

Item 13/00989/CB4

Case Officer Mr Matthew Banks

Ward Lostock

Proposal Change of use of land to the immediate south of No. 15 Westfields, Croston from an open grassed area to private garden curtilage.

Location 15 Westfields Croston Leyland PR26 9RT

Applicant Mr Clive Ashton

Consultation expiry: 28 November 2013

Application expiry: 23 December 2013

Proposal

1. Change of use of land to the immediate south of No. 15 Westfields, Croston from an open grassed area to private garden curtilage.

Recommendation

2. It is recommended that this application is granted full conditional planning approval.

Main Issues

3. The main issues for consideration in respect of this planning application are:
 - Principle of the development;
 - Impact on the neighbour amenity;
 - Impact on highways/access.

Representations

4. To date, no letters of representation have been received concerning this application.

Consultations

5. **Croston Parish Council** – Comments received – no objection to the application.
6. **CBC Planning Policy** – Raise no objection to the application subject to compliance with Policy LT15 of the Adopted Chorley Borough Local Plan and Policy HW2 of the emerging Local Plan (2012-2026).

Assessment

Principle of the development

7. This application seeks permission to change the use of part of a small grassed piece of land adjacent to No. 15 Westfields, Croston to domestic curtilage associated with the aforementioned residential property. The piece of land under question forms a break in the built development of the surrounding residential estate, positioned to the south of No. 15 Westfields, to the north of No. 11 Westfields and to the east of a turning head serving Westfields. The site comprises a grassed piece of land which is currently owned and maintained by Chorley Council.
8. The overall size of the grassed piece of land is limited, amounting to approximately 0.0257ha. The proposal would result in approximately 0.0098ha of this land being changed to domestic curtilage and approximately 0.0159ha remaining as open grassed land. In terms of character, the land has no particular aesthetic value other than providing greenery in an otherwise built-up estate and is not used for any recreational purpose. The site sits to the east of a significantly larger allocated area of open space, positioned between Nos. 20 and 26 Riverside Crescent.

9. In terms of planning policy, Policy LT15 of the Adopted Chorley Borough Local Plan Review seeks to protect land allocated as amenity open space as well as other open land that makes a significant contribution to the character of an area. The application site is not specifically allocated as amenity open space, but does contribute to the character of the area. To accord with Policy LT15 the development must either provide greater public access to, and enhance the visual amenity of the open space or if involving a change of use, not harm the amenity value of the open space.
10. With regard to status of the emerging Local Plan (2012-2026), it is relevant to note on 25th October, the Inspector issued her Partial Report on her findings into the soundness of the Chorley Local Plan which is a material consideration in the consideration of any planning application.
11. In summary, the plan is considered to be legally compliant. In relation to soundness, the plan is considered sound, with the exception of matters relating to Gypsies & Travellers. The examination of the local plan remains open, and the Inspector will reconvene the examination in April 2014 to consider Gypsy & Traveller Matters, which would enable adoption of the local plan by September 2014, following a supplementary report.
12. Paragraph 18 of the Partial Report states: *“For the avoidance of doubt, the Plan may not be adopted until it has been changed in accordance with all of the main modifications set out in the Appendix to this partial report and any which may be specified in the Appendix of my forthcoming supplementary report. However, because of the very advanced stage in the examination process that the main modifications set out in the attached Appendix have reached, significant weight should be attached to all policies and proposals of the Plan that are amended accordingly, where necessary, except for matters relating to Gypsies and Travellers.”*
13. It is therefore considered significant weight should be afforded to the policies and proposals of the submitted Local Plan, as amended by the main modifications.
14. The Open Space Study assessed the quality and value of all areas of open space in the Borough, with the exception of areas of amenity greenspace and natural/semi-natural greenspace below 0.2ha. The open space being considered as part of this application amounts to an area of approximately 0.0257ha and so because of its limited size is not specifically allocated in the current or emerging Local Plan. However, the preface to Policy HW2 of the emerging Local Plan states that sites which provide valuable visual amenity will continue to be protected from development. As such, it is considered the requirements of Policy HW2 should apply in this case.
15. Policy HW2 of the emerging Local Plan relates to the protection of existing open space. It states that land currently or last used as open space will be protected unless a number of criteria can be met. To conform to Policy HW2, an equivalent provision of open space would have to be made in accordance with criterion (a) or the proposal would have to meet all of criteria (b) to (e). The applicant does not propose to secure equivalent provision elsewhere and so it is necessary to assess the proposal against criteria (b) to (e).
16. Criterion (b) of Policy HW2 states that it must be demonstrated that the loss of the site would not lead to a deficit of provision in the local area in terms of quantity and accessibility. In terms of quantity, the proposed standards in Policy HS4A of the emerging Local Plan, indicate there is currently a deficit of 0.851ha of amenity greenspace in Croston. However the wider site (0.0257ha) was not assessed as part of the Open Space Study (as it falls below the threshold of 0.2ha) and so the deficit would technically remain unchanged. On this basis it is considered the change of use would not lead to a further deficit of provision in the local area in terms of quantity.
17. In terms of accessibility, the site sits to the east of an existing area of open space which is significantly larger in size and is allocated in both the Adopted and emerging Local Plan. This open space is positioned between Nos. 20 and 26 Riverside Crescent and covers an area of approximately 0.1391ha. The open space subject of this application and that allocated at

Riverside Crescent are currently linked by foot which will remain as a result of the change of use. As such, it is considered the proposal would not lead to a deficit of provision in the local area in terms of accessibility.

18. Criterion (c) to (d) of Policy HW2 state the following: (c) that the site should not be of high quality and/or high value in the Open Space Study; (d) it should be demonstrated that retention of the site is not required to satisfy a recreational need in the local area and; (e) the open space should not make a significant contribution to the character of the area in terms of visual amenity.
19. The site was not formally assessed as part of the Open Space Study as it fell below the 0.2ha threshold, however, it is important to realise that sites which provide valuable visual amenity will continue to be protected from development.
20. With the above in mind, the application site comprises a small grassed area forming a break in the built up streetscene of Westfields. The proposed development would result in approximately 38% of the open space being changed to private domestic curtilage in connection with No. 15 Westfields and a significant portion (62%) of the open space being retained.
21. There is no evidence to suggest that the site is required to satisfy a recreational need in the local area and the site is akin to a piece of land which would usually be earmarked for no recreational use. Importantly the open space would retain its only functional value of providing access by foot from Westfields to the larger open space on Riverside Crescent (the latter of which is of high value in accordance with the Open Space Study).
22. The open space has limited amenity value, comprising a small grassed area with no features of interest or importance such as trees or established foliage. Additionally, the site is positioned to the east of a turning head on Westfields and so does not contribute significantly to the character of the streetscene in terms of visual amenity. The proposed change of use would bring a degree of symmetry to this part of the streetscene, resulting in the curtilage of No. 15, mirroring that at No. 11. Furthermore, the proposed use of the land as domestic curtilage would sit comfortably in an urban residential area. As such, it is considered the proposed change of use would not result in any significant detrimental harm to the character or appearance of the area or the streetscene.
23. Despite a proven deficit of provision for amenity greenspace in Croston, it is considered the open space has no recreational value and limited amenity value in the context of the surrounding area. As such, the development does not make a significant contribution to character in terms of visual amenity and so is considered to accord with criterion (b) to (e) of Policy HW2 of the emerging Local Plan.
24. By virtue of the above it is not considered the change of use would harm the amenity value of the open space in accordance with Policy LT15 of the Adopted Chorley Borough Local Plan Review.
25. The development is therefore considered to be acceptable in principle.

Impact on the neighbours

26. The land sits to the immediate south of No. 15 Westfields and to the north of No. 11 Westfields. The change of use would result in part of the open space being retained.
27. It is not considered the use of the land as domestic curtilage, in a residential area would result in any significant detrimental harm to the amenity of neighbouring residents to warrant refusal of the application on these grounds. Additionally, it is also relevant to note that no letters of objection have been received concerning this application.

Access and parking

28. The proposed change of use would not result in any alterations to the existing access or parking arrangements at the site.

29. The development is therefore not considered to result in any harm to highway safety or the access and parking arrangements at the site.

Overall Conclusion

30. On the basis of the above assessment, the development is accordingly recommended for approval subject to conditions.

Planning Policies

National Planning Policy Framework

Adopted Chorley Borough Local Plan Review
Policies GN1 and LT15

Emerging Local Plan (2012-2026)
Policies HW2 and ST4

Supplementary Planning Guidance:

Open Space and Playing Pitch Supplementary Planning Document

Planning History

There is no relevant history concerning the application site.

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 development hereby permitted shall be carried out in accordance with the following approved plans:

Date Indexed:	Title:	Drawing Ref:
23/10/2013	Block PL	15WBP

Reason: For the avoidance of doubt and in the interests of proper planning