

## **APPLICATION REPORT – 18/00003/FUL**

**Validation Date: 5 January 2018**

**Ward: Euxton South**

**Type of Application: Full Planning**

**Proposal: Engineering works involving the laying of a concrete pad for the landing, taking off and storage of helicopters, siting of fuel store and installation of 2no. 5m high lighting columns (retrospective)**

**Location: Dower House Dawbers Lane Euxton Chorley PR7 6ED**

**Case Officer: Mr Iain Crossland**

**Applicant: Gleadhill House Stud Ltd**

**Agent: Mr David Forshaw**

**Consultation expiry: 16 February 2018**

**Decision due by: 2 March 2018**

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### **RECOMMENDATION**

1. It is recommended that planning permission is granted subject to conditions and a Unilateral Undertaking to cease the use of the existing helipad.

### **SITE DESCRIPTION**

2. The application site is located in the Green Belt, to the west of Euxton, and lies within part of a paddock that forms part of the wider Gleadhill House Stud site that is located immediately to the north of the garden curtilage at Dower House. The site is also located close the M6 Motorway to the west and A581 Dawbers Lane to the south.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

3. This application seeks planning permission retrospectively for engineering works involving the laying of a concrete pad for the landing, taking off and storage of helicopters, siting of a fuel store and the installation of 2no. 5m high lighting columns.

### **REPRESENTATIONS**

4. One letter of objection has been received relating to the following issues:
  - Noise disturbance.
  - Smells from aviation fuel.
  - Danger from storage of fuel in close proximity to dwellings.
  - Proximity to public rights of way.
  - It is also queried why the helicopter pad had to move from its previous position.
5. One letter has been received requesting that a condition is attached restricting landing and taking off to between the hours of 07:00 and 22.00.

## CONSULTATIONS

6. Regulatory Services - Environmental Health – Comment that the acoustic report provided by the applicant is not conclusive in its assessment of the noise impacts on the nearest receptors, however, the Council has not received any complaints of noise disturbance in relation to the helicopter activities at the current location on Dawbers Lane.
7. Lancashire Highway Services – Have no objection.
8. Health & Safety Executive – Have no objection.
9. National Air Traffic Services – Have no objection.
10. Highways England – Have no objection.
11. Euxton Parish Council – Comment that this is a further example of this applicant's (Northern Trust) careless disregard for the Euxton Green Belt. The helicopter pad is already constructed and operational. It involves the covering of an area of green field with concrete and the installation of lights and fuel storage. Local residents have issues concerning the noise from the helicopters.
12. It is relevant that the Parish Council has, in recent years, opposed the casual concreting of the Green Belt at a nearby site (Application no 14/01187/FUL for "Retrospective planning application for the creation of an area of hardstanding associated with the agricultural land holding on the opposite side of Dawbers Lane"). This related to a farm on the west side of the M6 motorway about 350m away where a piece of Green Belt farmland, of similar size to that occupied by the helicopter pad at The Dower House, was concreted without planning approval.
13. CBC was alerted to this proposal and a retrospective planning application was submitted. This was refused and the applicant appealed. An issue was whether the land was used for agricultural purposes, as the appellant maintained, or in connection with a haulage business. The appeal was allowed, but only subject to a condition imposed by the Inspector "requiring the hardstanding to be used only in connection with the stated agricultural purposes and not in connection with the haulage business".
14. The Parish Council cannot therefore see any good reason why the circumstances at The Dower House, which is clearly not required for agricultural purposes, should invite a different conclusion and requests that the application be refused and the concrete area removed.

## PLANNING CONSIDERATIONS

### Principle of development in the Green Belt

15. The application site forms part of a paddock falling within a commercial stud facility and as such is previous developed land located in the Green Belt. The National Planning Policy Framework (The Framework) states that there is a general presumption against inappropriate development in the Green Belt and The Framework advises that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.
16. National guidance on Green Belt is contained in Chapter 9 of the Framework which 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.*

*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.*

17. In relation to the engineering operations involving the laying of a concrete pad, siting of a steel container for use as a fuel store and 2no. 5m high lighting columns, the Framework sets out a number of 'other exceptions' to inappropriate development in the Green Belt. Paragraph 90 of the Framework states that:

*Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:*

- *mineral extraction;*
- *engineering operations;*
- *local transport infrastructure which can demonstrate a requirement for a Green Belt location;*
- *the re-use of buildings provided that the buildings are of permanent and substantial construction; and*
- *development brought forward under a Community Right to Build Order.*

18. The area of hardstanding comprises an approximate 625m.sq. concrete pad. This represents an engineering operation and has enabled the siting of the storage container. The container is relatively small and measures 2.9m by 5.1m and is 3m high. It is not a building but is a pre-fabricated container that is a moveable structure which sits on the concrete pad. The lighting columns are both 5m high monopoles located at the edges of the concrete pad.

19. These elements of the proposal are considered to be engineering operations in accordance with paragraph 90 of the Framework. Engineering operations are not necessarily inappropriate development within Green Belt locations providing that they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt.

20. As such there are two considerations in respect of the proposals and the appropriateness of the development in the Green Belt as follows:

1) *Will the development preserve the openness of the Green Belt?* Whilst the test for sites such as this relates to preserving openness it is important to note that the Framework contains no specific definition of 'openness'. The creation of the hardstanding effectively preserves the openness of the Green Belt. The siting of the steel container on the concrete pad is viewed in the context of the boundary hedge and trees and landscaping beyond. The floodlighting columns are narrow monopoles of modest height, lower than surrounding trees. Given the positioning and modest scale of these structures, they effectively preserve the openness of the Green Belt.

2) *Will the development conflict with the purposes of including land in the Green Belt?* Paragraph 80 of the Framework sets out the five Green Belt purposes which the scheme is assessed against as below:

*Purpose 1 (to check the unrestricted sprawl of large built-up areas).*

The proposals are small in scale and are contained within the site adjacent to the boundary with the domestic garden curtilage of Dower House. The application site is in a location surrounded by open land and is not of a scale or location that would result in urban sprawl.

*Purpose 2 (to prevent neighbouring towns merging into one another)*

Development of the site would not lead to the coalescence of neighbouring towns. In respect of the neighbouring villages the development would not lead to a coalescence of neighbouring villages.

*Purpose 3 (to assist in safeguarding the countryside from encroachment;).*

The hardstanding amounts to approximately 625m<sup>2</sup> in area and is located immediately adjacent to the domestic garden curtilage of Dower House. The hardstanding is a concrete pad typical of those found at agricultural holdings and is not uncommon in the context of a stud. The structures and surfacing are of modest scale and are screened from views being located at the edge of the site. Therefore, it is not considered that the scheme represents encroachment into the countryside

*Purpose 4 (to preserve the setting and special character of historic towns;).*

This does not apply as the site is not located near a historical town

*Purpose 5 (to assist in urban regeneration, by encouraging the recycling of derelict and other urban land).*

It is not considered that the proposal conflicts with this purpose as the proposals are not of a type that would be encouraged in urban areas, and are most suited to open areas of land.

21. It is considered that the proposed development preserves the openness of the Green Belt and does not conflict with the purposes of including land in Green Belt in accordance with paragraph 90 of the Framework. The proposal does not, therefore, represent inappropriate development within this Green Belt location.

#### Impact on character and appearance of the locality

22. The application site is not visually prominent and is only visible from rights of way crossing land to the south, to the west and to the north. In terms of the impact on the character and appearance of the locality and the landscape in this location, the development would not be prominent and would assimilate into the landscape with only a minor visual impact from the rights of way. Furthermore, existing trees filter of views of the proposed development.
23. The floodlights have been erected adjacent to the concrete pad and do not detract from the character or appearance of the rural landscape in this instance as they are 5m high monopoles that are slender in profile and of a lower height than surrounding trees to the south and east. This reduces the visual prominence in the landscape.
24. Although some sky glow may be visible from the public footpath, and to a lesser extent from Dawbers Lane, it is noted that the floodlights would only be operational during the landing and taking off of helicopters, which would constitute limited periods of time, particularly given that much of the activity would take place during the daytime. Further to this, two floodlighting columns of 5m in height would have a limited lighting impact in this location. It is, however, recommended that the hours of operation of the floodlights should be limited by condition to those occasions when helicopters are taking off and landing to reduce the impact from sky glow and light trespass on the landscape.
25. The structures themselves are of a modest scale and of an appropriate siting, and the light levels involved are not considered to impact on the character of this rural location in this instance. As such, it is considered that the development does not have an unacceptably detrimental impact on the character of the locality.

#### Impact on neighbour amenity

26. The application site is located approximately 115m away from the nearest dwellings on Dawbers Lane, other than the applicant's own dwelling. It is, therefore, considered that the landing and taking off of helicopters in this location would have some impact on the nearest neighbouring occupiers, and an acoustic assessment has been submitted in support of the application to address this impact.
27. The site is located approximately 215 metres to the east of the M6 motorway and 65m to the north of Dawbers Lane (A581), which are the dominant noise sources in the area at present and must be considered in relation to noise levels associated with the proposed use. The noise assessment concludes that the impact from noise upon the occupiers of properties in

Dawbers Lane, close to the application site, would be less than the impact upon those occupiers within close proximity of the helicopter landing site at Gleadhill House Stud.

28. This would be of benefit to those occupiers closer to Gleadhill House Stud, and the existing landing pad, however, it is clear that each helicopter take-off or landing at the application site would generate high noise levels at the nearest residential locations over and above current levels, albeit for short durations and for a limited number of times per day. These periods of activity would be noticeable to local residents, even in consideration of background noise levels, and would, therefore, have some impact on their amenity. However, given that the periods of noise generation would be short and would take place at sporadic intervals it is not considered that the impact would be so harmful as to warrant refusal of the application.
29. It is also noted that the application is retrospective and that the site is already being used for the landing, taking off and storage of helicopters, and that no noise complaints have been received by the Council's Environmental Health Department.
30. The impact of noise would be more noticeable and have a greater amenity impact at night, potentially interrupting sleep. It is, therefore, recommended that the use of the site for the landing and taking off of helicopters is limited by condition in order to control the use and protect residents from a noise impact that would be much more harmful to amenity at night.
31. The development is not visible from any nearby neighbouring properties and overall it is considered that the proposed development would not have so great an impact on neighbour amenity that the application should be refused.

#### Other matters

32. Smells from aviation fuel: It is not anticipated that smells would be particularly noticeable, and the storage of fuels within the proposed container would help to contain any smells.
33. Danger from storage of fuel in close proximity to dwellings: The fuel would be stored within a steel container, which would provide an appropriate level of security.
34. Proximity to public rights of way: It is not considered that the proposed development would have any impact upon the use of the public right of way.
35. Why did the helicopter have to move from its previous position? For the previous 40 years helicopters have landed at Gleadhill House Stud Farm. The concrete apron to the rear of the main stud complex was used for this purpose for the past 20 years. Since the demolition of Gleadhill House the owner and pilots now stay at Dower House and as such wish to land the helicopter in closer proximity to it.

#### **CONCLUSION**

36. The development is not considered to detrimentally harm the openness of the Green Belt or landscape character and there is a suitable distance between the site and the adjacent residential properties to ensure that living conditions do not suffer detrimental harm. It is, therefore, recommended that the application is approved.

#### **RELEVANT HISTORY OF THE SITE**

**Ref:** 94/00455/FUL **Decision:** PERFPP **Decision Date:** 2 August 1994  
**Description:** Retrospective application for alterations to access and new boundary railings

**Ref:** 93/00824/COU **Decision:** WDN **Decision Date:** 14 June 1994  
**Description:** Change of use from existing residential to administration and hospitality for Gleadhill House Stud Ltd

**Ref:** 93/00452/COU **Decision:** REFFPP **Decision Date:** 28 September 1993  
**Description:** Change of use of part of building from residential to office use

**Ref:** 92/00715/COU **Decision:** REFFPP **Decision Date:** 9 March 1993  
**Description:** Change of use of part of dwelling to offices

**Ref:** 91/00810/OUT **Decision:** REFOPP **Decision Date:** 29 October 1991  
**Description:** Outline application for the erection of one detached house

**Ref:** 91/00797/OUT **Decision:** PEROPP **Decision Date:** 10 March 1992  
**Description:** Outline application for two-storey rear extension

**Ref:** 87/00462/FUL **Decision:** PERFPP **Decision Date:** 20 July 1987  
**Description:** Demolition of part of existing garage and construction of garage/utility and garden store

**Ref:** 75/00650/FUL **Decision:** PERFPP **Decision Date:** 29 September 1975  
**Description:** Alterations and septic tank

**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

No.	Condition									
1.	<p>The development hereby permitted must only be completed in accordance with the approved plans. The approved plans are:</p> <table border="1" data-bbox="339 1111 1318 1312"> <thead> <tr> <th data-bbox="339 1111 624 1142">Plan Ref.</th> <th data-bbox="624 1111 908 1142">Received On</th> <th data-bbox="908 1111 1318 1142">Title:</th> </tr> </thead> <tbody> <tr> <td data-bbox="339 1142 624 1218">141-4</td> <td data-bbox="624 1142 908 1218">02 January 2018</td> <td data-bbox="908 1142 1318 1218">Location plan</td> </tr> <tr> <td data-bbox="339 1218 624 1312">WJ_141_2</td> <td data-bbox="624 1218 908 1312">02 January 2018</td> <td data-bbox="908 1218 1318 1312">Proposed plans, elevations and site layout</td> </tr> </tbody> </table> <p><i>Reason: To define the permission and in the interests of the proper development of the site.</i></p>	Plan Ref.	Received On	Title:	141-4	02 January 2018	Location plan	WJ_141_2	02 January 2018	Proposed plans, elevations and site layout
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141-4	02 January 2018	Location plan								
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2.	<p>If the use of the helicopter landing pad hereby permitted ceases for a period of one year the container and floodlights shall be removed from the land and the land shall be restored to its former condition.</p> <p><i>Reason: To avoid the proliferation of works and structures in the Green Belt for which there is not a continuing need and in the interests of the visual amenity of the Green Belt.</i></p>									
3.	<p>The floodlights hereby permitted shall only operate between 16:00 and 21.00 and not at any other time.</p> <p><i>Reason: In the interests of the rural character of the area, the amenity of the area, adjoining and nearby residential properties.</i></p>									
4.	<p>The use of the land for the landing, taking off and storage of helicopters hereby permitted shall only operate between 07:00 and 22.00 and not at any other time, unless otherwise agreed in writing with the local planning authority, or in the event of an emergency.</p>									

	<p><i>Reason: In the interests of the rural character of the area, the amenity of the area, adjoining and nearby residential properties.</i></p>
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