

APPLICATION REPORT – 18/00763/FUL

Validation Date: 13 August 2018

Ward: Clayton-le-Woods And Whittle-le-Woods

Type of Application: Full Planning

Proposal: Erection of ancillary outbuilding to be used in association childrens nursery and construction of car park extension.

Location: Gelston Dawson Lane Whittle-Le-Woods Chorley PR6 7DT

Case Officer: Mr Iain Crossland

Applicant: Mr Neil Ward

Consultation expiry: 3 September 2018

Decision due by: 8 October 2018

RECOMMENDATION

1. It is recommended that planning permission is granted subject to conditions.

SITE DESCRIPTION

2. The application site comprises a day care nursery for children. The site is located within the Green Belt at Whittle le Woods adjacent to the major strategic development site at Buckshaw Village. The site itself comprises a large building that was formerly a dwelling and is now in use as a day care nursery. There are substantial grounds with areas of garden and car parking. The site is well screened by a belt of mature trees.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. The proposed development is for the erection of an ancillary outbuilding to be used in association with the nursery use and would involve the construction of a car park extension. The building would measure approximately 15.1m by 9.7m and would have a 2.5m overhang with decked area beneath. There would be a mono-pitched roof with a maximum height of 3.8m. The building would be faced in timber and there would be a rubberised roof.

REPRESENTATIONS

4. No comments received by 21 September 2018.

CONSULTATIONS

5. **Whittle le Woods Parish Council:** The Council supports this application due to the additional need for nursery school places in the area, however please ensure consideration is given to the materials used to ensure the new building is in keeping with the established buildings, and also please give consideration to the plot being on green belt land.

6. **Waste & Contaminated Land:** No comments to make.

7. **Lancashire Highway Services:** No objection.

PLANNING CONSIDERATIONS

Principle of development

8. The application site is located within the Green Belt. The Framework states that the construction of new buildings should be regarded as inappropriate in the Green Belt, except in a limited number of specific circumstances.

9. National guidance on Green Belt is contained in Chapter 13 of the Framework, which states:

133. 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.

134. 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.*

143. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

144. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

145. A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;*
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) limited infilling in villages;*
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
 - not have a greater impact on the openness of the Green Belt than the existing development; or*
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

10. The application site is a day care nursery for children and as such is considered to be a previously developed site. There are no buildings or structures in situ on the part of the site where the proposed building would be located. Although the site is previously developed

land the proposed development would have a greater impact on openness than the existing development. As such the proposed development does not fall within any of the exceptions to inappropriate development in the Green Belt set out at paragraph 145. The proposed development must, therefore, be considered inappropriate, which is harmful by definition, and to which substantial weight must be attached.

11. As it has been established that the development results in definitional harm to the Green Belt, any other harm caused by the development must also be considered and added to the definitional harm.
12. There are five purposes of the Green Belt as set out in the Framework and detailed above.
13. Considering each in turn:
14. Purpose 1 (to check the unrestricted sprawl of large built-up areas)
The proposed development would be contained within the curtilage of the site, which is previously developed land and would not therefore contribute to sprawl.
15. Purpose 2 (to prevent neighbouring towns merging into one another)
The development of the site would not result in neighbouring towns merging into one another.
16. Purpose 3 (to assist in safeguarding the countryside from encroachment)
The proposed development would be contained within the curtilage of the site, which is previously developed land and would not therefore result in any encroachment.
17. Purpose 4 (preserve the setting and special character of historic towns)
The site is not located within or near to a historic town, and the building is not located within the setting of any listed buildings.
18. Purpose 5 (to assist in urban regeneration by encouraging the recycling of derelict and other urban land)
It is not considered that there would be any harm to this purpose.
19. On the basis of the above it is not considered that there is any other harm to the Green Belt.
20. As the development results in definitional harm to the Green Belt there would have to be very special circumstances to justify the grant of planning permission that would outweigh this harm.

Appearance and visual impact

21. The application building would be a low level building of contemporary design faced in materials of natural appearance. The siting of the building would be to the north of the main building on the opposite side of the current access drive and over 30m away from the public highway. As the site is surrounded by a dense belt of mature trees and landscaping the proposed building would not be particularly visible from public areas with only glimpses of the building possible from Dawson Lane to the west. The scale, appearance and siting of the proposed building are such that it would have a limited impact on the appearance of the site, given the separation from the main building, which is characterful, and limited visibility from public areas.
22. On the basis of the above the proposed development would have a limited impact on the appearance of the site and character of the area. In addition the visual impact would be limited.

Impact on neighbour amenity

23. The proposed development would be located some considerable distance from any residential properties. As such there would be no impact on amenity from the physical presence of the proposed building. The use of the site would remain the same and although the capacity of the nursery would be increased, resulting in further intensification of the use,

the scale of the current operations and isolated position of the site are such that any impact would be limited.

Highway safety

24. The site is accessed via two existing vehicular accesses to Dawson Lane. This arrangement would not alter. The proposed development would include additional on-site parking and it is recognised that the intensity of the use of the site would increase with additional vehicle journeys. An increase in journeys is not, however, considered to result in any unacceptable impact on highway safety or capacity over and above the current situation. In addition Lancashire County Council Highways (LCC) raise no objection to the proposed development.

Green Belt balancing exercise

25. It has been established that there is definitional harm to the Green Belt as the development is inappropriate development in the Green Belt.

26. With a view to demonstrating very special circumstances the applicant has set out the following;

- The demand for childcare within the service area is extremely high and parents are finding it increasingly difficult to secure the provision and booking patterns they desire. Chorley is a unique area, which has seen rapid residential growth. Developments such as Buckshaw Village, Lucas Green, The Hedgerows etc are testament to this. As Councillor Alistair Bradley, leader of Chorley Council has recently reported (ref: Lancashire Evening Post Thursday 25th January 2018) "When we speak to residents, one of the biggest concerns they have is the number of new homes being built in Chorley and the pressure it is putting on things such as schools, doctors surgeries and the roads". Suffice to say, as an early years education provider we understand their concerns and our proposal will go some way to alleviate them. Within the same report Mr Bradley makes reference to further government demand for house building within the area, in quote "The latest housing consultation to come from the Government does the exact opposite and is looking to drastically increase our numbers – not only will we have the highest target in the county, we will also be the only local authority in Lancashire to see an increase in our target". Presently, it's my understanding that Chorley has to provide 417 new homes per year, however, this latest consultation increases this figure to 634. Now whether this target is met or not, the fact remains that Chorley has consistently met its previous targets and will be under pressure to deliver more of the same. That said demand for childcare, amongst other services, will continue to rise. To further quote from Mr Bradley "We don't mind doing our bit, but we need the infrastructure first, so new schools, more health centres etc...". In terms of "live" data, Gelston currently has in excess of 50 parents waiting for a childcare place. Importantly, this does not include existing parents who wish to increase their days, which there are many of. Furthermore, our main competitor has a 12 month waiting list for places. Demand can also be measured by the intake of reception children across local primary schools, which in some cases have recently trebled. Buckshaw Trinity C of E, which is serviced by our setting is just one example. The intake for its reception class currently stands at 90! Based on the statistic that 92% of reception children access childcare prior to starting school and there's approximately 26 primary schools within a 4 mile radius, the demand is clear.
- In the Autumn budget of 2017 the Government made a decision to introduce 30hrs of funded childcare for all eligible 2,3 and 4 year olds, doubling what it previously offered. This incentive has given parents who weren't previously able to do so, the opportunity to place their child in nursery and return to work/increase their hours. At Gelston, we've seen a year on year increase in bookings and the introduction of the 30hrs, particularly amongst those aged 3 years plus, is a significant factor for this. Suffice to say, the increase in residential developments across Chorley, coupled with the introduction of the government funded 30hrs has placed even more demand on our service.
- Every room within the existing building is being utilised to good effect, meaning there are no rooms/spaces available to increase the capacity. The proposal is more desirable

than extending the existing building because it can also double up as an outdoor classroom. Gelston has a unique opportunity, due to its abundance of outdoor space and surrounding woodland to become a forest school nursery and an outdoor classroom would go a long way to support this vision. Gelston has recently supported a member of staff to attain a forest schooling qualification and if the vision is realised, it'll be a unique acquisition for the service area. In addition to its proposed use, there's also the possibility of future alternative uses and therefore keeping the proposal detached from the existing building, means there's minimal impact to the current use.

- Whilst I understand the need to protect green belt and consider any potential harm to green belt I strongly believe this proposal (for all of the above reasons) has very good purpose and one which helps the infrastructure of Chorley and provide a much needed service to its residents. The proposal is sympathetic to its surrounding and will be cited in the private garden of the existing setting, which isn't overlooked by any other property. Whilst I've referred to the proposal as permanent, the actual structure is arguably temporary, of similar design to a log cabin.
27. It is noted that the development has been conceived in response to the growing demand for childcare places at the nursery. The applicant has set out that the demand for childcare places in the local area as a whole is high and has provided some quantified evidence of this. The applicant has also identified that demand is likely to grow due to ongoing residential development in the area, the requirement for the Council to continue providing housing land and changes to childcare payment allowances to support parents by providing more funded childcare hours. It is recognised that there is a high demand for school places in Buckshaw Village and surrounding area and that this is quantifiable. Demand for childcare will reflect this trend is expected to grow. The need for pre-school childcare is recognised as being particularly acute in this area of the Borough, given the quantum of development over recent years, and is considered to carry significant weight.
 28. The scale of residential development at Buckshaw Village is recognised as is the need for supporting infrastructure. It is recognised that pre-school childcare provision is limited and not planned for by the Local Authority. As such pre-school childcare provision is reliant on private providers such as Gelston Manor Day Nursery. The expansion of the existing facility to meet local infrastructure needs is recognised as being a particular opportunity and is considered to carry significant weight.
 29. The current facility is contained within a large former dwelling of some character, and makes good use of an existing building, which contributes positively to the character of the local area. All the spaces within the current building are in use. The proposed building would not harm the character of the building, and is more sympathetic than an extension to the existing building which may otherwise be considered by the nursery business. The building would also enable the nursery to diversify as a forest school. It is considered that moderate weight should be attached to these factors.
 30. The application site is located on the edge of Buckshaw Village, which is a major strategic development site that continues to grow. The Green Belt washes over a large part of Buckshaw Village, including the application site, and has not been reviewed since the major development site was allocated. This has the effect of a restrictive policy in an area where major development has been accepted and implemented. Although this has not been advanced by the applicant it is noted that the designation of Green Belt in this location is inconsistent with its purposes.
 31. It is recognised that there is a demand for pre-school childcare in this particular area of the borough, which has experienced major growth and development. The area itself is now heavily developed despite the Green Belt designation remaining. The proposal would support the provision of much needed infrastructure expanding an established facility. It is therefore considered that the matters set out above when taken together amount to the very special circumstances required to overcome the definitional harm to the Green Belt.

CONCLUSION

32. The proposed ancillary outbuilding is inappropriate development in the Green Belt. The design and scale of the building is appropriate and there would be no visual harm from its siting. It is considered that in this instance there are very special circumstances to overcome the definitional harm to the Green Belt. It is, therefore, recommended that the application be approved subject to conditions.

RELEVANT HISTORY OF THE SITE

Ref: 11/00128/FUL **Decision:** PERFPP **Decision Date:** 1 April 2011
Description: Erection of a single storey rear extension (orangery) and raised terraced area to the rear

Ref: 11/00434/FUL **Decision:** PERFPP **Decision Date:** 13 July 2011
Description: Proposed 3 car garage extension

Ref: 12/00214/FUL **Decision:** PERFPP **Decision Date:** 25 July 2012
Description: Erection of an attached triple garage following the demolition of the existing garage and stables, the creation of a new access and erection of entrance gates.

Ref: 14/00508/FUL **Decision:** PERFPP **Decision Date:** 8 August 2014
Description: Change of use of existing property from residential (Use Class C3) to children's day nursery (Use Class D1)

Ref: 14/00943/DIS **Decision:** PEDISZ **Decision Date:** 23 October 2014
Description: Application to discharge condition nos. 3 (junction details), 4 (drop off/pick up area details), 5 (cycle/motorcycle storage details) and 6 (ground surfacing materials) of planning permission no. 14/00508/FUL which permitted the change of use of the existing property from residential (Use Class C3) to children's day nursery (Use Class D1)

Ref: 16/00073/FUL **Decision:** PERFPP **Decision Date:** 21 March 2016
Description: Elevational changes to existing day nursery facilities.

Ref: 16/00118/FUL **Decision:** PERFPP **Decision Date:** 27 April 2016
Description: Section 73 application to vary condition 8 of planning permission 14/00508/FUL to "no more than 99 children shall be in attendance at the nursery at any one time"

Ref: 17/00959/CLPUD **Decision:** REFPUD **Decision Date:** 22 December 2017
Description: Application for a certificate of lawfulness for the proposed siting of an ancillary outbuilding.

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.	The proposed development must be begun not later than three years from the date of this permission. <i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i>

2.	<p>The development shall be carried out in accordance with the following plans:</p> <table border="0" data-bbox="347 286 1268 414"> <thead> <tr> <th data-bbox="347 286 774 315">Title</th> <th data-bbox="790 286 1045 315">Plan Ref:</th> <th data-bbox="1061 286 1268 315">Received on:</th> </tr> </thead> <tbody> <tr> <td data-bbox="347 315 774 344">Location Plan</td> <td data-bbox="790 315 1045 344">N/A</td> <td data-bbox="1061 315 1268 344">07 August 2018</td> </tr> <tr> <td data-bbox="347 344 774 374">Proposed site plan</td> <td data-bbox="790 344 1045 374">2018-36-02</td> <td data-bbox="1061 344 1268 374">13 August 2018</td> </tr> <tr> <td data-bbox="347 374 774 403">Proposed plans and elevations</td> <td data-bbox="790 374 1045 403">2018-36-01</td> <td data-bbox="1061 374 1268 403">07 August 2018</td> </tr> </tbody> </table> <p><i>Reason: To define the permission and in the interests of the proper development of the site.</i></p>	Title	Plan Ref:	Received on:	Location Plan	N/A	07 August 2018	Proposed site plan	2018-36-02	13 August 2018	Proposed plans and elevations	2018-36-01	07 August 2018
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Location Plan	N/A	07 August 2018											
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3.	<p>The external facing materials, detailed on the approved plans, shall be used and no others substituted unless alternatives are first submitted to and agreed in writing by the Local Planning Authority, when the development shall then be carried out in accordance with the alternatives approved.</p> <p><i>Reason: To ensure that the materials used are visually appropriate to the locality.</i></p>												
4.	<p>The building hereby permitted shall be used solely for purposes ancillary to the wider planning unit as a children's day nursery.</p> <p><i>Reason: To prevent the need for further such buildings and a proliferation of buildings within the Green Belt.</i></p>												