

## **APPLICATION REPORT – 18/00894/FUL**

**Validation Date: 28 September 2018**

**Ward: Brindle And Hoghton**

**Type of Application: Full Planning**

**Proposal: Erection of 3no. dwellings following demolition of existing derelict buildings and conversion of existing shippon to 1no. dwelling, including widening of the existing access.**

**Location: Barracks Farm 1 Chapel Lane Hoghton Preston PR5 0RY**

**Case Officer: Mr Iain Crossland**

**Applicant: Mr John Forrester**

**Agent: Ms Bramley**

**Consultation expiry: 22 October 2018**

**Decision due by: 14 December 2018**

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### **RECOMMENDATION**

1. It is recommended that the application is approved subject to conditions.

### **SITE DESCRIPTION**

2. The application site is located in the village of Hoghton and falls within the settlement area of the village. It is occupied by several former brick and stone agricultural buildings, which are in a state of dereliction and an end of terrace farmhouse that has been unoccupied for some time. The site and dwelling were once a leased working small holding, but have been derelict for a number of years. The agricultural land, which was originally part of the farm is now farmed by others.
3. The site is accessed from Chapel Lane, which is located off Blackburn Old Road. There is an existing farm access gate which provides access to the yard area via a track between the existing dwelling and shippon. A second field access gate is located along Chapel Lane, which provides access to the land behind the shippon. To the eastern corner of the site, there is a farm gated access to the neighbouring fields which is no longer used as the land is accessed from elsewhere.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

4. The application seeks planning permission for the erection of 3no. dwellings following the demolition of existing derelict buildings and conversion of an existing shippon to form 1no. dwelling, including the widening of the existing access to Chapel Lane.

### **REPRESENTATIONS**

5. No representations have been received.

## CONSULTATIONS

6. **Hoghton Parish Council:** Have commented that the proposal is an over development of the site there is sufficient housing development in Chorley and the type of properties envisaged are not considered to be of the affordable homes type. The proposal constitutes a change of use from Green Belt to residential. The type of construction does not blend in with adjoining properties. The proposed access is near a commercial development and the number of vehicles using it would add to traffic issues at what is already a busy junction. There is a history of flooding in this area. There would be a loss of privacy to houses in Gib Lane by reason of loss of light and overlooking.
7. **Greater Manchester Ecology Unit:** Have no objections subject to conditions.
8. **Lancashire Highway Services:** Have no objections subject to conditions.
9. **United Utilities:** Have no objections.

## PLANNING CONSIDERATIONS

### Principle of development

10. The application site forms part of land designated by policy V2 of the Chorley Local Plan 2012-2026 as within the Settlement Area of Hoghton. Within these areas there is a presumption in favour of appropriate sustainable development, subject to material planning considerations and compliance with other Development Plan policies.
11. Hoghton is not specified as an area for growth within Core Strategy policy 1 and falls to be considered as an 'other place'. Criterion (f) of Core Strategy policy 1 reads as follows:  
*"In other places – smaller villages, substantially built up frontages and Major Developed Sites – development will typically be small scale and limited to appropriate infilling, conversion of buildings and proposals to meet local need, unless there are exceptional reasons for larger scale redevelopment schemes."*
12. One of the core principles of the National Planning Policy Framework (the Framework) is that development should be focussed in locations that are sustainable. It is considered that the site is located in a relatively sustainable location with some access to public transport, some limited local amenities such as a local shop, community centre and public houses, and the means to access other nearby amenities relatively easily. The Framework also states that development in sustainable locations should be approved without delay. This presumption in favour of sustainable development is reflected in policy V2 of the Chorley Local Plan.
13. It is considered that Hoghton can be classified as a 'smaller village'. It is also considered that the proposed development of four dwellings is small scale. Four dwellings would be an appropriate amount of development, within the settlement boundary of a village of this size. It is, therefore, considered that the 'principle' of the proposed dwellings is acceptable in compliance with Chorley Local Plan policy V2 and Core Strategy policy 1 and the Framework.

### Impact on character and appearance of locality

14. The application site has a frontage facing onto Chapel Lane but is otherwise well contained, as the site is bound by a vehicle repairs workshop and public house to the west, a dwelling at 2 Gib Lane to the north, terraces along Chapel Lane to the east and an area of open land to the north east. The site currently appears derelict and abandoned when viewed from Chapel Lane and despite containing some buildings of character detracts from the appearance of the site and immediate area.
15. The proposed development would be arranged in a courtyard layout that would respond well to the confined nature of the site and results in an efficient use of the available land. There would be an access road from Chapel Lane and the existing shippon nearest to Chapel Lane would be converted and extended resulting in an attractive entrance feature, whilst

retaining and restoring a building of character. This is of benefit to the appearance of the site and character of the wider area as a non designated heritage asset would be improved and secured.

16. Three new detached dwellings would be developed to the rear of the site away from Chapel Lane. The dwelling at plot 3 would be directly visible on entry to the development and would form a focal point from the access drive, which would contribute positively to the appearance of the site. The dwellings at plots 2 and 4 would only be visible at distance through glimpses.
17. The scale of the three new build dwellings would be appropriate in relation to other nearby two storey buildings and the density of development would not be out of character for the area. These dwellings would be faced in white render with sandstone detailing, which would reflect the facing materials displayed in other surrounding properties and would result in an appropriate appearance.
18. No details of boundary treatment have been submitted, however, these would form an important part of the development, in particular adjacent to Chapel Lane, where they would be most visible. It is, therefore, recommended that such details are required by condition.
19. Overall the proposed development would improve the appearance of the site and contribute positively to the character of the area.

#### Neighbour amenity

20. Policy BNE1 of the Chorley Local Plan 2012-2026 states that new development must not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact.
21. The proposed layout plan demonstrates that the proposed dwellings at plots 2 and 3 would bound with the dwelling at 2 Gib Lane. Plot 2 would have rear windows facing towards the front garden at this dwelling. Front gardens by their very nature are not as private as rear garden areas and are, therefore, not as sensitive to impacts on neighbour amenity. It is, therefore, considered that no unacceptable impact on privacy would occur. There would be no impact on light or outlook by virtue of the relative positioning of the dwellings, their scale and degree of separation.
22. The proposed dwelling at plot 3 would have rear windows facing towards the dwelling and rear garden at 2 Gib Lane. These would be approximately 5.8m from the boundary, however, it is noted that this dwelling has been extended with the addition of a two storey side and single storey rear extension that projects across the rear of plot 3, therefore, any views of the most private intimate amenity areas at 2 Gib Lane would be obscured by the extensions at this property and no unacceptable loss of privacy would occur. Although plot 3 would be positioned to the south of 2 Gib Lane, there would be no unacceptable impact on light or outlook due to the scale of the proposed dwelling, degree of separate, relative positioning, and impact of existing structures on the site.
23. The proposed dwelling at plot 4 would face towards the rear of the unoccupied farmhouse that is owned by of the applicant. The distance between the properties would be approximately 15m. This falls below the Council's interface guidelines, however, it must be considered that the farmhouse is unoccupied and in a state of disrepair, and is within the ownership of the applicant. It is likely that this would be returned to a habitable standard at some stage, however, any future occupiers would move into the property with the full knowledge of this relationship, and it is not considered that the relationship would unacceptably harmful to amenity on this basis.

#### Highway safety

24. The existing buildings on site are to be demolished and replaced with 3 new dwellings (plots 2, 3 and 4) while the existing shippon (plot 1) is to be converted. Plots 1 and 4 would each have of 3 bedrooms while plots 2 and 3 would each have 4 bedrooms with an integral garage. All three new dwellings and the converted shippon would be provided with two frontage spaces each. The level of parking provision would ensure that the proposal

complies with the Council's parking standard as set out at policy ST4 of the Chorley Local Plan 2012-2026.

25. The existing lean-to building to the east of site access is to be demolished and replaced with two car parking spaces for the existing Barracks Farmhouse shown within the applicant's wider site boundary. A third parking space for Barracks Farmhouse is shown located between the Farmhouse and the footpath leading to the rear of the neighbouring properties. It is indicated that the neighbouring properties have right of access to the footpath and this would be retained for their continual use, even after the development has taken plan.
26. The site would have a main access leading to the three new houses with a minor access provided to the converted shippon. Both accesses are existing and would be improved in line with the advice offered by LCC Highways. As part of the access improvements, the existing footways on both sides on the main access are to be extended round the access radii into the site for approximately 6.0m from the highway boundary. In addition the existing footway from the main access past the entrance to the shippon up to the end of the site boundary is to be widened to 2.0m.
27. Works relating to the access and the footway widening are to be carried out through a section 278 agreement of the highways act 1980 with the applicant responsible for all costs.
28. The applicant's proposal for waiting restrictions to be introduced outside and opposite the site is, however, unacceptable as besides enforcement implications it is not considered there is any real need for such restrictions at an area which is predominantly residential. This part of the proposal cannot be implemented without the agreement of LCC Highways and is outside the red line boundary of the application site.
29. It is noted that LCC Highways have no objection to the proposed development subject to the imposition of conditions and, therefore, the proposed development is considered to be acceptable in highway terms.

#### Ecology

30. The application is accompanied by an ecology assessment of the site and buildings. This has been reviewed by the Council's ecology advisors (Greater Manchester Ecology Unit) who advise that the ecological consultants appear to have undertaken a detailed survey of the site and carried out an appropriate level of survey. The survey found the site to have some limited ecological value.
31. The proposal would involve the removal of part of the hedge along Chapel Lane and some of the trees on site. The plans state that the hedgerow would be replanted although no planting schedules have been submitted. Any replacement hedgerow should be of locally native species and be included in a scheme of biodiversity mitigation measures, which it is recommended should be secured by condition.
32. Overall it is not considered that the site has substantive nature conservation importance and it is noted that Greater Manchester Ecology Unit do not object to the proposed development on nature conservation grounds.

#### Flood risk and drainage

33. The application site is not located in an area that is at risk of flooding, according to Environment Agency mapping data. It is recommended, however, that a condition should be attached to any grant of planning permission requiring a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance.

#### Public open space (POS)

34. Chorley Local plan policy HS4 requires public open space contributions for new dwellings to be provided in order to overcome the harm of developments being implemented without facilities being provided. However, the National Planning Practice Guidance (NPPG) post-dates the adoption of the Local Plan and states that planning obligations should not be

sought from developments of 10 or less dwellings and which have a maximum combined floorspace of no more than 1000 square metres.

35. In the determination of planning applications, the effect of the national policy is that although it would normally be inappropriate to require any affordable housing or social infrastructure contributions on sites below the thresholds stated, local circumstances may justify lower (or no) thresholds as an exception to the national policy. It would then be a matter for the decision-maker to decide how much weight to give to lower thresholds justified by local circumstances as compared with the new national policy.
36. The Council must determine what lower thresholds are appropriate based on local circumstances as an exception to national policies and how much weight to give to the benefit of requiring a payment for 10, or fewer, dwellings. The Council has agreed to only seek contributions towards provision for children/young people on developments of 10 dwellings or less.
37. There is currently a deficit of provision in Hoghton in relation to this standard, a contribution towards new provision in the settlement is, therefore, required from this development. A financial contribution for off-site provision can, however, only be requested if there is an identified scheme for new provision. At present there are no identified schemes within the catchment.

#### Sustainability

38. Policy 27 of the Core Strategy requires all new dwellings to be constructed to Level 4 of the Code for Sustainable Homes or Level 6 if they are commenced from 1<sup>st</sup> January 2016. It also requires sites of five or more dwellings to have either additional building fabric insulation measures or reduce the carbon dioxide emissions of predicted energy use by at least 15% through decentralised, renewable or low carbon energy sources. The 2015 Deregulation Bill received Royal Assent on Thursday 26th March 2015, which effectively removes Code for Sustainable Homes. The Bill does include transitional provisions which include:

*“For the specific issue of energy performance, local planning authorities will continue to be able to set and apply policies in their Local Plans which require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015. This is expected to happen alongside the introduction of zero carbon homes policy in late 2016. The government has stated that, from then, the energy performance requirements in Building Regulations will be set at a level equivalent to the (outgoing) Code for Sustainable Homes Level 4. Until the amendment is commenced, we would expect local planning authorities to take this statement of the government’s intention into account in applying existing policies and not set conditions with requirements above a Code Level 4 equivalent.”*

*“Where there is an existing plan policy which references the Code for Sustainable Homes, authorities may continue to apply a requirement for a water efficiency standard equivalent to the new national technical standard, or in the case of energy a standard consistent with the policy set out in the earlier paragraph in this statement, concerning energy performance.”*

39. Given this change, instead of meeting the code level the dwellings should achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations in accordance with the above provisions. This can be controlled by a condition.

#### Community Infrastructure Levy

40. 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 and the charge is subject to indexation in accordance with the Council’s Charging Schedule.

Other matters

41. Impact on route of high voltage electric cables: This is not a planning matter and is for the developer to address with Electricity North West.

**CONCLUSION**

42. It is considered that the proposed development would have no detrimental impact character of the area and accords with the aims of policies within the Framework and Chorley Local Plan 2012 – 2026 that seek to achieve sustainable development. It is also considered that the proposed development would not give rise to undue harm to the amenities of neighbouring residents or highway safety.

**RELEVANT HISTORY OF THE SITE**

**Ref:** 94/00431/FUL **Decision:** PERFPP **Decision Date:** 2 August 1994  
**Description:** Conversion of existing farmhouse into 2 separate dwellings

**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.