

**Item A. 1**                      **06/00640/FULMAJ**                      **Refuse Full Planning Permission**

**Case Officer**                      **Miss Caron Taylor**

**Ward**                                      **Lostock**

**Proposal**                              **Proposed redevelopment of Rectory Farm creating 6 no. four bedroom dwellings, conversion of existing barn to create 3 no. three bedroom apartments and 1 no. two bedroom apartment with associated garage space and visitor parking. Also, erection of rear extension to Croston Trinity Methodist Church to create Sunday school/community facilities with associated car parking,**

**Location**                              **Rectory Farm Town Road Croston LeylandPR26 9RA**

**Applicant**                              **The Diocese Of Blackburn**

**Proposal:**                              The application is for the redevelopment of Rectory Farm creating 6 no. four bedroom dwellings, conversion of the existing barn to create 3 no. three bedroom apartments and 1 no. two bedroom apartment with associated garage spaces and visitor parking. The application also includes the erection of a rear extension to Croston Trinity Methodist Church to create a Sunday school/community facilities with associated car parking.

**Background:**                              Rectory Farm is a former farmstead within the settlement of Croston, owned by the Diocese of Blackburn. It is sited within Croston Conservation Area and part of the site that includes the covered stalls is within the Article 4 area. The site bounds Town Road to the east and Westhead Road to the north, although it does not take in the corner at the junction of the two roads, no. 1 Westhead Road, currently in three flats.

To the west, part of the site bounds with Croston Methodist Church (to which a rear extension is proposed as part of this application) and Yarrow Close, and to the south with the British Legion Hall on Castle Walks and the curtilage of 20 Town Road.

**Planning History:**                              95/00253/FUL & 95/00254/CON: Application and Conservation Area Consent for rebuild loose boxes – Permitted  
01/01067/FUL: Proposed housing development to create 16 dwellings including the demolition & rebuilding of an existing barn - Withdrawn

**Planning Policy:**                              GN4: Settlement Policy – Other Rural Settlements  
GN5: Building Design and Retaining Existing Landscape Features and Natural Habitats  
HT7: New Development in Conservation Areas  
HS6: Housing Windfall Sites  
HS8: Local Needs Housing within Rural Settlements Excluded from the Green Belt.  
Joint Lancashire Structure Plan 2001-2016  
HS21: Play Space Requirements  
PPG25: Development and Flood Risk  
EP19: Development and Flood Risk

**Consultations:**Lancashire County Council Highways:

The proposed access to Westhead Road is acceptable subject to conditions.

Chorley Community Safety Partnership/MAPS:

State that the Highways Authority should be consulted on the new access.

Environmental Services:

The Director of Streetscene, Neighbourhoods & Environment Directorate state that they have no comments.

Lancashire County Council Strategic Planning & Transport:

Consider that the proposal would be contrary to Policies 1, 5 and 12 of the adopted Joint Lancashire Structure Plan (JLSP).

Policy 1 of the JLSP directs the majority of development to Principal Urban Area, Main Towns, Key Service Centres and Strategic Location for Development.

Policy 5 requires that any proposed housing development would meet an identified local need. It is considered that, the proposed development is not justified in terms of meeting an identified local need for housing.

Policy 12 of the JLSP requires the provision of 4,710 dwellings in Chorley over the plan period 2001-2016. Within this total, annualised average rates of provision are given for the period 2001-2006, 485 dwellings per annum, and for the period 2006-2016, of 230 dwellings per annum. These dwellings provide for household change and exclude provision for clearance replacement dwellings. The explanatory memorandum to Policy 12 explains that Districts should aim to meet the annual housing provision on a yearly basis as closely as possible and that any shortfall or surplus in provision in earlier years will have a consequential effect for the annual provision to be met in subsequent years.

2,184 dwellings were completed in the period 1 April 2001 to 31 March 2005. As at 31 March 2005 there were 2,054 dwellings with the benefit of planning permission (with an additional 446 dwellings awaiting section 106 agreements). The existing housing supply would satisfy the annualised rates of provision up to 2006, and is likely the annualised rate of provision for several years thereafter. Consequently the proposed development is contrary to Policy 12 of the JLSP.

Strategic Housing Services

Note that there is no provision identified within the proposed plans for affordable housing. In terms of the findings of the Housing Needs and Demand Survey 2004 there is a significant higher number of owner occupied properties within west rural settlements, with a very low percentage of social rented homes, only 6.9% compared to 14.7% across the borough and 0.5% shared ownership. There are above average numbers of larger detached and semi-detached homes and significantly lower than average numbers of terraced houses and flats.

It is especially difficult for first time buyers to enter the market in rural parishes due to the lack of smaller, lower value homes. Over half of those intending to set up their own home in the next year or so were looking to move from rural to more urban areas of the borough. It has been suggested that the main reason for those households moving out of rural areas is the lack of suitable affordable housing in rural areas. Of the estimated 400 affordable homes required in the borough over the next five years, over 10%, approximately 45 units will be required in the rural west area.

Environment Agency:

The Environment Agency objects to the application on the grounds that a Flood Risk Assessment (FRA) as required by PPG 25 does not accompany it. The site is located in Flood Zone 3, which is the high risk zone. The site also has a history of flooding, and was flooded during a major flood event in August 1987.

United Utilities:

Have no objection to the proposal subject to conditions.

Head of Public Space Services:

Have no comments to make on the scheme.

Lancashire County Council Ecologist:

A bat and barn owl survey has been produced to the satisfaction of the County Ecologist subject to a planning condition.

**Applicants Case:** A supporting statement accompanies the application considering the proposals in light of the policy context, the impact on the Conservation Area and the design and layout of the proposals.

**Representations:** 627 representations have been received in response to the application.

Four letters of support have been received and one letter of no objection. Their comments can be summarised as:

- The development will improve the appearance of the area, what else could the buildings be used for?
- To return the site to a working farm is a Utopia. When it was a farm there were complaints regarding the noise and smell of animals from residents.
- With regard to providing services and amenities on the site, the few remaining shops in the village are already struggling to make a living, and with regards to toilets these would be better sited at the end of the village green.
- Some character houses on the site would enhance the area.
- If the barn is not converted and vandals get in someone could be seriously hurt or even killed.

Trinity Methodist Church have sent a letter of support, stating that although their church benefits from the scheme they would not support something out of self-interest which they did not believe was beneficial to the village. They also make the following comments; the site is a blight on the village and no one can wish the situation to continue. The Diocese is bound by Charity Law to sell any property to the highest bidder. It is very difficult to see where a parish council or voluntary body could get the funds to

submit any kind of realistic offer, and a small housing development, with social housing and green areas, seems a very appropriate and attractive use of the land. The parking provision will be very helpful for the church, the almshouses and the neighbourhood, easing congestion. The alternative suggestion that the land be used for commercial or manufacturing purposes would necessarily increase the volume of heavy traffic onto the site and into and through the village, as well as exacerbating the parking situation. The extension to the church would provide facilities that are specifically for community use.

There have been 622 objections, mainly in the form of three different letters signed by local people, although 11 unique letters have been received. The objections received can be summarised as:

- The scale, size and type of the development are not appropriate to the character of Croston and would have a detrimental impact on the village.
- Croston desperately needs central village services and amenities.
- The proposals will worsen existing traffic and parking problems on Westhead Road and Town Road, affecting highway safety and parking.
- The proposals would be detrimental to the Conservation Area.
- The proposals are contrary to the Council's Supplementary Planning Guidance because no attempt has been made to market the site for commercial, manufacturing, tourism and community facilities.
- No attempt has been made to market the site as a working farm.
- Croston needs village amenities rather than luxury homes.
- The development is contrary to the Windfall Housing Supplementary Planning Guidance.
- Double yellow lines on Westhead Road would exacerbate Croston's traffic problems, increasing traffic speeds.
- The proposals do not benefit the area.
- The school in the village is already full.
- No provision has been made for social or affordable housing.
- The tenants of the flats at no. 1 Westhead Road currently park on the site with permission from the tenant farmer or outside the almshouses, which will be lost. They will be forced to park in areas that will increase the risk of accidents on an already busy road.

#### Croston Parish Council

Object to the application as it fails to adhere to Chorley Borough Council's Planning Policy.

The application contains no provision for affordable housing within the development, which is urgently needed in the village if younger residents are to be retained. The proposal comprises windfall development.

The supporting information fails to demonstrate requirements under HS16 of the Local Plan regarding the marketing of the site

have been complied with. Furthermore the supporting information also fails to demonstrate planning policies EM4 and EM9 have been complied with.

**Assessment:**

Design and Appearance

Policy HT7 covers New Development in Conservation Areas. The Council's Conservation Officer has made detailed comments on the application in terms of the design of the proposals in the context of the Conservation Area. With regards to the design of the proposals, they are considered unacceptable in their current form.

Rectory Farm is one of a number of farmsteads in the village that make an important contribution to the nature of the place, by forming a more open textured and rural feel to the denser and 'busier' development of, for example, the terraced houses elsewhere. The site incorporates significant undeveloped frontages, a characteristic that recurs throughout the conservation area and creates a complementary balance between buildings and spaces.

The layout of the proposed houses is acceptable in principle, respecting the primacy of the barn at the Westhead Road end of the site, creating an appropriately loose-knit grouping and closing off the end of the long view down the site. However, the Conservation Officer states that the plan form of the dwellings is somewhat too elaborate and additional minor projections, such as porches and chimneys emphasise their domestic nature, undermining their claim to be complementary to the existing buildings. In addition, the window and door details are unacceptable, being of standard executive style, bearing little relation to the vernacular of the site.

The boundary walling along both road frontages is to be maintained, which is vital for the scheme to be successful, although the splayed entrance with the pedestrian footway is unacceptable being an unfortunate modern highway detail.

With regards to the barn conversion, the design as proposed is unacceptable, especially the rear extension. The internal subdivision of the barn seems to have driven the alterations externally, whereas the scheme should be designed to use existing openings, minimise external alterations and ensure any alterations are compatible with the existing character and appearance of the barn.

It is considered that the proposed garaging should be lean-to rather than double pitch, which would reflect the characteristic detail in the streetscene. They should also be simply detailed with dry verges rather than the fascias and bargeboards proposed.

The extension of the Chapel is acceptable in principle with the design being largely satisfactory, however, there are still issues regarding the depth and pitch of the roofs and the awkward junction and hip introduced, although these could be overcome.

Notwithstanding other issues surrounding the application, overall, it is considered that although the layout is close to acceptable, however, there are many design issues that need to be addressed if the resulting development is to preserve and enhance the

character and appearance of the conservation area and do justice to the historic barn in line with policy HT7.

#### Windfall Supplementary Planning Guidance

One of the main issues surrounding the application is the current restriction on Windfall Housing Developments. An objection has been received from LCC Strategic Planning as detailed under consultations. It is considered that the proposals would lead to an inappropriate excess of housing in relation to the Joint Structure Plan Requirement, as set out in Policy 12.

At Borough level Policy HS6 of the Chorley Borough Local Plan Review deals with sites not allocated for housing (windfall sites) within the boundaries of settlements excluded from the Green Belt. It states that development will only be permitted subject to a number of criteria being satisfied. One of these criteria is that the overall housing requirement of the Structure Plan for Chorley Borough would not be materially exceeded as a result of the grant of planning permission.

The Interim Supplementary Planning Guidance (SPG) - Windfall Housing Developments sets out a number of exceptions to the housing restraint policy for which planning permission will still be granted. The supporting statement accompanying the application states that it is considered the application meets the requirements of these exceptions and the proposed development therefore complies with the SPG.

The conversion of the barn to residential use does fall under exception (j) of the SPG, as it is the conversion of an empty building within 400 metres of a shopping centre and the building is within Croston Conservation Area.

The other element of the proposal is the building of six dwellings on the site. The supporting statement argues that these comply with exception (f) of the Windfall SPG – Exceptional proposals which have overriding regeneration, community, economic development and/or conservation benefit.

In light of this policy the applicants state that the proposed development will bring about both community and conservation benefits. Firstly, it will enable the redevelopment of a currently derelict site within the Conservation Area and the dwellings are designed to be in keeping with the character of the area. It will also result in a number of benefits to the local community. Land along the western boundary of Rectory Farm will be gifted to the adjacent Methodist Church to accommodate the new extension and parking provision for 15 cars (separate from the parking for the dwellings) will be provided for use by the Sunday school/community centre, the almshouses (on the opposite side of Westhead Road) and the wider community when the facilities are not in use. Land in the southwest corner of the site will be gifted to the British Legion Hall, which backs onto the site, although this land does not form part of the application. The applicants therefore state that the proposed development will have significant community and conservation benefits in line with exception (f) of the Windfall SPG.

The SPG states that exceptions of this kind, which have genuine benefits, are likely to be very rare. They must relate to key sites and be schemes of Borough-wide significance. The test will be that

housing development is demonstrated by the applicant to be necessary to secure the overall benefit proposed, that these benefits are substantial and are otherwise in accordance with the relevant policies in the Local Plan and other relevant Council Strategies. This includes taking account of sustainability criteria, innovative 'green development' initiatives and Secured by Design stipulations.

However, although the application does offer some conservation and community benefits it is not considered that they are of Borough-wide significance. Therefore, the community and conservation benefits put forward with the application are not sufficient to override the policy of housing restraint in the Borough. If allowed the proposal would therefore result in a contribution to an inappropriate excess of housing provision in the Borough. In addition the applicant has not demonstrated that standard market housing is necessary to secure the benefits proposed.

#### HS8: Affordable Housing

Policy HS8 covers residential development of open land, other than a small gap in an otherwise built-up frontage, within a Rural Settlement excluded from the Green Belt. The policy states that residential development will be restricted to schemes which would significantly contribute to the solution of a recognised local housing problem. The policy lists a number of criteria which must be satisfied, the first one of which is; (a) a substantial majority of the dwellings will be made available at significantly below current market costs. The proposals do not include provision for any affordable housing and so the proposals are contrary to this policy.

#### Neighbour Amenities

No. 1 Westhead Road is in residential use and has several windows facing the proposed barn conversion. The Council has adopted guidelines that there should be 21m between facing windows at first floor level and 10m between a window and the boundary of another property. The proposals do not comply with these guidelines and therefore it is considered that there would be overlooking between no. 1 Westhead Road and the barn as converted. With regards to the comments on parking, as discussed below the application could not secure double yellow lines on Westhead Road.

#### Highways and Parking

Lancashire County Council state that the access to Westhead Road is acceptable subject to conditions. However, it is considered that the splayed entrance needs to be redesigned in line with the comments of the Conservation Officer.

The plan includes double yellow lines on Westhead Road. The Highways Authority have advised that the provision of yellow lines is not a prerequisite for the new access, and is not a matter that could be subject of the planning application. The provision of yellow lines is subject of a Traffic Regulation Order processed by the Highway Authority, and not under the control of the applicant or Planning Authority. Implementation of yellow lines involves consultation with the public, Police, Parish Council and District Council and is open to objection, and may not go ahead if there are valid objections. However, it is clear the applicant is prepared to make a financial contribution to the investigation of yellow lines. If members are minded to grant planning permission and are in

favour of yellow lines, then funding could be secured through a section 106 agreement.

#### Flood Risk

The Environment Agency has objected to the application on the grounds that it is not accompanied by a flood risk assessment as required by Planning Policy Guidance note 25 (PPG25). The proposals are therefore contrary to PPG25 and policy EP19 of the adopted Chorley Local Plan Review.

#### Play Areas

Proposals for housing development are required to include provision for outdoor play space by policy HS21 of the adopted Chorley Borough Local Plan Review and the Interim guidelines for the New Equipped Play Areas. For developments under 1 hectare (which this site is) the Council require a financial contribution towards the provision and maintenance of equipped play space in the locality from all new housing developments irrespective of their size. The applicant has not provided information regarding this issue and the proposals are therefore contrary to the above policies.

#### Other Planning Policies

Many objectors have stated that the proposals are contrary to other Local Plan Policies.

With regard to policy HS16: Removal of Agricultural Occupancy Conditions, the site is not the subject of such a condition, as the buildings pre-date the planning system.

With regard to the Supplementary Planning Guidance: Conversion of Rural Buildings in the Countryside and its associated Local Plan policies DC7A and DC7B, these only relate to buildings in the countryside outside settlement boundaries, so are not relevant to the Rectory Farm site.

Policy EM4 relates to the protection of employment sites in rural settlements, and EM9 the redevelopment of existing employment sites for non-employment uses, falling within Use Classes B1, B2, B8 and A2, rather than agriculture.

#### **Conclusion:**

The proposals do provide some conservation and community benefits, however it is not considered these are sufficient to outweigh the policy of housing restraint in the Borough. In addition, the scheme makes no provision for affordable housing. The designs of the proposals, particularly the barn conversion, are not acceptable in their current form and a Flood Risk Assessment has not been provided in accordance with PPG25. Therefore, the application is recommended for refusal.

#### **Recommendation: Refuse Full Planning Permission**

#### **Reasons**

1. The proposals are contrary to policy GN5 of the adopted Chorley Local Plan Review in that the design of the proposed dwellings emphasises their domestic nature undermining the assertion that they are complementary to the existing buildings on the site. In addition, the conversion of the barn



does not respect the buildings simple agricultural appearance, specifically through the creation of excessive new openings and proposed extension.

2. The site is within Croston Conservation Area. The design of the dwellings and barn conversion do not respect the special architectural or historic interest of the area and are therefore contrary to policy no. HT7 of the adopted Chorley Local Plan Review and PPG15 Planning and the Historic Environment.

3. The proposed development when considered in the context of latest housing site monitoring information would contribute towards an inappropriate excess in housing supply provision. The proposal would therefore be contrary to :

- 1) the provisions of Policy HS6 of the Adopted Chorley Borough Local Plan Review;
- 2) Approved Interim Supplementary Planning Guidance on Windfall Housing Developments, together with
- 3) the aims and objectives of Policy 12 of the adopted Joint Lancashire Structure Plan 2001-2016 and Regional Planning guidance for the North West.

Insufficient justification has been submitted to warrant the release of the site for development within the boundary of the settlement.

4. The site is located in Flood Zone 3 as identified by the Environment Agency and has a history of flooding. The application is not accompanied by a Flood Risk Assessment as required by PPG25 and is therefore contrary to PPG25 and policy no. EP19 of the adopted Chorley Borough Local Plan Review.

5. The site is within a rural settlement excluded from the Green Belt, therefore the proposals are contrary to policy HS8 of the adopted Chorley Borough Local Plan Review as the scheme does not contribute to the solution of a recognised local housing problem, as a substantial majority of the dwellings will not be made available at significantly below current market costs.

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