

APPLICATION REPORT – 18/00821/OUT

Validation Date: 30 August 2018

Ward: Brindle And Hoghton

Type of Application: Outline Planning

Proposal: Outline application for the erection of 9no. dwellings (with all matters reserved save for access)

Location: Land South Of The Straits The Straits Hoghton

Case Officer: Mr Iain Crossland

Applicant: Brook View Developments Ltd.

Agent: PWA Planning

Consultation expiry: 26 September 2018

Decision due by: 24 May 2019

RECOMMENDATION

1. It is recommended that outline planning permission is refused for the following reason:

The proposed development would be inappropriate development in the Green Belt and therefore harmful by definition. There would also be other moderate visual harm through the urbanising effect of the access road. It is not considered that there are very special circumstances to overcome the definitional harm to the Green Belt and additional harm caused through encroachment. The proposal is therefore contrary to the National Planning Policy Framework.

SITE DESCRIPTION

2. The application site is located partially within the settlement of Hoghton and partially within the Green Belt to the western edge of Hoghton. It comprises agricultural land made up of grassland pasture to the south of The Straits and Station Road and is bound by woodland to the south, a railway line to the east, dwellings and highway to the north with open land to the west. The character of the area is that of a village surrounded by open agricultural land.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. This application seeks outline planning permission, with all matters reserved save for access, for the erection of nine dwellings. Therefore, details of appearance, landscape, layout, and scale are reserved and are not for consideration at this time. Only the acceptability of the principle of providing nine residential dwellings on the site and the impact of the proposed access is for consideration.
4. An indicative layout has been submitted that illustrates the nine dwellings occupying a field within the settlement area to the rear of dwellings facing Station Road and The Straits with access via a new road connecting with The Straits through a field that is in the Green Belt. This plan demonstrates how nine properties could be set out on the site and how the access

could be laid out, and that it is possible to accommodate nine dwellings on the site. However, the indicative layout is not for consideration at this stage.

REPRESENTATIONS

5. Representations have been received from the occupiers of 40 no. addresses citing the following grounds of objection:
 - Approving the proposed development would set a precedent.
 - Impact on the character of the area.
 - Impact on amenity of neighbouring occupiers.
 - Impact on highway safety and the efficient functioning of the highway network.
 - Impact on the Green Belt through encroachment.
 - The location is not a sustainable one.
 - Housing would not be affordable.
 - No further housing required to meet the supply of housing in Chorley.
 - Ecological impact.
 - Impact on trees.
 - Surface water drainage would cause flooding downstream.
 - Lack of consultation.
 - Impact on local house prices.

CONSULTATIONS

6. **Hoghton Parish Council:** have the following observations.
 1. Road safety
It was felt that the construction of an additional junction would add to the traffic hazards already experienced in this area. Two junctions are not sustainable.
 2. Access road.
It was understood this was to be constructed on Green Belt land.
 3. Future development.
The application if granted would set a precedent for future housing development. There is already over capacity in Chorley.
 4. Wildlife
The development would have a significant affect on the wildlife in the area.
 5. Environment.
There would be a loss of privacy and light for existing properties.
 6. Infrastructure
The development would have a detrimental effect on the local services such as schools, and national health services.

It was also felt that there has been a distinct lack of consultation locally.
7. **Greater Manchester Ecology Unit:** Have no objection subject to conditions.
8. **Lancashire County Council Highway Services:** Have no objection subject to conditions.
9. **United Utilities:** Have no objection subject to conditions.

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 reasonably sustainable location with some access to public transport and local amenities such as a village shop, public houses, village hall and the means to access other 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 nine dwellings is small scale. Nine dwellings would be an appropriate amount of development, within the settlement boundary of a village of this size. There are a range of property types in Hoghton, and although detached properties are common in the immediate vicinity, the proposed dwellings would add to the housing mix.
14. It is considered that the 'principle' of the proposed dwellings themselves is acceptable in compliance with Chorley Local Plan policy V2 and Core Strategy policy 1 and the Framework.
15. Part of the application site, to west of Torwood, falls within the Green Belt. The illustrative site plan shows an access road passing through this part of the site and connecting the proposed dwellings with the highway at The Straits.
16. The Framework sets out at Chapter 13 that 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, and their purposes are set out as below:

134. Green Belt serves five purposes:
 - a) *to check the unrestricted sprawl of large built-up areas;*
 - b) *to prevent neighbouring towns merging into one another;*
 - c) *to assist in safeguarding the countryside from encroachment;*
 - d) *to preserve the setting and special character of historic towns; and*
 - e) *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*
17. Paragraph 143 sets out that *"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances."*
18. Paragraph 144 of the Framework goes on to state that:
"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."
19. The indicative site plan suggests that the element of the proposal that would be located within the Green Belt is an access road linking the dwellings to the highway at The Straits; the buildings would be located within the settlement boundary of Hoghton, which is not in the Green Belt. With regards to the development of a road within the Green Belt, paragraph 146 of the Framework states that:

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

a) mineral extraction;

b) engineering operations;

c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;

d) the re-use of buildings provided that the buildings are of permanent and substantial construction;

e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and

f) development brought forward under a Community Right to Build Order or Neighbourhood Development Order.”

20. The access road is considered to be an engineering operation in accordance with paragraph 146 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 within Green Belt.
21. As such there are two considerations in respect of the proposal and the appropriateness of the development in the Green Belt as follows:
22. 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’. It is noted that the road itself would be low lying, however, any proposed street lighting columns or fencing would have some effect on openness. The indicative layout plan suggest that low level bollard lighting would be used and a combination of Cheshire railings and a timber post and rail fencing. These in themselves would have a limited impact on openness.
23. 2) Will the development conflict with the purposes of including land in the Green Belt? Paragraph 134 of the Framework sets out the five Green Belt purposes, which the scheme is assessed against as below:
24. Purpose 1 (to check the unrestricted sprawl of large built-up areas).
The proposal does not relate to a large built up area.
25. 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.
26. Purpose 3 (to assist in safeguarding the countryside from encroachment;).
On the basis of the indicative site plan the proposed access road would have a carriageway width of 5.5m, in addition to a 2m wide footway along the length of the access road and two 2m wide footways at the junction with The Straits. The access road and footway would have a cumulative length of approximately 100m through the field that is in the Green Belt, and would be clearly visible from The Straits. Although it is recognised that the applicant has attempted to minimise the impact of the road though a less formal approach the overall impact of providing such an access road would be to introduce an intrusion of urban development into Green Belt countryside, and along with the repeated encroachments of vehicles passing to and fro along the access road the cumulative impact would result in a harmful encroachment into the Green Belt, when considered in relation to the existing open field.
27. 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
28. 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.

29. Whilst the proposed access track would effectively preserve the openness of the Green Belt, given that structures such as lighting and fencing would be low level structures, it is considered that the access track, footway and lighting would conflict with one of the purposes of including land in Green Belt (encroachment) having an urbanising effect upon open pasture land, and would not, therefore, be in accordance with paragraph 146 of the Framework. The proposal does, therefore, represent inappropriate development within this Green Belt location. Substantial weight should be attached to the harm by reason of inappropriateness as set out at paragraph 144 of the Framework.
30. As the proposed development would result 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 and any other harm that is identified.

Visual impact and impact on the character and appearance of locality

31. The application seeks outline planning permission with all matters reserved. Therefore, no details of how the proposed dwellings would look, their scale or where they would be sited have been provided, although there is an indicative layout of how the development could be laid out. From the information submitted with the application this demonstrates that the applicant's intention is to develop nine detached properties, which are likely to have 3 or 4 bedrooms each and three of which would be bungalows.
32. The prevailing dwelling types within the vicinity of the application site are detached properties of varying design set in large plots. However, elsewhere in Hoghton, other dwelling types exist, including terraced cottages and bungalows.
33. It is considered that nine detached properties in this location can assimilate with the built form of Hoghton, providing a logical infill to the village settlement. The dwellings themselves in this position would fill the space between existing dwellings to the north, the railway to the east (beyond which are dwellings) and a woodland to the south, and would therefore be contained within a physically defined parcel of land.
34. Should this application be approved it is considered that the siting of the proposed dwellings would require careful consideration as part of a subsequent reserved matters application. The siting of the dwellings as illustrated on the indicative site plan would be an appropriate layout, although it is considered that an improved vista on entering the estate could be achieved through the rearrangement of plots 4 and 5 to create a focal point at the terminus of the estate road. The properties themselves appear as large dwellings set in large plots, which would be an appropriate design response to the prevailing character of the immediate locality.
35. The estate road would be clearly visible from The Straits and would wind through the field to the west Torwood and into the parcel of land where the proposed dwellings are shown. The proposed access road would be 5.5m wide with a 2m wide pedestrian path provided at the mouth of the entrance on both sides and along the eastern edge of the length of the access road. Indicative landscaping proposals illustrate Cheshire railings and a native plant hedge to the entrance. A new timber post and rail fence with a mixed native plant hedge would be planted to the west of the access track and the access road would be lit by low-level bollard lighting. This arrangement would be a low impact response to what is an open field of agrarian character. It would, however, result in an urbanising impact when viewed from The Straits that is at odds with its current appearance.
36. In order to facilitate the new pedestrian and vehicular access track to the site, two sections of hedgerow would be removed, together with one tree. This would have some impact on the appearance of the site and character of the area contributing to the urbanising effect of the development, when viewed from The Straits.
37. Whilst no details have been provided in respect of the appearance, layout, scale and landscaping it is considered that nine dwellings could be accommodated on the application

site without causing harm to the character and appearance of the locality, however, it is considered that there would be some moderate visual harm through the loss of the tree, hedges and the introduction of an access road resulting in an urbanising effect.

Neighbour amenity

38. 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.
39. Consent is not sought for matters of layout at this stage and the final position of the dwellings may change from that which is indicatively shown. However, having regard to the position and location of the adjoining properties along Station Road and at Willowfield Chase, and the area of the site identified for housing, it is considered that a development of nine dwellings could be designed in such a way that would accord with the Council's interface standards. It is, therefore, considered that the development could be delivered without adversely affecting the amenity of any existing or future occupiers.

Highway safety

40. Lancashire County Council (LCC) as the Local Highway Authority (LHA) is responsible for providing and maintaining a safe and reliable highway network. The present and proposed traffic systems have therefore been considered in and around the area of the proposed development by LCC. The additional vehicles to be generated by the proposed development would result in higher flows on the surrounding network and as the proposed residential development is on the edge of the existing built environment, suitable approach measures would be required to integrate the site with the built environment and the wider community. If these steps are not taken, the impact of the proposed development might exacerbate existing traffic conditions.
41. The applicant's submissions include a Transport Statement (TS) setting out the transport issues relating to the proposed development. The TS was analysed taking into account the proposed access strategy, measures to reduce need to travel by car, accessibility of the site by sustainable modes of travel such as walking, cycling and public transport; and the impacts of trips associated with the development on the existing highway network.
42. The site is adjacent an existing property 'Torwood' and extends along the rear of properties from Torwood to 5 Willowfield Chase up to the railway line. The submitted plan shows the proposed houses would be concentrated at the rear of the existing properties and served by a new access road from the highway. The site is fronted by a section of the A675 Hoghton Lane also known as The Straits where the speed limit is restricted to 40mph. Although there are good quality footways on both sides of the road, the average width is less than the recommended minimum width of 2.0m. There are no public rights of way within close proximity of the site.
43. Visibility in both directions at the proposed access is good and meets the expected standards. LCC confirm that there has been no recorded traffic accident within 100m of the proposed site in the past 5 years. There were however recorded traffic accidents on Hoghton Lane approximately 90m east of Hoghton Lane/Station Road and at Hoghton Lane/Quaker Brook Lane further to the west of the proposed site access, but none of which resulted in personal injury. It is also worth mentioning there was a recorded fatal accident on Hoghton Lane in 2014 at a location approximately 150m north of Hoghton Lane/Dover Lane, which is more than 1.5km from the proposed site access. As there are no recorded traffic accidents within close proximity of the site, no accident mitigation measures would be required from the applicant.
44. There are bus stops opposite the site and outside the wider site boundary, however the services are limited as the only service for the general public is service 152, Burnley - Preston which operates every half an hour from 06:15 to 23:15 Mondays-Fridays and on Saturdays; and hourly on Sundays and bank holidays from 10:15 to 19:15. The other services, 776, 796 and 984 which operate from these bus stops are school services. While the proposal would not be objected to on grounds of lack of accessibility by public transport,

measures necessary for promotion of sustainable modes of travel are required. It is considered improvements should be carried out to the two bus stops by providing disability compliant raised boarding platforms and kerbs, new bus stop bays and associated carriageway and worded markings. Clearways and signage/information panels should also be provided.

Site access

45. The applicant proposes to provide a new access road to the A675 Houghton Lane at the location of the existing field access to the west of Torwood. The new access would be 5.0m wide with 2.0m wide footways on both sides extended to connect the existing footways on Houghton Lane. While the footway on the east side of the access road is proposed to be extended for the full length of the access road, that on the west side would only be 15.0m long as it would be terminated and replaced with soft landscaping.
46. The access road appears to have been designed to be self-enforcing in terms of vehicle speeds in line with LCC Highways requirements and would incorporate two random physical calming features located midway its length. As pedestrian access is proposed at a point between the traffic calming features to the adjoining woodland which is part of the applicant's wider site, a short length of footway is proposed along the access road between the traffic features for the benefit of pedestrians. As the plan is indicative, this would be dealt with at the reserved matters stage of the application.
47. LCC confirm that the parameters of the proposed access based on the Design Manual for Roads and Bridges (DMRB) are acceptable. The corner radii of the access should however be 6.0m to ensure smooth transition, particularly of large vehicles between the highway and the new access road.

Layout and parking

48. The applicant is not seeking approval of the layout at this stage, therefore this would be dealt with in detail following the submission of reserved matters, however, according to the current indicative plan, the proposed development would involve the construction of an access road for a considerable distance within the Green Belt, but, this is a matter for the Local Planning Authority. From highways perspective, the required geometric parameters of the junction of the access with the existing highway have been met, including the proposed access road, the design of which seems to have been informed by nationally recognised guidance with emphasis on the need of pedestrians. The design has incorporated speed control measures and a turning area with sufficient attention to servicing, delivery, waste collection and parking. As in paragraph 4.2 of the TS, the development would be provided parking in accordance with the Chorley Council Parking Standard. The proposed garages should be provided to sizes of 6.0 x 3.0m for a single garage and 6.0m x 6.0m for a double garage in order to be counted as a parking space.
49. Given the size of the application site it is considered that adequate parking spaces could be accommodated to serve nine 3 or 4 bedroom dwellings, by way of garages and/or driveway space. This would ensure that the proposal complies with the Council's parking standard set out at policy ST4 of the Chorley Local Plan 2012 - 2026.
50. LCC would normally expect road layouts serving developments of more than 4 dwellings to meet its adoptable design guidance and be offered for adoption. However, it appears the applicant wishes for the development to remain un-adopted given that the access road has been marked 'Private Road' on plan. Nonetheless, the applicant is encouraged to create and provide the layout to adoptable standard for ease of maintenance and to ensure satisfactory access.

Off-site highway works

51. LCC has obligations to maintain the reliability of the highway network and must ensure with regard to relevant policies that development proposals do not potentially endanger safe movement of residents, the general public and goods on the highway which can adversely affect good quality of life.

52. When highways assessment of the proposal was carried out on Monday, 24 September 2018 in clear weather, visual observations were made of how the proposed access would impact the junction of Hoghton Lane and Station Road which is rather extended and open. On several occasions, it was noted that rather than wait near the centre line at the road intersection for west bound traffic on Hoghton Lane to pass before turning left onto Hoghton Lane, traffic exiting Station Road carried on moving along the give-way markings until they are able to join Hoghton Lane and as the drivers kept looking back on Hoghton Lane for moving traffic, they seemed oblivious to hazards on the footway outside the adjacent properties 'The Bungalow' and 'Woodside' and have occasionally overrun the footway. Other times when vehicles were parked on-street outside Woodside, the problem of footway overrun appeared slightly improved as traffic leaving Station Road was deflected away from the footway towards the centre line markings. This slight improvement was, however, negated by difficulties experienced by residents of The Bungalow, Woodside and Torwood in exiting their properties due to lack of clear sightline towards Station Road.
53. The accident record of Hoghton Lane/Station Road and the section of Hoghton Lane fronting the site is comparatively good at present, however, once the use of the proposed site commences there would be more pedestrians using the footway at the junction and the area as a whole. It is therefore essential that measures are implemented for improved safety at the junction and to mitigate the impact of the proposed development. Therefore, given its duty under the provisions of the Highways Act 1980 to request planning obligations to mitigate adverse impacts of development proposals, the applicant should put forward a proposal towards improving the junction of Hoghton Lane and Station Road. The proposal should consider possible narrowing and realignment of the junction in order to deflect traffic leaving Station Road away from pedestrian walking areas and closer to the centre line for a more rationalised arrangement of the junction to ensure safer exit of Station Road. As this would be a significant change to the junction, the improvement scheme preliminary design should be subject to a Stage 1 Road Safety Audit to provide an independent assessment of the design and operating arrangement of the junction. The Road Safety Audit should identify potential safety issues or problems that may affect all users of the junction and recommend measures to eliminate or mitigate these problems.
54. In response to the initial consultation response provided by LCC the applicant submitted proposed highway improvement measures (referenced, PROP-HOGHTON F01 rev. B). The measures include proposed improvements to two bus stops and a scheme of road markings at the junction of the A675 Hoghton Lane and Station Road, and are considered to be acceptable.
55. The road marking scheme would be subject to Stage 1 Road Safety Audit and any adverse findings of the Audit would be expected to be addressed to ensure safe use of the junction by all modes of transport. These improvements and the highway works involved in the formation of the new site access would be undertaken through s278 agreement with all associated costs borne by the applicant.

Ecology

56. The application site consists of managed grassland and is not considered to provide any substantive nature conservation importance. The information submitted with the application did not identify any ecological constraints. This survey has been undertaken by a licensed and experienced ecological consultant whose work is known to the Greater Manchester Ecology Unit (GMEU), who are the Council's ecology advisors.
57. The site was assessed for its potential to provide habitat for protected species such as bats, great crested newts and badger. It was concluded that there was negligible risk of any such species other than bats being impacted upon. For bats the risks identified were indirect impacts from lighting, on foraging habitat along hedgerows and woodland edge and loss of roosting potential associated with two trees. As both trees identified are to be retained and external lighting impacts minimal, the consultants concluded that these risks were also low. GMEU agree with the conclusion of the report and state that no further surveys or measures are required.

58. Section 170 of the Framework states that the planning system should contribute to and enhance the natural and local environment. The development would result in the loss of one mature tree and two short sections of hedgerow. Replacement trees and hedgerow are proposed within the illustrative site plan that would be adequate to provide satisfactory mitigation. The development would also result in the loss of improved grassland, a low value ecological habitat, with potential for enhancement of the retained grassland to the north. Mitigation should also be provided for loss of bird nesting habitat. It is considered that these enhancements could be secured through a condition attached to any grant of planning permission requiring a landscaping plan. This should aim to create new habitat through the inclusion of domestic plant species.

Affordable housing

59. Policy 7 of the Core Strategy relates to affordable housing and this site would require 35% on-site affordable housing as the site is located within a rural location. The Central Lancashire Affordable Housing SPD includes guidance on the range of approaches, standards and mechanisms required to deliver a range of affordable housing to meet local needs. The nature of the site is such that on-site affordable housing provision would not be appropriate on this site therefore a financial contribution for off-site provision is required.

60. However, following publication of the revised Framework in 2018 and in accordance with paragraph 63, Local Planning Authorities can no longer seek affordable housing provision on developments in rural areas of less than 10 dwellings unless the site is 0.5ha or greater.

61. The higher threshold was introduced in a Ministerial Statement in 2014 and re-introduced into National Planning Practice Guidance (NPPG) in 2016 following a successful court appeal judgment. Since this time, Chorley Council, as the local planning authority have continued to apply the lower threshold as set out in Core Strategy policy 7 as it was considered that the borough wide need for affordable housing outweighed the guidance. However, now that the higher threshold is set out in the Framework, rather than the NPPG it is no longer possible to take this approach, and no affordable housing contribution can be sought from the development.

Public open space

62. Policy HS4 of the Chorley Local 2012 - 2026 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.

63. 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.

64. In the determination of planning applications, the effect of the national policy, which was issued in 2016 following a Court of Appeal judgement, 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.

65. 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.

66. The Council has agreed to only seek contributions towards provision for children/young people on developments of 10 dwellings or less.

67. There is currently a deficit of provision of this typology in Hoghton, a contribution towards new provision in the settlement is, therefore, required from this development. However, 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.

68. Therefore, a public open space commuted sum is not requested for this scheme.

Sustainability

69. Policy 27 of the Core Strategy currently requires dwellinghouses to be built to meet Code for Sustainable Homes Level 4 which increases to Level 6 on 1st January 2016. However, 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.”

70. As such, there is a requirement for the proposed dwellings to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations in accordance with the above provisions. This could be controlled by conditions.

Community Infrastructure Levy

71. 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.

Green Belt balancing exercise

72. It has been established that there is definitional harm to the Green Belt as the proposal is inappropriate development in the Green Belt and there is considered to be other harm amounting to some moderate visual harm through the loss of a tree, hedges and the introduction of an access road resulting in an urbanising effect.

73. With a view to demonstrating very special circumstances the applicant’s agent has set out the following;

- One third of the scheme (3no. dwellings) would be bungalows, considered to be attractive to the older population and delivered at greater expense to the applicant than for standard two storey housing;
- Provision of new, high quality, family homes within the settlement boundary in an area that has seen very little in the way of new housing development in recent years;
- Appropriate use of a vacant plot of land within the settlement boundary, which cannot be reached, except through the proposed access route;
- Contribution to Chorley’s housing delivery targets through development of a sustainable site; and
- Full provision of 35% affordable housing offered as a commuted sum (see Affordable Housing Statement).

- The impact of the access road in relation to encroachment into the countryside would result in minimal harm through the provision of a more informal access road arrangement.
74. The inclusion of 3no. bungalows within the development would contribute to a mix of house types in the area. It is recognised that the latest Central Lancashire Strategic Housing Market Assessment dated September 2017 (Final Draft Report, by GL Hearn) states that market signals indicate strong demand for 3-bed properties and in particular bungalows and detached units. With regards to specialist housing in reference to homes for older people, the author of the report states that their experience indicates that demand for bungalows is typically high, and that where developments include bungalows it is clear that these are very popular with older people wishing to down-size. The assessment states that it should be acknowledged that providing significant numbers of bungalows involves cost implications for the developer given the typical plot size compared to floor space – however, providing an element of bungalows should be given strong consideration on appropriate sites, allowing older households to down-size while freeing up family accommodation for younger households. On this basis it is considered that moderate weight should be attached to this benefit.
 75. The development of new housing in Hoghton, an area that has received limited housing development in recent years, is a benefit, and it is recognised that the part of the site that falls within the settlement area presents one of the few opportunities available for new housing provision in Hoghton. However, Hoghton is not identified an area for housing growth within the Core Strategy and development is constrained in and around Hoghton as it is not identified for growth. As such only limited weight can be attached to this benefit.
 76. It is acknowledged that the part of the site that falls within the settlement area is not readily accessible other than via that which is proposed, as other options would involve third party land and possible demolition. This does not, however, justify using land within the Green Belt and no weight can be attached to this.
 77. The proposed development would make a small contribution towards Chorley's housing targets. Whilst the Borough has in excess of a 5 year housing land supply and has over delivered when compared to the Core Strategy target in recent years this figure is not a maximum and the development would contribute to the Borough's housing land supply in the short to medium term within the Local Plan period. The contribution would, however, be a small one, and therefore only limited weight can be attributed to this benefit, given the Council has a five year supply.
 78. Making full provision against the Council's affordable housing requirement as set out in Policy 7 of the Core Strategy would simply make the development policy compliant and would provide no benefit over and above that which would normally be required in any event. Since the planning statement was devised, however, a higher threshold than the local policy has been set out in the updated Framework (July 2018), rather than in the NPPG, and therefore it is no longer possible to require affordable housing from such a development. No affordable housing contribution can therefore be sought, and therefore no weight can be attributed to this.
 79. It is acknowledged that the proposed access road has been devised with the intention of limiting the urban appearance of the road and the extent of the encroachment that would occur, through a more informal arrangement. This includes positioning the site entrance as far east as possible to reduce the distance between the entrance and existing built development to the east, the provision of a single footway along the eastern side of the access road only to limit the total width of the road, provision of low level bollard lighting, to limit the visual impact of the road and reduce its urbanising effect in this location; and boundary treatment and landscaping to retain a rural feel to this area of the site. This would result in a less urban character than might otherwise result through a more standard arrangement, however, the impact of encroachment and the urbanising effect would occur nonetheless, given the need for tarmac surfacing and concrete kerbing, the width of highway

required and use of lighting (albeit low level bollards) in addition to the vehicles that would pass to and fro along the road.

80. Although it is recognised that the proposed development would provide benefits in relation to the provision of housing and the inclusion of bungalows that would be provided in an area of the borough with few opportunities for new housing development it is not considered that the matters set out above amount to the very special circumstances required to overcome the definitional harm to the Green Belt, which must be accorded substantial weight in line with the Framework, in addition to moderate visual harm caused through the introduction of an access road and resulting urbanising effect

Other matters

81. *There is an overcapacity of housing in Chorley:* Although the Council has a 5 year housing supply, there is an ongoing need to supply housing within the borough, and part of this supply is anticipated to be delivered through windfall sites, which this is. In addition, there are few opportunities for new housing development in Hoghton, and there is no upper limit to the amount of housing that can be delivered in an area.
82. *Would set a precedent for future housing development:* Each planning application must be determined on its individual merits and precedent does not form a justification for unacceptable development proposals.
83. *The development would be detrimental to local infrastructure:* The proposed development is a minor development and therefore the impact would be low. There is no evidence to suggest that local infrastructure would not be able to accommodate the needs of any future residents, and in some instances new development can help to support the viability of local services, particularly in more rural areas.
84. *Lack of consultation:* It is recommended that developers engage with local residents prior to submitting planning applications, however, Local Planning Authorities cannot ensure that this takes place. In terms of the Council's responsibility to advertise the application letters of notification were sent to the 20 addresses most affected by the proposed development. In addition to this, a site notice posted close to the proposed site entrance, the Parish Council were notified, and the application available to view on the Council website.
85. *Impact on local house prices:* The impact that a development may or may not have on house prices is not a material planning consideration.

CONCLUSION

86. The proposed development would require the construction of an access road that would pass through an open field in Green Belt. This element of the scheme would be inappropriate development in the Green Belt and would result in other moderate visual harm. The development of the proposed dwellings in the settlement area would be acceptable in principle and would not result in any harm to the character of the area or amenity of neighbouring occupiers. Nor would the development have any unacceptable impact on highway safety. However, this does not overcome the harm to the Green Belt in any event, and it is not considered that there are very special circumstances to overcome the definitional harm to the Green Belt and additional harm. It is therefore recommended that the application be refused on this basis.

RELEVANT HISTORY OF THE SITE

There is no relevant site history.

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.