues

4. The main issues for consideration in respect of this planning application are:
 - Principle of the development
 - Proposed Car Park and Haul Road
 - Highway Safety
 - Proposed Structures
 - Impact on Neighbours
 - Levels
 - Ecology

Representations

5. 3 letters of objection have been received in respect of the allotments raising the following concerns:
 - The impacts of the extra traffic- cause disruption, noise pollution and will upset the natural atmosphere.
 - It will bring unwanted attention to the area.
 - The Common is a 'cul-de-sac' and therefore the no-through route will cause further congestion with the added cars etc travelling to the area.
 - The area is well used locally for dog walking and the allotments would cause disruption to the locals and children.
 - The area is used to walk, cycle and ride horses. These activities would become unsafe given the proposed plans.

- Children play in the area, due to the small amount of traffic currently, this would change and this would impact the lives of the children.
- The area has several old aged pensioners who have chosen the area because of its quietness and solitariness. The attention of these allotments and the visitors would severely impact this.
- The local wildlife would be further disrupted.
- The value of the properties would suffer as a result of the allotments being placed here.
- The area is naturally beautiful, this would suffer.
- Not been consulted on about these plans
- A previous planning application at The Common (Harrisons Farm) was rejected due to the hazards from increased traffic.
- There is suitable land for allotments at Harrison Road
- The choice of the site is flawed from a highway safety point of view- a full detailed risk assessment is required.
- Insufficient car parking proposed- will create on street parking

6. 2 letters of support has been received stating the following:

- The provision of allotments in the Borough are poor and this site will help address this
- The Policy of the Council to allocate to local people should minimise traffic
- Evidence from other sites is that traffic flow will be minimal
- Interest in allotments sites is growing and the Council needs to provide more sites.

Consultations

7. **Lancashire County Council (Highways)** has no overriding highway objections to the proposed development in principle. The comments are discussed further below.
8. **Adlington Town Council** fully supports the provision of allotments in the village. However it would like to express concern that the proposed site is in an area with poor vehicle access, and would like to know if any other sites in the area have been considered, for example land accessed via Harrison Road.

Applicants Case

9. The following points have been submitted in support of the application:
- The Small Holdings and Allotments Act (1908) places a duty on local authorities to provide sufficient allotments according to demand.
 - Key areas have been identified for allotment creation and one of these areas was Adlington
 - The current waiting list stands at 348 and there are currently 30 people on the waiting list from the vicinity of the application site.
 - The proposal incorporates 20 parking spaces for approximately 54 plots. This provides one parking space to every 3 plots. This essentially provides enough capacity to avoid anyone from the site parking on the road.

Assessment

Principle of the development

10. The main proposed use of the application site is for 54 allotment plots and a community growing area. It has been established in case law (Crowborough Parish Council v Secretary of State for the Environment and Wealden District Council [1981]) that the use of land as an allotment (including growing food, flowers, fruit, seeds and for the breeding and keeping of livestock) is an agricultural use. The existing use of the land is agricultural land and as such planning permission is not required to use the land for allotments and a community growing area.
11. Although the use of the land does not require planning permission this does not apply to the erection of fencing (above a certain height), sheds or polytunnels on the site nor does it relate to the formation of a car park and haulage road. As such this planning application purely relates to these elements of the proposal.

12. The site is located within an area designated as Green Belt where there is a presumption against inappropriate development. Policy DC1 of the Local Plan (which is derived from national guidance in PPG2) sets out appropriate development and includes:
- agriculture and forestry;
 - essential facilities for outdoor sport and outdoor recreation, for cemeteries or other uses of land which preserve the openness of the Green Belt and do not conflict with its purposes;
 - limited extension, alteration or replacement of existing dwellings providing it is in accordance with Policy DC8A;
 - the re-use of existing buildings providing it is in accordance with Policy DC7A;
 - limited infilling in accordance with Policy DC4;
 - to provide affordable housing for local needs in accordance with Policy DC5;
 - the re-use, infilling or redevelopment of Major Developed Sites in accordance with policy DC6.

Proposed Car Park and Haul Road

13. The proposed development includes the formation of a car park to accommodate 20 vehicles, the formation of a haul road to serve the allotment plots and the formation of 5 pedestrian access ways to access the allotment plots.
14. Vehicular access to the car park and haulage road will be via The Common in the form of a 2.4 metre wide access gate. There will also be a 1.2 metre wide pedestrian access gate next to the vehicular access gate. The proposed car park will be constructed using MOT type 1 (which is crushed concrete often used in the construction of car parks) topped with gritstone. The proposed haulage way will be constructed from GrassMesh Flex (which is a polyethylene mesh used to improve wear resistance and reinforce grass areas which are used by vehicles and/or pedestrians, whilst maintaining their appearance). The proposed access paths will be surfaced using bark chip
15. The application site is located within the Green Belt as set out above. The formation of a car park, haulage way and accessways would not fall within the definition of appropriate development within the Green Belt unless they are considered to be essential facilities which are genuinely required for uses of land which preserve the openness of the Green Belt.
16. It is noted that the use of the land for allotments falls within the definition of agriculture which is considered to be appropriate development within the Green Belt. The Council's Corporate Strategy (2011/ 12) identified the 'Deliver the Allotment project' as a key project. There are currently 348 people on the waiting list for allotments 30 of which are in the vicinity of this site. The allotments will assist in meeting the Council's Corporate Strategy, provide a valuable resource to the residents of Chorley and reduce the number of people waiting for allotments.
17. However in order for the allotments to be successful they need to be accessible by vehicles and pedestrians. It is considered that allotments, by virtue of their character and appearance and the fact that they are appropriate development, preserve the openness of the Green Belt. In accordance with guidance set out within PPG2 essential facilities also fall to be considered appropriate development. PPG2 states that *essential facilities should be genuinely required for uses of land which preserve the openness of the Green Belt* (PPG2, para 3.5). As such it is considered that the proposed car park, haul road and pedestrian access way are genuinely required to support the allotments and as such are considered essential facilities within this Green Belt location in accordance with PPG2 and Policy DC1 of the Local Plan.

Highway Safety

18. The application site is currently a vacant agricultural field which is part of a larger agricultural holding. The formation of allotments on this site will inevitably result in an increase in vehicle movements in the area. However it should be noted that without the car park and haul road the site could be used for allotments without requiring planning permission which would still generate traffic without parking provision. The inclusion of a car park will ensure that the traffic generated by the allotments can be accommodated off the highway.

19. Access to the site is via Park Road, which is a primarily residential terraced road with on street parking, and The Common, which is a single track road which serves approximately 11 residential properties.
20. The proposed development incorporates the formation of a 20 space car park to serve the 54 allotment plots which equates to approximately 1 space per 3 plots. The Council currently manages other allotment sites within the Borough the largest being at Crosse Hall which has 70 allotment plots and only 11 car parking spaces (equating to approx 1 space per 6 plots). From previous experience in managing allotments within the Borough it is considered that 20 spaces for this site is sufficient to avoid anyone from the site parking on the road, a fact which is confirmed by the highway engineer below.
21. Additionally as the majority of the allotments will be let to local people it is considered that the tenants will chose to access the site by various modes of transport (i.e. walking) other than the car.
22. To further avoid people parking on the road at the time the tenancy agreement is signed it will be explained that parking on the road will not be permitted.
23. As set out above the Highway Engineer has no objection to the proposed scheme. The Engineer was made aware of the specific concerns raised and has made the following comments to explain why he has no objection:

Park Road – traffic.

- The level of traffic to be generated by the development will not have any significant highway impact. The main concern is in relation to existing congestion on Park Road however the allotments will provide for up to 20 car parking spaces and this should normally equate to no more than 6-7 vehicle trips at any peak hour which will not have any material highway impact. At other times of the day the allotments will not generate any vehicle trips whatsoever. It should also be noted the allotments are likely to be at their busiest at weekends, will be seasonal, very likely to involve single daily trips i.e. visit am and leave pm and are local therefore will also encourage and promote foot trips.
- There is little guidance within parking standards covering allotment use however based up on level of car parking provision at other allotment sites in Chorley the 20 no spaces would seem to be more than adequate.
- The congestion on Park Rd is owing to a general reliance on on-street car parking for terraced dwellings between the road bridge and Windsor Av however Park Road is a bus route and through access is maintained at all times by sensible parking arrangements. Dwellings from Windsor Av onwards have garden frontage with off-street parking therefore the level of congestion and on-street parking is reduced further along the road.
- Park Rd is traffic clamed with road humps and therefore together with the presence parked cars, the vehicular speeds on Park Road are much reduced. An investigation of injury recorded accidents record would show there have been only 2 minor incidents in the area in the past 5 years therefore neither is there an underlying accident problem in the area.

The Common – proposed car park

- The Common is a local access road and is maintained by the local authority. In terms of the access and the car park, the carriageway along The Common varies between 4.5 m wide at Park Road and 4.2m wide at the proposed entrance and is therefore sufficient for 2 way cars to pass each other slowly.
- There are no footways but there is a soft grass verge adjacent to the access road with hedgerow at the back on either side. It is a long straight road and owing to the wide soft grass verge the proposed access will enjoy good visibility sightlines in both directions. The hedgerow is approx 5m back of the edge of carriageway therefore there will also be

sufficient standing space for cars to pull on/off the road and stops in order to open/close the field gate without overhanging into the carriageway and obstruct pedestrians and vehicles.

- The Engineer does not deem that congestion will be a problem at the site owing to the single gate and access as visitors will be able to give way to each other by either waiting on The Common or within the car park area.
- The proposed car parking layout would comply with design standards and is acceptable in terms of both car parking size and vehicle turning space.

Temporary works – construction

- The level of construction works proposed are unclear i.e. how much work will need to be done in terms of materials to be brought/taken on/off to site and type of plant in which case I would ask to ensure that suitable provisions are made for:
 - appropriate traffic management during construction including Advance road warning signs & leaflet drop etc to inform residents on movement of construction traffic,
 - there is adequate provision for a road sweeper on a regular basis to ensure roads are clear of mud etc,
 - any temporary access formed to facilitate construction works is suitable for the anticipated level of construction traffic.

24. The Engineers specific requests can be dealt with by condition.

25. It is noted that the objections received largely relate to traffic congestion in the area and the implications the allotments will create from a highway safety and traffic generation perspective however as set out above the allotments do not require planning permission and as such these concerns are not material to the consideration of this planning application.

Proposed Structures

26. The site is a relatively flat field bordered on 3 sides by mature hedge rows with the southern boundary open. It is proposed to retain the hedgerows and infill any gaps were necessary and erect of 1.2 metre high post and wire fence around the site with rabbit proofing. The only part of this fence which requires planning permission is the section adjacent to the road due to its height. The proposed fence will be erected behind the existing hedge line and is of a design which is typical to rural locations. As such it is not considered that the fence will detrimentally impact on the openness or rural character of the area.

27. The proposals also include the erection of compost/wood chip bays which will be constructed from sleepers held into position by iron girders. They will be approximately 1.5 metres high, 5 metres deep and 7 metres wide. This feature will be located in the car park. Generally it is not considered that the placing of a compost bin on allotments constitutes development which requires planning permission however as this feature will be permanently fixed to the ground planning permission is required for this feature. The 2 bays will be located within the car park and will be a visible feature however this feature is considered to be genuinely required for the allotments and as such is not considered to be unacceptable within this Green Belt location.

28. Sheds and polytunnels are usual structures associated with allotments. Under Class A, Part 12 of Schedule 2 of the GPDO Local Authorities have permitted development rights to erect small ancillary buildings of less than 200 cubic metres and less than 4 metres high on land belonging to or maintained by them. Although such structures are not included as part of this application, as it is not known what future tenants may require, the applicants consider that such structures will be required on site and as such the Design and Access Statement sets out the tenancy requirements in this regard.

29. The current Council allotment tenancy agreement states that 'No building or structure can be built on the allotment without the consent of the Corporate Director and in accordance with the provisions of the Code of Conduct. On determination of the tenancy, the tenant is

responsible, at his or her expense, for the removal of any structure that has been erected unless arrangements have been made to transfer to the next tenant.'

30. This will be further expanded on new allotment sites to say "the Council may grant permission for a single shed and greenhouse on all full, or half size plots, on the following conditions":
1. The siting of sheds and greenhouses on individual plots is to be considered carefully so as to avoid causing any nuisance or disturbance to adjoining residential properties and to ensure that access ways are not blocked or made more difficult to use.
 2. No trees are to be lopped or removed in order to accommodate a shed or greenhouse.
 3. If the Council receives any complaints regarding the position or use of a shed or greenhouse, it may, after making an inspection and discussing the matter with all interested parties, require the shed or greenhouse to be removed.
 4. Sheds and/or greenhouses shall:
 - a. sheds must not exceed 1.85m x 1.25m x 2m high (6 feet by 4 feet by 6 feet 6 inches high) and greenhouses/polytunnels must not exceed 1.85m x 2.50m x 2m high (6 feet x 8 feet x 6 feet 6 inches high) and should be sited so they do not cause shadows on adjacent allotments.
 - b. be of a pitched roof type for greenhouses, and of a pitched roof or pent roof type for sheds;
 - c. be erected in a workmanlike manner using new, good and sound materials;
 - d. be generally in accordance with the following:
 - (i) sheds to be timber framed, the external covering to be weather boarding or tongued and grooved boarding securely fixed to the framework and laid on a suitable foundation of slabs, floated concrete is not permitted, the roof to be similarly framed with adequate boarding securely fixed and covered with appropriately fixed roofing felt;
The use of the following materials is specifically prohibited;
Bricks or blocks
Asbestos
Hardboard
Sheet metal
Corrugated iron
 - (ii) greenhouses to be constructed of timber or aluminium, of a proprietary brand, laid on a suitable foundation, appropriately glazed and with doors fitted with a suitable lock;
 - (iii) be kept in good repair and condition.
 - (iv) colour to be a natural colour as approved by the Council.
 - (v) Any building erected which is found upon inspection to be unsatisfactory or unsightly will be required to be removed.
 - (vi) Shed may only be used to store tools, materials and other items which are directly related to the use of the allotment plot. The final decision as to what is appropriate lies with the Council.
31. Additionally the tenancy agreement goes on to say: 'No building or structure (such as polytunnels, fruit cages, chicken coops) may be erected until an application has been made to Chorley Council and permission has been granted. Structures must not exceed a total floor space of 80 square foot or 7.4 square metres.'
32. The tenancy agreement makes it clear what may be permitted on the site. The permitted development rights for such structures only applies to local authorities and do not extend to allotment holders. As such, notwithstanding the contents of the tenancy agreement, any structure erected by the allotment tenant will require planning permission. An informative will be added to the recommendation in this regard.

Impact on Neighbours

33. The nearest neighbour to the application site is 33 The Common which is approximately 15 metres from the application site on the opposite side of The Common. 30 The Common, on the same side of the road as the application site, is approximately 80 metres from the application site and Shepherds Cottage is approximately 160 metres from the application site.

34. Although it is acknowledged above that the allotments will generate additional traffic movements it is not considered that the proposed car park, haul road and fencing, which is the subject of this planning application, will adversely impact on the neighbours amenities.
35. As set out above the deadline for neighbour comments is 12th July which is the same day as the Development Control Committee. The neighbours were originally consulted on 14th June and a site notice was erected on 16th June however additional neighbour letters were sent to ensure more residents than would normally be consulted were directly consulted on the application and to make it clear which parts of the scheme require planning permission. Any comments received after this report has been completed will be included on the addendum.

Levels

36. The site is a relatively flat site and the car park and haul road will be formed to create level access to the highway. As such it is not considered that levels are an issue in respect of this application.

Ecology

37. The site is bordered on three sides by a mature hedgerow and trees and there is an existing pond located to the west of the application site. As such the ecological implications of the development are a consideration.
38. Following a high court decision (R (on the application of Simon Woolley) v Cheshire East Borough Council, June 2009) the Local Planning Authority have a legal duty to determine whether the three 'derogation tests' of the Habitats Directive implemented by the Conservation (Natural Habitats &c.) Regulations 1994 have been met when determining whether to grant planning permission for a development which could harm a European Protected Species. The three tests include:
 - a. the activity must be for imperative reasons of overriding public interest or for public health and safety;
 - b. there must be no satisfactory alternative and
 - c. favourable conservation status of the species must be maintained.
39. It is not considered that the proposals will adversely impact on protected species however Lancashire County Council Ecology have been consulted in this regard and their comments will be reported on the addendum.

Overall Conclusion

40. It is established that the proposed use of the site for allotments does not require planning permission. The elements of this scheme which require planning permission are the formation of the car park and haul road, the erection of the fence along the highway boundary and the compost/ wood chip bays. It is considered that these features are genuinely required to serve the main use of the site and as such are considered to be acceptable within this Green Belt location.

Other Matters

Non- material planning considerations

41. One concern raised is why this location was chosen for allotments and an alternative site at the end of Harrison Road has been suggested. The use of the land for allotments does not form part of the consideration of this application however the question has been forwarded to the Council's Parks and Open Space Team who has confirmed that the Harrison Road site was considered a number of years ago however it was dismissed as it was considered that the bridge was too narrow and access was restricted. The applicant has assessed the site which is overgrown and a vast area of land. Developing this site for allotments would require ecological surveys to be carried out, the site is too large taking into account the budgetary limitations and some of it is allocated as cemetery extension. As such this site was discounted.
42. Reference has been made to the refusal of a planning application at Harrisons Farm. This reference actually relates to the 1997 Local Plan Inspectors Report (dated 1995). At this time

there were 2 site suggestions to allocate the land as green belt and to allocate part of the land for housing. The Inspector recommended that part of the land should be allocated as An Area of Special Restraint (now known as safeguarded land) and part should be allocated as housing land. Access issues were raised with the Inspector however the Inspector considered at the time that there was a need for more housing and the access issues could be addressed. However before the adoption of the Local Plan there was a Modifications Stage which deleted the housing allocation and the site reverted back to An Area of Special Restraint. This was due to the fact that the Replacement Structure Plan was published which determined that there was no need for further housing. Additionally an objection was received from Lancashire County Council Surveyors in terms of the access and it was not considered that the access constraints could be overcome within the plan period. As such all of the land was allocated as An Area of Special Restraint within the 1997 Local Plan which was carried over into the 2003 Local Plan which designates the land as safeguarded. This notwithstanding as set out above the allotments do not require planning permission and as such the additional traffic generated by the allotments is not a material consideration of this planning application.

43. One concern has been raised about whether the allotments will actually be allocated to the residents in the local area as if the allocation is based on a 'first come first served' basis the 30 residents within the immediate area, who are on the waiting list, may not be allocated an allotment. Although this is not a material planning consideration in respect of this application this query has been passed onto the applicant and their response will be reported on the addendum.

Planning Policies

National Planning Policies

PPS1, PPG2, PPG13, PPG17

North West Regional Spatial Strategy:

Policy DP1, Policy ER5

Chorley Borough Local Plan Review 2003:

DC1, EP4, EP9, EP10, TR4

Joint Core Strategy

Policy 25: Community Facilities

Recommendation: Permit Full Planning Permission Conditions

1. The proposed development must be begun not later than three years from the date of this permission.
Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The approved plans are:

Plan Ref.	Received On:	Title:
	6 June 2011	Site Location Plan
	6 June 2011	Detailed Layout Plan

Reason: To define the permission and in the interests of the proper development of the site.
3. The car park, haulage way and compost/wood chip bays hereby approved shall only be used in connection with the allotments. In the event that the allotment plots are not created and/ or are no longer required the car park, haulage way and compost/wood chip bays shall be removed from the field and the land restored to its former condition.
Reason: The proposals are only considered appropriate development within the Green Belt in association with the allotments. To remove inappropriate development in the Green Belt in accordance with Policy DC1 and advice contained in PPG2: Green Belts.

4. The materials specified on the application forms for the car park and haulage access way shall be used and no others substituted.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and DC1 of the Adopted Chorley Borough Local Plan Review.

5. Prior to the commencement of the development a scheme and programme for the construction phase of the development shall be submitted to and approved by the Local Planning Authority. The scheme and programme shall cover:

1. Site compound and contractor parking and management of contractors parking to ensure parking does not overspill onto surrounding roads.
2. Construction operating hours including deliveries and site construction staff.
3. Full details of traffic management measures during construction, including advanced road warning signs, details of how the residents will be updated in respect of the construction phase and measures for cleaning the roads.

The approved scheme and programme shall be implemented.

Reason: To ensure that noise and disturbance resulting from hours of operation, delivery and construction traffic does not adversely impact on the amenity of existing residents and to keep the roads clear of mud.