

APPLICATION REPORT – 21/01393/PIP

Validation Date: 7 March 2022

Ward: Coppull

Type of Application: Permission In Principle

Proposal: Permission in principle application for the erection of up to 8 no. dwellings with associated parking spaces and gardens

Location: Land Adjacent To 179 Chapel Lane Coppull Chorley PR7 4ND

Case Officer: Mr Iain Crossland

Applicant: Mr Daniel Rigby

Agent: Mr David Perry, Extended Design Ltd

Consultation expiry: 22 March 2022

Decision due by: 11 April 2022

RECOMMENDATION

1. It is recommended that permission in principle is refused for the following reason:

The proposed development would be located within the Green Belt as defined by the Chorley Local Plan 2012 – 2026. The proposed development is not considered to represent limited infilling and would be inappropriate development in the Green Belt and, therefore, harmful by definition. It is not considered that there are very special circumstances to overcome the definitional harm to the Green Belt and additional harm that would be caused through a contribution to unrestricted sprawl and encroachment. The proposal is, therefore, contrary to the National Planning Policy Framework and policy HS7 of the Chorley Local Plan 2012 – 2026.

SITE DESCRIPTION

2. The application site is located in the Green Belt at Coppull. It comprises open grassland that has been previously used for equestrian activities and general pasture land. There is an established native hedgerow along the front of the site facing Chapel Lane with a grass verge between the hedgerow and carriageway. The site is generally flat though it slopes slightly upwards away from the Chapel Lane towards higher land to the east.
3. There is a detached farmhouse to the north of the site and linear residential development to the south, whilst there is a recent residential development on the opposite side of Chapel Lane to the west. To the east are open fields. The character of the area is that of urban rural fringe where the urban area of Coppull gives way to open agricultural land.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. This application seeks permission in principle for the erection of up to 8 no. dwellings with associated parking spaces and gardens.

REPRESENTATIONS

5. Representations have been received from the occupiers of 51 no. addresses citing the following grounds of objection:
- Adverse impact on highway safety
 - Impact on openness of the Green Belt
 - Not infill development and no very special circumstances
 - Inadequate local infrastructure / amenities
 - Loss of hedgerow
 - Ecological impacts
 - Lack of public transport
 - No details of design
 - Loss of light
 - Will open up the possibility of building on all the fields between Chapel Lane and Coppull Hall Lane
 - Would detrimentally alter the character of the area
 - Loss of view and open outlook.
 - Impact on and loss of horse riding facilities
 - Reduction in property values
 - Impact from construction activities
 - Inadequate drainage
 - No need for more housing in Coppull
 - There is a legal covenant protecting the land for equestrian use

CONSULTATIONS

6. Coppull Parish Council: No comments have been received.

PLANNING CONSIDERATIONS

7. The application site is located within the Green Belt. National guidance on Green Belt is contained in Chapter 13 of the National Planning Policy Framework which states:

137. 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.

138. 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.*

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

148. 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.

149. 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.*
8. The application site is located outside the settlement area of Coppull and falls to be considered as an 'other place' when considering the location of development in relation to Policy 1 of the Central Lancashire Core Strategy. Policy 1(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." The proposed development is considered to be small in scale and therefore complies with this policy.
9. The application site is open land with no buildings or development in situ. There is no supporting information submitted with the application and it is not considered that the development would meet with any of the exceptions to inappropriate development set out at paragraph 149 of the Framework. If the proposal were to be considered in relation to paragraph 149.e) of the Framework, which covers limited infilling in a village as an exception to inappropriate development, then firstly it would need to be established whether the site could be considered to be within a smaller village.
10. This part of Coppull has evolved over recent years with the delivery of major residential developments to the west side of Chapel Lane, and has developed the character of a suburb. There are a range of amenities within walking distance of the site including pubs, churches and schools, whilst a wider range of amenities are available within Coppull itself clustered around Spendmore Lane. For the purposes of the development plan the settlement boundary that defines the extent of the urban area matches the southern and western boundaries of the application site, with the settlement area lying to the west. In consideration of whether or not the site is within a village it is recognised that the definition of a village is not limited to that of the defined settlement area and that the wider functional area must be considered. It is also recognised that Coppull is somewhat larger than a village and has a level of sustainability that is at least commensurate with a village. The application site would occupy a position where it would be within the functional area of Coppull. Given the extent of surrounding development and the presence of nearby amenities commonly associated with urban areas, and not least villages, it is considered that the application site does form part of the functional area of an urban area that is at least commensurate with a village.
11. Turning to the matter of limited infilling, policy HS7 of the Chorley Local Plan 2012 - 2026 deals specifically with rural infilling and provides a definition of infill development, which states as follows:

12. *Within smaller villages limited infilling for housing will be permitted providing the applicant can demonstrate that the following criteria are met:*
 - a) *The existing buildings form a clearly identifiable built-up frontage;*
 - b) *The site lies within the frontage, with buildings on either side, and its development does not extend the frontage;*
 - c) *The proposal would complement the character and setting of the existing buildings.*
13. *Infill is the filling of a small gap in an otherwise built-up street frontage, e.g. typically a gap which could be filled by one or possibly two houses of a type in keeping with the character of the street frontage.*
14. *When assessing applications for rural infill sites, the Council will also have regard to site sustainability, including access to public transport, schools, businesses and local services and facilities.*
15. There is a clear line of development and a clearly built up frontage to the south of the site extending along Chapel Lane from no.201 Chapel Lane, and this has an obvious urban character that displays a clearly identifiable built-up frontage. To the north is a single building at no.179 Chapel Lane that is a stand alone farmhouse in a more isolated position with open land either side and is, therefore, distinctly separate from the line of development to the south and other development beyond to the north. As a result, the north of the site is fragmented and could not be considered to constitute a built up frontage.
16. Notwithstanding this the gap between the dwellings at no.179 Chapel Lane and no.201 Chapel Lane is approximately 120m, whilst the application site itself has a frontage of approximately 90m. Policy HS7 defines infilling as “...the filling of a small gap in an otherwise built-up street frontage, e.g. typically a gap which could be filled by one or possibly two houses of a type in keeping with the character of the street frontage.” As has been established above the frontage is not considered to be built up on either side of the site and in addition to this a gap of approximately 90m is clearly capable of being filled by more than two large dwellings and could not be considered a small gap in this context.
17. Given the gap between no.179 Chapel Lane and no.201 Chapel Lane and the distinctly different character to the north and south of the site any development of the site would extend the line of development from the south rather than fill a gap in an otherwise built up frontage. As such the proposed development would not meet with the definition of infill development as set out in policy HS7 of the Local Plan.
18. The sustainability credentials of the location are not in question, given the range of amenities available within walking distance. There are also reasonable transport links available with access to bus services operating in the area. Although the character of the area has become more suburban the site forms an open vista on the undeveloped edge of Coppull, which serves to define the extent of the urban area.
19. It is not considered that the proposed development constitutes limited infilling. The proposal is, therefore, considered to be inappropriate development within the Green Belt and, therefore, not in accordance with the Framework and policy HS7 of the Chorley Local Plan 2012 - 2026.
20. As it has been established that there is harm to the Green Belt by definition, any other harm caused by the development must also be considered and added to the definitional harm. The part of the site in which the development would be carried out is currently open grassland. The proposal would introduce development where currently there is none. As the site is highly prominent from the public highway and the development would be clearly visible it would inevitably diminish openness to some extent particularly when viewed from the west. It must, therefore, also be considered that the development would result in harm to openness.
21. Considering each of the five purposes of the Green Belt as set out in the Framework in turn:

22. Purpose 1 (to check the unrestricted sprawl of large built-up areas)
The proposed development would extend the built form of development further east, and would, therefore, contribute to the unrestricted sprawl of the built up area.
23. 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.
24. Purpose 3 (to assist in safeguarding the countryside from encroachment)
The proposed development would develop a greenfield site and would, therefore, result in encroachment into the countryside beyond the developed area.
25. 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 proposed building would not be located within the setting of any listed buildings.
26. Purpose 5 (to assist in urban regeneration by encouraging the recycling of derelict and other urban land)
There would be no material impact on this purpose given that the proposed development is small scale development and specifically related to an existing business that has been established on the site for a significant period of time.
27. On the basis of the above it is considered that there would be other harm to the purposes of including land within the Green Belt through a contribution to unrestricted sprawl and encroachment.
28. 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 would be harm to openness and other harm. Development of this type should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
29. No case has been advanced in support of the proposed development and, therefore, no very special circumstances are considered to exist that would amount to very special circumstances required to overcome and outweigh the definitional harm to the Green Belt, which must be accorded substantial weight in line with the Framework.

Other matters

30. *Ecological impact*: No assessment of the ecological impact can be carried out as part of an application for permission in principle.
31. *No need for further housing*: There is no maximum limit on the amount of housing that can be developed within an area.
32. *Amenity issues such as loss of light*: No assessment of the residential amenity impacts can be carried out as part of an application for permission in principle.
33. *No details of design*: No assessment of design can be carried out as part of an application for permission in principle.
34. *Will open up the possibility of building on all the fields between Chapel Lane and Coppull Hall Lane*: This is not a matter for consideration as part of this application.
35. *Would detrimentally alter the character of the area*: No assessment of the impact on character can be carried out as part of an application for permission in principle.
36. *Loss of view and open outlook*: There is no right to a view in planning policy, whilst matter of outlook cannot be considered as part of an application for permission in principle.

37. *Impact on and loss of horse riding facilities*: There are no planning policies in place to protect equestrian uses.
38. *Reduction in property values*: There is no evidence that the development would result in reduced property values and this is not a planning matter in any event.
39. *Impact from construction activities*: The construction activities would be temporary and time limited and could be controlled and managed to an acceptable level.
40. *Inadequate drainage*: No assessment of drainage can be carried out as part of an application for permission in principle
41. *There is a legal covenant protecting the land for equestrian use*: This is civil matter that cannot be considered in the assessment of a planning application.

CONCLUSION

42. The proposed development is not considered limited infilling in the Green Belt and does not meet with any of the other exceptions to inappropriate development and, therefore, constitutes inappropriate development resulting in harm by definition. There would also be harm to openness and to the purposes of including land within the Green Belt through a contribution to unrestricted sprawl and encroachment. Therefore, in the absence of very special circumstances the proposed development is contrary to the National Planning Policy Framework and policy HS7 of the Chorley Local Plan 2012 – 2026.

RELEVANT HISTORY OF THE SITE

Ref: 97/00771/CTY **Decision:** PERMIT **Decision Date:** 26 November 1997
Description: Restoration of small hollow to make safe the training area for the junior show jumpers

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.