

Item 4g **12/00031/FUL**

Case Officer **Matthew Maule**

Ward **Eccleston And Mawdesley**

Proposal **Retention of car park and access track**

Location **High Heys Farm Langton Brow Eccleston ChorleyPR7 5PB**

Applicant **Mr & Mrs Karl Whaite**

Consultation expiry: **22 March 2012**

Application expiry: **30 March 2012**

Proposal

1. This application seeks retrospective permission for layout of a car park and access track at High Heys Farm, Langton Brow, Eccleston. The car parking area building is situated approximately 80m to the north of High Heys Farm house. It is 16m in width and 52m in length. The car park and the access track are laid out with rolled limestone. The applicant has stated that the car park would provide 44 parking spaces however parking spaces would not be formally marked out.
2. Immediately to the north and west of the car park are fishing lakes that are within the applicant's ownership, beyond which are open fields. To the south east of the car park are agricultural buildings, stables, a kennels and a cattery. To the south, and at a lower level than car park, is a lake, a detached farm house and a number of agricultural buildings.

Recommendation

3. It is recommended that this application is granted retrospective planning approval subject to conditions.

Main Issues

4. The main issues for consideration in respect of this planning application are:
 - Principle of the Proposed Development
 - Visual Impact
 - Impact on the Amenity of Neighbours
 - Impact on Highway Safety
 - Landfill Gas Migration

Representations

5. One letter of objection has been received. This letter raises concerns about development taking place on the site without planning permission and also notes that previous planning conditions have not been complied with. The letter states that the laying out of the car park has resulted in a significant part of the Green Belt being destroyed and disputes the need for this additional parking. The letter also quotes figures from the 2011 accounts of High Heys Fisheries Ltd and suggest that these provide little confidence regarding the viability of the business.
6. The letter notes that the car park is remote from other facilities on the site. It states that the development has a detrimental impact on the landscape and asserts that the need for additional parking at the site was considered and rejected in 2003. The letter also expresses concern about the impact of the proposal on traffic generation and highway safety.

Consultations

7. **Lancashire County Council (Highways)** – express some concern about the state of the access from Langton Brow due to it being poorly surfaced. They do however note that the site has permission for three fishing lakes with 100 pegs. As such, LCC Highways conclude that there can be little grounds for objection from a highways point of view given that the level of traffic is already established. LCC highways also remark that a car park provided approximately 40 spaces would seem appropriate for fishing lakes with 100 pegs.
8. LCC Highways request that the first 15m of the access from Langton Brow be surfaced to a good standard to prevent mud/debris from being carried on to the highway. They do however recognise that this may be difficult to justify because the existing level of traffic is already established.
9. **Coal Authority** – standing advice.
10. **Chorley Borough Council Environment and Neighbourhoods Manager** – no comments to make in tis instance.
11. **Eccleston Parish Council** – none received by 10 April 2012.

Assessment

Principle of the Proposed Development

12. The National Planning Policy Framework (NPPF) seeks to facilitate a positive approach to sustainable new development in rural areas. It encourages local planning authorities to support the sustainable growth and expansion of all types of business and enterprise in rural areas. The NPPF also promotes the development and diversification of agricultural and other land-based rural businesses and supports sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.
13. The NPPF seeks to protect the openness and character of the Green Belt. Paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It recommends that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and stipulates that '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.
14. The NPPF advises that built development in the Green Belt is inappropriate development unless it is for, inter alia, the provision of appropriate facilities for outdoor sport and outdoor recreation as long as they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
15. Policy DC1 of the Chorley Borough Local Plan Review outlines the instances in which development may be permitted within the Green Belt. Policy DC1 states that planning permission may be granted for essential facilities for sport and outdoor recreation.
16. As noted above, national planning policy is supportive of proposals for the sustainable growth and expansion of all types of business and enterprise in rural areas. It specifically encourages local planning authorities to support rural leisure developments that benefit businesses in rural areas, communities and visitors.
17. The applicant has submitted evidence to demonstrate that the fishery could be considered to constitute an important rural business. In particular, information has been provided on the contribution made by the fishing lakes to the overall viability of the farm. This highlights that turnover from the fishing lakes has trebled since the operations first commenced and that the fishery now provides approximately two-thirds of the farm's income. . Accordingly, it is considered that the fishery is run on a commercial basis and represents an important part of the farm's business. Due to the need for anglers to transport large amounts of equipment, the applicant has asserted that users of the fishing lakes need to be able to park in reasonable

proximity of the lakes in order for the business to remain an attractive and useable facility. The proposal would therefore support the growth and expansion of a rural business and, as a result, is considered to be aligned with the elements of the NPPF which relate to supporting a prosperous rural economy.

18. The application site is located within the Lancashire Green Belt. Both national and local planning policies seek to resist inappropriate development that detracts from the character and openness of the Green Belt. Areas of car parking undoubtedly have the potential to have a harmful impact on the openness of an area and, for this reason, are normally considered to be inappropriate development in the Green Belt.
19. The application site has an existing car park located immediately adjacent to the stable and farm buildings. The applicant has noted that there are 104 fishing pegs in total on the various lakes within the application site and that the lakes are used to host winter matches with up to 50 teams competing over a six week period. The applicant has asserted that the existing area of parking is inadequate to meet demand and, as a result, anglers using the fishing lakes have previously had to park on adjacent fields due to a shortage of parking spaces at the site. It is also asserted that parking problems on the site are compounded by the fact that the existing car park is also used by vehicles associated with the stables and livery of horses, including horseboxes. Furthermore, the applicant has noted that the existing car park is situated approximately 100m to the east of the fishing lakes which makes it difficult for anglers to carry their equipment to the fishing lakes. Accordingly, the applicant has asserted that the proposed development represents an essential facility for outdoor sport and recreation and, as such, is appropriate development in the Green Belt.
20. Notwithstanding the above, it is noted that the definition of what constitutes appropriate development in the Green Belt has recently been amended through the publication of the NPPF. Whereas Planning Policy Guidance note 2 (PPG2) specified that facilities for outdoor sport or recreation could only be considered to be appropriate development in the Green Belt if they are 'essential facilities', this has been amended in the NPPF so that such facilities are appropriate development if they are deemed to be 'appropriate facilities'.
21. The car park would be well-related to the fishing lakes which it would serve. These lakes unquestionably constitute an established outdoor sport and recreation facility and it is considered that the proposal would provide an appropriate level of car parking for this established facility given that there are 104 fishing pegs in total on the various lakes within the application site. As a result, it is considered that the car park and access road are 'appropriate facilities for outdoor sport and recreation' and are therefore appropriate development in the Green Belt. The proposal is therefore aligned with national guidance contained within the NPPF of Green Belts and the principle of the proposed development is considered to be appropriate.

Visual Impact

22. The NPPF states that good design is a key aspect of sustainable development and is indivisible from good planning. It advises that permission should be refused for development that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
23. The importance of ensuring that new development respects the character of the surrounding area is also emphasised by policy DP7 of the Regional Spatial Strategy. Similarly, policy GN5 of the Local Plan Review sets out the importance of development being sensitive to the character and local distinctiveness of the wider area around the site. It also emphasises that retaining landscaping and other important features can ensure that a development successfully blends in with its surroundings.
24. The car park and access track are located to the north of High Heys Farm House and are in excess of 250m from Langton Brow. The car park would undoubtedly have a greater visual impact when there are cars parked on it. However, the distance of the car park and access track from Langton Brow coupled with the topography of the site mean that they would not be particularly visible from the surrounding area. In addition, the applicant has suggested that a

landscaping scheme could be implemented to reduce the visual impact of the proposal and a condition is recommended to secure this.

25. The car park and access track are laid from rolled limestone and it is considered that this choice of materials is appropriate and more in keeping with the rural character of the surrounding area than if the car park and access were to be surfaced in tarmac. It is therefore considered that the proposal would not have an unacceptable detrimental visual impact.

Impact on the amenity of neighbours

26. The nearest dwelling to the car park is High Heys Farm House which is situated approximately 80m to the south. This dwelling is however owned and occupied by the applicant and there are no other dwellings within 150m of the car park. The car park would be accessed along the exiting access route from Langton Brow and there have been no objection to the proposed development on the basis that it would have a negative impact on the amenity of occupants of neighbouring properties. As such, it is considered that the retention of car park and access track would not have an unacceptable detrimental impact on the occupants of neighbouring properties.

Impact on Highway Safety

27. The fishing lakes are accessed from Langton Brow via a track that runs to the south of High Heys farmhouse. This track is unevenly surfaced and is quite narrow, being largely a single-width track with a number of passing places. In addition, it is noted that this access track is not only used by the farm house and fishery but also by a stables, livery, kennels and a cattery. Lancashire County Council (Highways) has expressed some concern about the state of this access from Langton Brow to High Heys Farm. Nevertheless, the application site has permission for three fishing lakes with over 100 pegs and, as such, LCC Highways conclude that there can be little grounds for objection from a highways point of view given that the level of traffic is already established.
28. The applicant has stated that the car park would provide approximately parking spaces. LCC highways also remark that a car park provided approximately 40 spaces would seem appropriate for fishing lakes with 100 pegs. Taking into account the above, it is considered that the proposed development would not have an unacceptable detrimental impact on highway safety.
29. Due to their concerns about the access from Langton Brow to High Heys Farm, LCC Highways have requested that the first 15m of the access from Langton Brow be surfaced to a good standard to prevent mud/debris from being carried on to the highway. Nevertheless, it is considered that the imposition of such a requirement would not be reasonable given that the existing level of traffic using the site has already been established though the granting of permission for over 100 pegs on the site.

Landfill Gas Migration

30. The NPPF advises that to prevent unacceptable risks from pollution, planning policies and decisions should ensure that new development is appropriate for its location. The NPPF also stipulates that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability.
31. The application site is within 250m of a former landfill site. Due to the proximity of the proposed development to this former landfill site, the Council's Environment and Neighbourhoods Manager has been consulted on the application. The Council's Environment and Neighbourhoods Manager has considered the application and has not raised any objections to the proposed development. It is therefore considered that the risk of landfill gas migration is low.

Overall Conclusion

32. The retention of the car park and access track would not result in any significant harm to the

character and appearance of the surrounding area, nor would it cause any significant harm to the amenity of neighbouring residents. In addition, it is considered that the proposals would constitute appropriate development in the Green Belt and would not have an unacceptable detrimental impact on highway safety. Therefore, it is considered that the proposed development would be in accordance with policies DC1 and GN5 of the Chorley Borough Local Plan Review. Accordingly, it is recommended that the application be approved.

Planning Policies

National Planning Policies:

National Planning Policy Framework

Adopted Chorley Borough Local Plan Review

Policies: DC1 and GN5

Planning History

Application Number-

Ref: 01/00218/FUL **Decision:** WDN **Decision Date:** 7 August 2001

Description: Two storey side extension, front porch, front and rear dormers and raising of roof ridge.

Ref: 01/00443/FUL **Decision:** PRRRTF **Decision Date:** 5 July 2001

Description: Rebuilding and replacement of 23 kennels,

Ref: 01/00694/FUL **Decision:** PERFP

Decision Date: 19 December 2001

Description: Replacement dwelling,

Ref: 02/00483/FUL **Decision:** PERFPP **Decision Date:** 16 July 2002

Description: Formation of fishing lake,

Ref: 03/00172/FUL **Decision:** PERFPP **Decision Date:** 16 April 2003

Description: Formation of fishing lake and car parking area

Ref: 12/00031/FUL **Decision:** PCO **Decision Date:**

Description: Retention of car park and access track

Recommendation: Permit Full Planning Permission Conditions

1. **The car park area hereby approved shall not be used for any purpose other than the parking of vehicles.**

Reason: *To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.*