

APPLICATION REPORT – 16/00601/FUL

Validation Date: 25 July 2016

Ward: Lostock

Type of Application: Full Planning

Proposal: Demolition of the existing agricultural structures on site and the erection of four new dwellings (Use Class C3) with associated landscaping, and vehicular access to be taken from the existing access at Drinkhouse Lane.

Location: Drinkhouse Farm Drinkhouse Road Croston Leyland PR26 9JH

Case Officer: Caron Taylor

Applicant: Mr Barry Pape, Quantil Agriculture Limited

Agent: Miss Victoria Hunter

Consultation expiry: 29 May 2017

Decision due by: 30 June 2017

RECOMMENDATION

The application is recommended for approval subject to conditions and a legal agreement.

SITE DESCRIPTION

The site is located on the south west edge of the village of Croston, adjacent to the settlement boundary, and is accessed from Drinkhouse Road, which serves a number of dwellings on the south west side of the village. The application site is broadly rectangular in shape and extends to 0.39 hectares in area. The site bounds with, but is not within Croston Conservation Area. The whole of the site is within the Green Belt as is all of the southern and eastern side of Drinkhouse Lane.

There is an existing barn close to the site entrance that has consent to be converted to one dwelling (under prior approval ref: 16/01102/P3PAO). This building is not included in this application. The existing farmhouse (which is two separate dwellings) will be retained as part of the proposal.

DESCRIPTION OF PROPOSED DEVELOPMENT

Demolition of the existing agricultural structures on site and the erection of four new dwellings (Use Class C3) with associated landscaping, and vehicular access to be taken from the existing access at Drinkhouse Lane.

RELEVANT HISTORY OF THE SITE

Ref: 01/00945/AGR **Decision:** PAAGR **Decision Date:** 5 December 2001
Description: Prior notification of proposed erection of general purpose machine store,

Ref: 03/00687/FUL **Decision:** PERFPP **Decision Date:** 5 April 2004
Description: Erection of building for cleaning and processing vegetables,

Ref: 07/00256/FUL **Decision:** REFFPP **Decision Date:** 24 April 2007
Description: Revision to Planning Permission 03/00687/FUL by modification to condition 3.

Ref: 13/00676/AGR **Decision:** PAAGR **Decision Date:** 7 August 2013
Description: Agricultural determination for the construction of a farm track

Ref: 14/01208/AGR **Decision:** PAAGR **Decision Date:** 19 December 2014
Description: Agricultural determination for the construction of an agricultural farm track

Ref: 91/00226/FUL **Decision:** PERFPP **Decision Date:** 30 April 1991
Description: Conversion into two dwellings

Ref: 90/00645/OHL **Decision:** PEROHL **Decision Date:** 4 September 1990
Description: Diversion of 11000kv overhead lines

Ref: 80/00442/FUL **Decision:** PERFPP **Decision Date:** 4 August 1980
Description: Building for produce storage and grading

Ref: 78/00516/FUL **Decision:** WDN **Decision Date:** 31 December 1978
Description: Residential 2 No. 2 storey detached houses

Ref: 76/00446/FUL **Decision:** WDN **Decision Date:** 18 November 1976
Description: Two houses

Ref: 76/00924/FUL **Decision:** PERFPP **Decision Date:** 4 January 1977
Description: 2 semi-detached houses

REPRESENTATIONS

Principle of Development

- The proposed development site is located in Green Belt and there is no justification for housing on an unallocated site described in the Chorley Borough Council Local Plan 2012 – 2026 and would therefore be an inappropriate site for a new housing development;
- There is no proven need for more houses in the area;
- The proposal for new housing would result in a loss of valuable Greenfield land;
- Further development would lead to Croston losing its heritage and identity;
- There is an adequate supply of housing in Chorley;
- The design and style of new build properties would not reflect the character of the area which has a countryside feel to it;
- No proposed affordable housing;
- The demolition of the existing farmhouse would result in a loss of heritage and historic buildings;
- The demolition of the old farmhouse building as it would significantly change the profile of Drinkhouse. This old building must remain and be tastefully refurbished / developed;
- The proposed development would be out of character;
- Development would have a detrimental effect on the Croston Conservation Area;
- Lack of neighbour consultation;
- Demolishing our history and heritage in a conservation area would be unforgivable. Drinkhouse has numerous listed buildings which have strict rules governing their character, development and design within the Conservation area. This application would simply destroy the farms cultural and visual history in a very destructive manner;
- Concern over further development in the future

Neighbouring Amenity

- Increased level of noise;
- Loss of privacy;
- Adverse effects of the residential amenity, noise, disturbance, extra traffic on roads that where not built to sustain the extra volume of traffic, parking etc;

- The location of the proposed new building will mean a large expanse of brick is presented to neighbours and other people visiting (this area is frequented by walkers and cyclists). It seems to have been designed on a very functional basis without any consideration for its visual impact.

Highway Safety

- The access roads leading to the development site are very narrow and dangerous with sharp corners to negotiate. These would be unable to cope with the increased traffic which would be a danger to both walkers and wildlife;
- The access to the area via Shevington Causeway and Drinkhouse Lane or Back Drinkhouse Lane, is very narrow. It is already difficult to navigate;
- Increased traffic using the lanes around the development site would pose a safety risk to cyclists and pedestrians who use the lanes;
- The proposed entrance to the site would be located on a blind bend and this would be a significant traffic hazard;
- Clear plans should be made for all building traffic and parking (e.g. space at the rear of the farmyard site). Arrangements should be made for parking, equipment, control of dust/mud, working hours, access etc;
- The increased volumes of traffic would increase the risk of road traffic accidents;
- Additional vehicles would increase noise levels and congestion and impact on road safety;
- There are no pavements and children play - this is a health and safety concern;
- Concern over road layout and the potential for future development.

Flooding

- The drains would not be able to cope as they already have to take waste away in tankers from the sewage works and there are additional approved developments in Croston;
- The location of the proposed development was precisely where the floodwaters escaped from Drinkhouse Road last December during the floods. Any houses built here would clearly be at severe risk of flood damage

Infrastructure

- Local amenities such as schools are overburdened and cannot take any more people;
- More beneficial for the village to convert the farm for the use of small industrial units and offices that could employ local people and stop it from becoming dormitory

Design and Layout

- The overall design and plan which seems to be have been done in isolation from, rather than working with, the existing dwellings;
- The design and materials are not in keeping with the area;
- The proposed properties are of a bland design, set to maximise space rather than match the nature or design of the surrounding properties. As such they stand out from rather than blending with the area.

Ecology

- The constructions of houses at the development site would have a detrimental impact on surrounding scenery;
- The open fields on which the development is proposed provide a valuable habitat many varieties of birds.

Flora and Fauna

- Assurances need to be given that the long established hedgerows to the public footpath and site frontage will be protected and maintained;
- The development would have an adverse impact on the area in landscape/visual terms in breach of planning policy.

CONSULTATIONS

Consultee	Response
Lead Local Flood Authority (LLFA)	<p>Level 2 Scoping Flood Risk and Drainage Impact Report (2015-0115-02) shows discharge of surface water into unnamed land drain. Drainage should follow the Planning Practice Guidance (PPG) hierarchy for surface water disposal, which encourages a SuDS approach.</p> <p>A full ground investigation should be undertaken to fully explore the option of ground infiltration to manage the surface water in preference to discharging to a surface water body, sewer system or other means.</p>
Public Open Space	<p>There is a deficit of provision for children/young people in the Lostock ward and there is an identified scheme for new provision in the ward at site 1380.1 - Station Road Playground. If this is considered to be evidence of local need that outweighs national guidance then a contribution of £134 per dwelling (£536 in total) will be required from this development.</p>
Croston Parish Council	<p>Would like consideration to be given to amending the proposals to allow retention of the farmhouse as part of the development. The incorporation of an existing building was achieved within the Rectory Farm development in the village (06/01341/FULMAJ).</p>
Environment Agency (EA)	<p>The proposed development will only meet the requirements of the National Planning Policy Framework if the following measure(s) as detailed in the Flood Risk Assessment (Ref: 2015-115-02, dated 02 March 2016) are implemented and secured by way of a planning condition on any planning permission.</p>
Lancashire County Council Highways Department	<p>No highway objections to the use of the existing access for the proposed development (though a shared use by the proposed residential development and Drinkhouse Farm would be unacceptable). If the access is to be accepted, its current layout must be altered into a more conventional access, perpendicular to the edge of the highway to a width of 5.5m with 6.0m corner radii. Also, for improved visibility and pedestrian safety, a 2.0m wide footway will be required frontage to the site extending from the existing footway outside 52 Drinkhouse Road to the propose site boundary in the west. The proposal would be unacceptable without the provision of the footway and the access being altered.</p>
Archaeology	<p>The farmhouse and agricultural building are considered to be of some historical interest and will result in the total loss of historic fabric. They would recommend that a record of the farmhouse and the agricultural building immediately south of the farmhouse be made prior to demolition and that such work is secured by a condition.</p>
Ecology	<p>The bat survey report recorded the presence of bats and as such a licence may be required from Natural England to derogate the terms of this legislation before any work can commence that may disturb bats.</p> <p>Barn Owls have been shown to roost in one of the buildings to be affected by the scheme, although they do not appear to</p>

	use the site for breeding. Barn Owls are specially protected under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended). They would recommend that, as a Condition of any approval that may be granted to the scheme, alternative provision for Barn Owls should be provided on or close to the site. Barn Owls can make use of artificial roosting and nesting boxes if these are suitably located.
United Utilities	United Utilities will have no objection to the proposed development subject to conditions.

PLANNING CONSIDERATIONS

Background

Originally the application included the demolition of the existing farmhouse (which is currently in two dwellings) and its replacement with a new dwelling as well as the erection of four new dwellings. The scheme has been amended to retain and refurbish the existing farmhouse on the site, so it is no longer proposed to be demolished.

The Quantil companies were established by the Symondson family in the 1970s, the family having been farmers in Lathom since 1949 and further back through the Mercer family. Today, the business is majority controlled by David Symondson with family members being active in the day to day management. There are two trading companies:

- Quantil Agriculture Limited (QAL) – which farms over 2,000 acres, the majority of which are owned and located in Lathom and Croston. The principal business is the cultivation of cereals which are processed for seed at the company's own plant. Nationally QAL is an important producer of certified seed with 20% of the national Spring Wheat seed supply being grown and processed by the business. QAL's Lancashire base is important for spring cereal production, the northern part of the UK (including Scotland) being climatically more suited to spring cereals over autumn sown cereals.
- Quantil Limited (Quantil) – a horticultural business and grower of young vegetable and salad crop plants for the farming community and retail garden centre sector. Nationally, Quantil produces 8% of brassica vegetable module plants grown by farmers and Quantil is the major local supplier. It is also the leading supplier of vegetable and salad plants to garden centres, supplying the major names such as Dobbies and Wyevale, as well as Homebase. It is also the major supplier of wallflower plants to local authorities and garden centres. Quantil operates from two principal glasshouse sites situated in Burscough and Scarisbrick. Its total glasshouse acreage is in excess of 20 acres. Wallflower plants are produced both under glass and from QAL's land at Croston.

Both businesses are jointly managed by the applicant, Barry Pape and employ the equivalent of 44 full time staff and an additional 40 seasonal staff.

In 2007 QAL acquired the Croston Estate (1,400 acres) with the aim of increasing production of cereals for seed.

It became clear to QAL that any proposal to intensify the activities at Drinkhouse Farm would not be welcomed by local residents as there was already a history of disputes and issues caused by the movements of the heavy goods vehicles into and out of the Drinkhouse Farmyard. Due to limited site access opportunities, further intensification of the Drinkhouse Farm site was considered to be difficult.

Rather than carry out this intensification at Drinkhouse Farm the aim is for QAL to obtain planning permission for the redevelopment of the site to create a capital receipt to allow this growth to take place elsewhere, to avoid an increase in HGVs going through Croston Village. In 2013 QAL therefore bought Beech Grove Farm, on Black Moor Road, Mawdesley and it is intended that the investment will take place here Beech Grove Farm. The reasons for this are:

- it will decrease agricultural and associated traffic movements in and around Croston;

- Beech Grove Farm is readily accessible from the land farmed at Lathom;
- the significant majority of the land that the new buildings will serve is closer geographically to Beech Grove Farm than Lathom;
- the network of tracks and roads installed on the Croston Estate over the last few years make Beech Grove readily accessible from the remainder of the Croston Estate.

The investment is required to safeguard the long-term future of QAL. The investment that QAL need to make is concerned with the modernisation of their operation, thus protecting the future of the business.

They are also proposing highways benefits from the creation of a new agricultural road connecting the remaining element of Drinkhouse Farm to Beech Grove Farm. As a result of the installation of the agricultural road, all HGVs and the majority of farm traffic associated with QAL will be removed from the local road network through and around Croston village.

Principal of the development in the Green Belt

In relation to the four new dwellings, the site is located in the Green Belt where in accordance with the National Planning Policy Framework (the Framework) new buildings are inappropriate development in the Green Belt.

As the existing buildings to be demolished are in agricultural use the site does not fall within the definition of previously developed land set out in the Framework. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. These 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.

There are two parts to be considered in assessing the harm to the Green Belt: its definitional harm to the Green Belt and any other harm. These must be added together and then an assessment made as to whether they are outweighed by very special circumstances. The applicant, QAL, has put forward a case for very special circumstances in favour of the application. There are two parts to this; a highway benefits case and a business case.

As has already been established, the redevelopment of part of the site with four dwellings is inappropriate development in the Green Belt and there is therefore definitional harm to the Green Belt. Any other harm caused by the development must also be considered and added to the definitional harm.

There are five purposes of the Green Belt as set out in the Framework:

80. Green Belt serves five purposes:

- *to check the unrestricted sprawl of large built-up areas;*
- *to prevent neighbouring towns merging into one another;*
- *to assist in safeguarding the countryside from encroachment;*
- *to preserve the setting and special character of historic towns; and*
- *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

Considering each in turn:

i. Check the unrestricted sprawl of large built-up areas

The application site is located on the southern boundary of the settlement of Croston and forms the northern most element of an agricultural holding, the remainder of which will be retained in existing agricultural use thereby preventing future urban sprawl. It is not considered the application proposals represent unrestricted urban sprawl as the site is bound by development to the north and to the south lies the Drinkhouse Farm site. The development of the site would not therefore result in development 'sprawl'. It would be contained within the existing site.

ii. Preventing neighbouring towns merging into one another

The development of the site would not result in neighbouring towns merging into one another.

iii. Assist in safeguarding the countryside from encroachment

Although the site is not, by definition, considered to be previously developed land, it is already developed with buildings and extensive hardstanding. The development of the application site will not result in development encroaching into the countryside.

iv. Preserve the setting and special character of historic towns

Croston has a designed Conservation Area, however the site is located just outside of the designed area and has a limited contribution in preserving the setting of Croston. The farmhouse is considered to make the greatest contribution and this is to be retained. The development of the site would not be to the detriment of the historic designation.

v. Assist in urban regeneration by encouraging the recycling of derelict and other urban land

Although it is acknowledged that the application site is not, by definition, previously developed land, the application proposals are required to be in this location due to the benefits put forward by the applicant. Given the limited nature of the development (four dwellings) it is not considered it will undermine this purpose.

It has therefore considered there is no other harm to the Green Belt caused by the harm to the purposes of including land in the Green Belt.

The impact of the proposal on the openness of the Green Belt must also be considered. The Framework states:

79. 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.

Although openness is not defined in the Framework it has been established in case law that it is essentially freedom from development. Therefore any development in the Green Belt will cause harm to openness to the Green Belt in general, so there is additional harm in this respect to be added to the harm by inappropriateness. However, as the site is already built on if what is proposed is less visually intrusive than the existing development then it has been established in case law that can be taken into account when considering whether the harm by inappropriateness is outweighed by very special circumstances.

Visual Impact

It has been established in case law that openness and visual impact are different concepts in terms of Green Belt policy. However they can relate to each other and as such the visual impact is a material consideration.

As the development falls to be considered inappropriate development the landscape / visual impact of the proposed development is a key material consideration in terms of the overall balancing exercise.

A Landscape and Visual Impact Assessment has been submitted with the application.

The principle views of the site will be at close quarters from the existing properties on Drinkhouse Road and from further away from the south/west, where the proposed dwellings will be seen against the residential context of Drinkhouse Lane: the proposed houses are located on the site of the existing agricultural buildings but agricultural buildings will be retained to the south, thereby maintaining the focal point of farm-scale buildings in the view. The proposed development is within the existing curtilage of the farm complex and therefore maintains the cluster of the existing built form. It will also be seen against the residential edge of Croston. The proposal also proposes the restoration of hedgerow boundaries. Overall, the Landscape and Visual Impact Assessment concludes that the impact is assessed as minor or minimal; there are occasional 'moderate' impacts noted, but these are for short durations only and affect a low number of receptors.

It is considered that the assessment demonstrates that the proposed development is in keeping with the prevailing landscape character of the area as it maintains a cluster of buildings in a

close group, surrounded by large open fields. The site is already developed and therefore it is not considered there is further harm in terms of the visual impact of the development to be added in the balancing exercise.

Highways case

A Transport Statement accompanies the application. The proposed dwelling will use the existing access to the farm onto Drinkhouse Lane along with the existing farmhouse and the barn conversion. The remaining part of Drinkhouse Farm will continue to operate as a farm, with a separate access created to approach it from the south.

Up until February 2015, the Drinkhouse Lane access was the sole access for all vehicular movements at Drinkhouse Farm. Whilst this access is still used by some tractors and all cars and all Heavy Good Vehicles accessing the farm, the tractors working the estate can now also access the farm via Beech Grove Farm to the south, which negates the need for them to use the Drinkhouse Lane access.

Whilst, with the exception of some of the tractor movements referred to above, the full farm is accessed via Drinkhouse Lane, consent was granted in December 2014 (via an agricultural determination ref: 14/01208/AGR) for a new farm track access to serve the farm via Moss Lane to the south. Once this track is in place, vehicular movements associated with the operation of the agricultural buildings, including all HGV and tractor movements, can divert to this route, removing the need for them to use the Drinkhouse Lane access.

It is considered that the proposals will result in a reduction in traffic movements associated with the farm on Drinkhouse Lane, Back Drinkhouse Lane and Shevington Causeway if this track is put in place. Tractor movements that have not already been diverted to the Beech Grove Farm access will also be removed, to be replaced with domestic traffic associated with four properties. This is considered a benefit weighing in favour of the application,

Business case

The applicant has put forward the following information in relation to the business case:

- Why is the investment needed?

The market is demanding an increased purity of its seed and QAL is committed to meeting this demand and continuing to be a centre of excellence in its field. The seed processing line is the only plant of its kind within the north west of England. The seed processing line which is currently used is fully operational, however it no longer operates to these new standards. The cleaning line that is to be replaced is over 40 years old. Wear and tear and advances in design mean that the equipment is unable to produce seed of the quality that is required by customers in today's market. The investment into the seed processing line will increase the standard of the cereal grain product.

QAL's viability as a large scale cereal producer relies on adding value through the production of seed quality grain. Many farms throughout the north west of England benefit from having a regional seed processing facility.

- Quantil is a profitable company. Why doesn't Quantil make the investment itself?

As with any business, investment needs to be justified by the returns the investment provides. The works that this planning permission would enable, if permitted, would not increase profitability as they are replacement items. Improving the quality of the grain seed produced does not increase in the price of the product commanded by Quantil.

Whilst Quantil group is profitable it is made up of a horticultural company and the cereal grain seed business. The cereal grain seed business provides lower returns making investment unjustifiable. QAL cannot, financially, justify the investment. As such, investment by way of a bank loan is not an option.

- Is there another way to fund the investment?

The choices are to secure planning permission on the Drinkhouse Farm site and use the receipt from the sale of the land (with planning permission) or to sell agricultural land. Agricultural land

values mean that large area of farmland would need to be sold to cover the investment. This would be self-defeating as it would reduce the capacity of the business and would therefore have a negative impact on the business.

- Is the level of development proposed by the application the minimum amount required to fund the investment items?

On behalf of QAL, Till Asset Management have produced a detailed Viability Appraisal which has determined the amount of development required to generate the requisite land value to fund the investment items. The submitted Viability Appraisal has been reviewed by an independent expert, on behalf of the Council, and confirmed the development is the amount necessary to fund the investment.

A draft Section 106 Agreement has been submitted to illustrate how the investment items identified within the application will be secured by the redevelopment of the site. This would then be used to update the existing seed processing equipment at the Lathom site; erect a new purpose built seed storage building at Beech Grove Farm; relocate the farm workshop from Lathom to Beech Grove Farm and construct a new section of farm track to connect the remaining Drinkhouse Farm with Moss Lane, allowing it to be accessed from the south, rather than via Drinkhouse Road, Croston. In addition, the applicant has agreed to a clawback/overage mechanism in the legal agreement that if the land is sold for more than expected the council will receive this put towards local facilities.

Green Belt balancing exercise

It has been established that there is definitional harm to the Green Belt as the proposal is inappropriate development in the Green Belt and also that there is further harm due to impact on openness, which essentially means free from development, which the site will not be (though it isn't at present).

It is however considered that there would not be any further harm in terms of visual impact or in terms of other technical matters (discussed below).

In terms of the benefits, this is in the form of highway benefits and a business case as already set out in this report. When assessing if there are very special circumstances a number of factors, while ordinary in themselves, can combine to create something very special. These benefits have to be considered and an assessment made as to whether these clearly outweigh the harm so as amount to very special circumstances.

Overall it is considered that the application proposals will result in benefits to the local highway network by facilitating access to the south and making the existing access purely for domestic traffic. In addition it is considered that the proposal will support a local business that in itself provides a service to farms in a wider area.

It is considered that together these benefits do constitute very special circumstances sufficient to outweigh the harm to the Green Belt caused by its inappropriateness added to any other harm. The proposal is therefore considered acceptable in principle.

Technical Matters

Layout and Design

The proposed development replaces existing buildings in approximately similar locations and of similar mass and form. The existing farmhouse to be retained faces south into the site. Parking is provided in bays in front of the properties and so maintains a rural courtyard feel to the development effectively reflecting the farmyard character that exists.

The proposed dwellings have been architect designed. They take their proportions from the farmhouse on site and incorporate local vernacular details such as contrasting brick arches over window and door openings, vertically proportioned windows, windows set into the reveals, clay facing brick and pitched slate roof. Each of the proposed properties is different, which will add variety to the scheme and avoid it looking like a standard 'off the peg' housing development, but are drawn together by their detailing.

The layout will include new hedgerow planting to the south and west boundary and gapping up of existing hedgerows where necessary along with new tree planting.

Subject to conditions, including approval of external materials the layout and design is considered acceptable.

In terms of neighbour amenity the proposal complies with the Council's interface distances. The new properties are set away from existing dwellings so will not result in overlooking.

The parking provision is in accordance with the council's parking standards set out in Policy ST4 of the Local Plan 2012-2026 and its associated appendix.

Highways

LCC Highways have no objections to the use of the existing access for the proposed development (providing it is also not also used by farm traffic, which it will not be). They note that applicant proposes no alterations to the junction of the site access to Drinkhouse Lane as it has been used in its present state for '60 plus years' (paragraphs 2.3 and of the TS). However, they state it must be noted that in its present state, the access only serves the farm, and if it should be accepted for residential use, then it must meet the necessary safety considerations and comply with approved guidance on the design of residential accesses. As such, the proposal to use the access in its existing form in connection with the proposed residential development is unacceptable. They also require a 2m wide footway across the frontage to the site extending from the existing footway outside 52 Drinkhouse Road to the proposed site boundary in the west.

The access as exists currently serves the existing farmhouse (two residential properties and the farm itself, and has been used as such for many years. The comments of LCC Highways are noted, however it is considered that amending the access as recommended to a standard residential access would give it a very urban feel. Drinkhouse Lane has a semi-rural feel and at the access point to the development it is transitioning to a country lane. The existing access is longstanding and the traffic speeds of this part of Drinkhouse Lane are considered to be low.

In addition, is not considered necessary or appropriate to introduce a new footway along the frontage of the site with Drinkhouse Road. The footway along the eastern/southern side of Drinkhouse Road is not continuous as exists. The site access naturally forms the extent of the section of ribbon development along this side of Drinkhouse Road before it takes on a more rural lane feel, with properties only continuous on the north side and then more sporadic as development diminishes. The addition of a 2m footway would necessitate the removal and setting back of the existing hedgerow which then continues along the southern side of the road. There is a footway to the east and on the other side of the road leading towards the village centre. If it were extended across the site frontage it would then end, not joining up with any existing footway and would significantly erode the rural character of this part of Drinkhouse Lane.

It is considered in this case that the need to preserve the character of Drinkhouse Lane in this case outweighs the highway request made by LCC Highways. The proposal is therefore considered acceptable, as shown on the plans, in relation to highways.

Drainage and Flood Risk

The majority of the site is within Flood Zone 3 with the remainder being in Flood Zone 2 as identified by the Environment Agency.

The Environment Agency have reviewed the application and advise that the development shall be carried out in accordance with the Flood Risk Assessment submitted and the finished floor levels of the dwellings shall be set no lower than 6.60m Above Ordnance Datum (this is proposed) and the use of flood resilient materials used within construction. This can be controlled by a condition.

United Utilities have also reviewed the application and also recommend conditions as per the Lead Local Flood Authority.

The application proposes to discharge surface water to the unnamed land drain situated 17m east of the site.

The Planning Practice Guidance establishes a hierarchy for surface water disposal, which encourages a Sustainable Urban Drainage System (SuDS) approach. Generally, the aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:

- into the ground (infiltration);
- to a surface water body;
- to a surface water sewer, highway drain, or another drainage system;
- to a combined sewer.

Investigations undertaken as part of the flood risk assessment were able to confirm that infiltration methods within the drainage strategy for the development were unlikely to be viable due to underlying clay and therefore it recommends that surface water is discharged into the nearest watercourse (the next level down in the hierarchy) and that discharge rates will be restricted to existing with flows in excess of this being attenuated with an allowance for climate change. Initial studies indicated that this can be achieved in the form of permeable paving. A condition is proposed requiring full details of surface water drainage to be submitted and approved prior to commencement on site along with mitigation measures and management and maintenance of any Sustainable Urban Drainage Scheme. A condition is also proposed restricting permitted development rights to ensure no structures are erected within permeable paving areas without the express grant of planning permission, so this can be controlled in future.

Archaeology

Lancashire Archaeological Advisory Service advise that the farmhouse and agricultural building immediately south of the farmhouse which are proposed for demolition [the farmhouse is now to be retained] are thought to be the same structures as those depicted on the 1847 1st Edition Ordnance Survey 1:10560 mapping (Lancashire Sheet 76, surveyed 1845-46). The buildings are therefore considered to be of some historical interest, probably dating from the first half of the 19th century, having undergone a number of alterations in response to changes in agricultural practices and economics.

The period 1750-1880 has been recognised as the most important period of farm building development in England. The Council for British Archaeology's 'An Archaeological Research Framework for North West England: Volume 2, Research Agenda and Strategy' has indicated that "there is an urgent need for all local authorities to ensure that farm buildings undergoing adaptation are at least considered for recording" (p. 140) so that "a regional database of farm buildings can be derived and variations across the region examined." They therefore recommend recording of the agricultural building immediately south of the farmhouse prior to demolition. This is proposed to be secured via a condition.

Ecology

An Ecological Assessment has been submitted with the application and reviewed by the Council's ecology advisor.

Barn Owls have been found to roost in the farmhouse and it also has confirmed bat roosts, however this building is no longer being demolished as part of the proposals.

Building B referred to in the ecology reports is outside the application site.

In terms of the farm buildings to be demolished no evidence of roosting bats was observed and they have low potential to support bat species.

Therefore although the comments of the ecologist are noted in relation to a licence from Natural England and the derogation tests, these relate to the farmhouse that is now to be retained and the barn that does not form part of this application. It is not therefore considered the Council need to have regard to these tests in relation to the Habitats Directive in determining this application.

Although no evidence of roosting bats was found in the farm buildings a condition is proposed that if at any time a bat/s or evidence of bat/s is/are suspected or all works must cease immediately and advice should be sought from either Natural England or a suitably qualified person.

Trees and hedgerows

It is not considered that the proposal will impact on any trees. The site either has buildings on at present or is covered in hardstanding. There is a young sycamore tree within the site but this is located within the garden of the farmhouse which is now to be retained rather than demolished.

Hedgerows

The hedge at the site entrance off Drinkhouse Lane and other perimeter hedgerows will be retained and gapped up where needed to provide a continuous boundary. New hedges will be planted to define the south boundary against the retained farm buildings, and to the west where there is currently no hedgerow delineation along the agricultural building. The hedgerow diversity will be increased, and tree groups introduced to provide variety of habitat and to soften the appearance of the development in the landscape, in particular from the southwest and east as noted on the plan. Tree cover is also proposed to be increased on the south boundary, to screen the gable ends of the farm buildings from the proposed development. This is considered acceptable.

Public Open Space

There is a deficit of provision for children/young people in the Lostock ward and there is an identified scheme for new provision in the ward at site 1380.1 - Station Road Playground.

The Written Ministerial Statement (the Statement) of 28 November 2014 states that “Due to the disproportionate burden of developer contributions on small-scale developers, for sites of 10-units or less... affordable housing and tariff style contributions should not be sought”. This is reflected in the Planning Practice Guidance (PPG). The Statement together with the PPG are considered to carry very considerable weight.

There has however been a recent Supreme Court judgement [Secretary of State for Communities and Local Government v Hopkins Homes Ltd; Richborough Estates Partnership LLP v Cheshire East Borough Council – also known as Suffolk Coastal DC v Hopkins Homes Ltd [2017]]. This makes it clear that that national policy “cannot and does not purport to, displace the primacy given by statute and policy to the statutory development plan. It must be exercised consistently with, and not so as to displace or distort, the statutory scheme.”

Therefore whilst the Statement and PPG are both material considerations, in this case there is considered to be evidence of local need that outweighs national guidance. Therefore a contribution of £134 per dwelling (£536 in total) will be required from this development.

Community Infrastructure Levy (CIL)

The Chorley CIL Infrastructure Charging Schedule provides a specific amount for development. The CIL Charging Schedule was adopted on 16 July 2013 and charging commenced on 1 September 2013. The proposed development would be a chargeable development, unless an exemption can be applied for, and the charge is subject to indexation in accordance with the Council's Charging Schedule.

CONCLUSION

It is considered that there are very special circumstances to outweigh the harm to the Green Belt added to any other harm and therefore the development is acceptable in principle, subject to conditions and a Section 106 legal agreement. The technical matters of the application are considered acceptable and it is recommended for approval.

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.

Suggested Conditions

To follow.