

## **APPLICATION REPORT – 19/00214/FUL**

**Validation Date: 12 March 2019**

**Ward: Eccleston And Mawdesley**

**Type of Application: Full Planning**

**Proposal: Demolition of existing livery stables and associated outbuildings and erection of three dwellings and new livery stables**

**Location: Church Farm Livery Stables High Street Mawdesley Ormskirk L40 3TD**

**Case Officer: Caron Taylor**

**Applicant: Mr Andrew Millan**

**Agent: Mr Chris Weetman**

**Consultation expiry: 5 April 2019**

**Decision due by: 24 May 2019**

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### **RECOMMENDATION**

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

### **SITE DESCRIPTION**

2. Church Farm is a livery and stabling operation that is located in the Green Belt off High Street, Mawdesley. The livery stables are currently located to the rear of the main house, Church Farm, which has a planning condition linking its occupation to the use of the stables and yard.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

3. Planning permission is sought for the demolition of the existing livery stables and associated outbuildings and erection of three dwellings and new livery stables.

### **REPRESENTATIONS**

4. No representations have been received.

### **CONSULTATIONS**

5. Lancashire Highway Services - See body of report.
6. Greater Manchester Ecology Unit - See body of report.
7. Mawdesley Parish Council - No comments have been received.
8. CIL Officers – Comment that the proposed development is CIL liable.

## PLANNING CONSIDERATIONS

### Principle of development

9. The site is located in the Green Belt. The National Planning Policy Framework (The Framework) states that a local planning authority should regard the construction of new buildings as inappropriate in the 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 site is an equestrian use which falls to be previously developed land under the definition in Annex 2 of the Framework.

11. The proposal, therefore, falls to be considered under criterion 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*

12. An assessment, therefore, needs to be undertaken as to whether the proposed development would have a greater impact on the openness of the Green Belt than the existing development.

13. The volume of the existing and proposed buildings on the site are approximately the same as at present, however as well as the spatial impact, the visual impact of a development must also be considered when assessing whether the openness of the Green Belt would be preserved.

14. Two of the dwellings proposed would be sited to the rear of the existing dwelling (this dwelling is outside the red edge of the application and to remain) on an exercise paddock, with the other on the footprint of part of the existing stables. A smaller stable block than exists at present would be erected just to the rear of where the current stables are sited.

15. Although the dwellings proposed would be two storey and more spread out across the site than the current built form, the existing site has very large areas of hardstanding covering the whole site apart from the exercise area to south west. This coupled with the mass of the existing buildings grouped tightly together but sprawling, gives an overall view of a developed site which is almost urban in nature visually. The spreading out of development on the site in the form of dwellings, even though two-storey with the introduction of generous garden for each plot it is considered will reduce the visual impact of the site on the Green Belt.

16. Although an area of parking would be provided for the stables

17. It is considered that together the spatial impact in terms of volume and visual impact would not have a greater impact on the openness of the Green Belt than the existing development and the proposal is acceptable in principle.

### Design

18. A smaller stable block would be associated with plot 1 and would allow the continued use of the existing manege to the north of the site. It would be set in a 'U' shape with 10 loose boxes, measuring 3.18m high. In terms of materials the agent has confirmed the stables would be constructed of a timber frame, with a 1m high blockwork wall between the stations, and clad in timber to present a rural look. It is considered the design and materials of the stables are acceptable and comply with the Rural Development Supplementary Planning Document.

19. The proposed dwellings are largely traditional in design being two storey set under a dual pitched roof with side full height chimney though all the properties have a two storey front gable mainly glazed, forming the focal point of the property and adding a contemporary element. Plot 1 has the addition of small front dormers in the front elevation and skylights in the roof to make use of the accommodation in the roof space.

20. The existing dwelling immediately adjacent to the application site to remain is brick under a slate pitched roof, so it is considered the proposed dwellings are in keeping with the immediate area.

### Impact on neighbour amenity

21. The proposed dwellings would be set in generous plots. It is not considered that there are any issues in terms of neighbour amenity in relation to either the dwellings proposed or Church House Farm. The proposal would comply with the Council's interface distances.

22. In terms of the stables they would be located close to the properties, particularly plot 1, but it is intended that the stables would be associated with the dwelling on plot 1. A condition is proposed to secure details of a proposed midden to ensure it is appropriately sited so as not to cause problems to the proposed dwellings.

### Highway safety

23. Each dwelling would have its own access point within the site that would feed into the existing access to High Street.

24. LCC Highways state that the site currently offers livery and stabling operations and hosts regular shows and competitions. The operations attract traffic to the site and would continue to do so following the proposed development which would see the existing livery stable being replaced with a new scaled down livery stable, in addition to three, four bed dwellings. They consider that this would lead to increased trip generation of the site notwithstanding the reduction in the scale of the livery stables.

25. The site has existing hardstanding where visitor parking is accommodated for the stables, though much of this would be lost to the proposed dwellings and so LCC Highways have asked for a plan to be provided demonstrating that 40 car parking spaces can be provided (as advised in the application submission).

26. The proposed dwellings would have four bedrooms and are therefore required to have three off-road parking spaces. Each of the dwellings has a generous frontage considered sufficient to park at least three vehicles in line with the Council's parking standards.

27. In terms of the existing access that would serve the new stables and the proposed dwellings as well as Church Farm, LCC Highways note that the piers at the ends of the side walls to the access impede sight lines when leaving the site and need to be built back in line with the back of the existing hedgerows in order for visibility to be improved. The applicant has been asked to

provide a site layout showing the improved sight lines and this matter will be updated on the committee addendum.

### Ecology

28. The Council's ecology advisor states that the site currently supports a range of buildings and hard standing and does not have substantive ecological value. They agree with the findings of the Ecology survey report submitted to inform the application that the buildings have low-negligible potential to support bats. They do however support nesting birds and therefore recommend that no demolition works commence during the optimum time of year for bird nesting (March to August inclusive) unless nesting birds have been shown to be absent by a suitably qualified person and that new bird nesting boxes be erected on the new buildings (the new stable block would seem the most appropriate building to accommodate the boxes). These aspects can be controlled by conditions.

29. They note that there is a pond on land immediately adjacent to the site but that there is no suitable habitat within the application boundary to support amphibians. Nevertheless, there is a small risk that amphibians could stray onto the work site during the course of any agreed construction period. A 'Reasonable Avoidance Measures Statement' has been proposed (in Appendix VI of the Ecology survey report). This Statement says that '*the impact of works on adjacent habitats will be avoided by the clear demarcation of the works area*'. They take this to mean that an amphibian-proof fence will be erected between the works area and the pond for the duration of any development works. They agree with this proposal as providing a proportionate response to the low risk of harm to amphibians which the scheme poses. Again, this can be controlled by a condition.

30. The Ecology report records the presence of Small Toadflax on the application site, a rare plant in Lancashire, although not nationally rare or protected. The report proposes that suitable mitigation for the loss of this plant to the scheme would be the creation of a small 'wildflower patch' on part of the application site. In their view this proposal would likely be unsustainable and difficult to enforce. Small toadflax is an annual plant of disturbed and bare ground, unpredictable and difficult to establish artificially. They would advise the applicant that, in an effort to conserve the plant on the site, seed should be collected from any existing plants on the site. The seed should then be sown on a suitable area once any development has been completed, perhaps on land around the new stable block. They state this is just advice and need not be set as a condition of any approval which may be granted to the scheme.

31. The proposal is therefore considered acceptable on ecological grounds subject to conditions.

### Other Matters

32. It is noted that the Church Farm has a condition to the existing stables linking its occupation to the use of the stables and yard. It is not possible to remove that condition as part of this application as it is not within the boundary (red edge) of the application site.

### **CIL**

33. The application is CIL liable as it involves the creation of three dwellings.

### **CONCLUSION**

34. The proposal is considered subject to a satisfactory site layout being provided showing sight lines at the access and layout of parking provision for the stables. These matters will be updated on the committee addendum.

**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.

## RELEVANT HISTORY OF THE SITE

**Ref:** 93/00736/COU **Decision:** PERFPP **Decision Date:** 11 January 1994  
**Description:** Change of use of redundant building to equestrian Workshop

**Ref:** 85/00337/FUL **Decision:** PERFPP **Decision Date:** 1 October 1985  
**Description:** Use of caravan as office/toilet facility rear of church farm livery stables

### Suggested conditions

1. The development hereby permitted shall be carried out in accordance with the approved plans below:

Title	Plan Ref	Received On
Location and Site Plan	156/PL/01/B	10 March 2019
Floor Plans and Elevations Plot 1	156/PL/03	7 March 2019
Stables Floor Plans and Elevations	156/PL/02/A	7 March 2019
Floor Plans and Elevations Plots 2 and 3	156/PL/04	7 March 2019

*Reason: For the avoidance of doubt and in the interests of proper planning.*

2. The proposed development must be begun not later than three years from the date of this permission.

*Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.*

3. The stables hereby approved shall not be brought into use until a scheme for the containment and storage of manure has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved details and retained as such at all times when the stables are in use.

*Reason: To prevent the pollution of the water environment.*

4. Prior to any above ground works for the dwellings hereby approved, details of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.

*Reason: To ensure that the materials used are visually appropriate to the locality.*

5. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.

*Reason: To secure proper drainage.*

6. Notwithstanding any details already provided, the stables hereby permitted shall be constructed of a timber frame, with a 1m high blockwork internal wall between the stations, and clad in timber.

*Reason: To ensure that the materials used are visually appropriate to the locality and to avoid the proliferation of buildings in the Green Belt for which there is not a continuing need.*

7. No demolition works shall take place during the optimum time of year for bird nesting (March to August inclusive) unless nesting birds have been shown to be absent by a suitably qualified person and a report showing this submitted to the Local Planning Authority.

*Reason: To ensure a protected species is safeguarded during the development.*

8. Enhancement for nesting birds in the form of new bird nesting boxes (as detailed at Appendix III of the submitted Preliminary Ecological Appraisal Report by Tyrer Ecological Consultants Ltd issued 29th August 2018) shall be erected on the stable block hereby approved before it is brought into use.

*Reason: To ensure biodiversity is enhanced.*

9. The development shall be carried out in accordance with the Reasonable Avoidance Measures set out in Appendix VI of the Preliminary Ecological Appraisal Report by Tyrer Ecological Consultants Ltd survey report issued 29th August 2018. This shall include erection of an amphibian-proof fence between the works area and the pond for the duration of any development works.

*Reason: To ensure Great Crested Newts are safeguarded during the development.*

10. All new dwellings are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.

*Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reduction as part of new residential schemes in the interests of minimising the environmental impact of the development.*

11. No dwelling hereby approved shall be occupied until a SAP assessment (Standard Assessment Procedure), or other alternative proof of compliance (which has been previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate, has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling has achieved the required Dwelling Emission Rate.

*Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development.*

12. Prior to construction of the dwellings hereby permitted details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved details.

*Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development. This needs to be provided prior to the commencement so it can be assured that the design meets the required dwelling emission rate.*

13. Before any above ground works to construct the dwellings hereby approved, full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out strictly in conformity with the approved details.

*Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.*