

APPLICATION REPORT – 22/00851/FUL

Validation Date: 10 August 2022

Ward: Eccleston, Heskin And Charnock Richard

Type of Application: Full Planning

Proposal: Extensions and renovations to listed farmhouse, conversion of barn to two dwellings, demolition of former farm buildings and erection of two detached and two semi-detached dwellings

Location: Woodend Farm Parr Lane Eccleston Chorley PR7 5RL

Case Officer: Mike Halsall

Applicant: Mr Steve Wastell

Agent: Mr Chris Weetman, CW Planning Solutions Ltd

Consultation expiry: 16 December 2022

Decision due by: 10 February 2023 (Extension of time agreed)

RECOMMENDATION

1. It is recommended that planning permission is granted, subject to conditions and a S106 legal agreement to secure a financial contribution of £111,906 towards the provision of off-site affordable housing.

SITE DESCRIPTION

2. The application site is located in the Green Belt at the end of a 280m long access track to the north of Parr Lane (shown as Red Lane on some mapping), approximately 850m to the east of the defined settlement boundary of Eccleston.
3. The site contains a cluster of buildings consisting of Woodend Farm, a 17th Century grade II listed farmhouse, a curtilage listed barn with more recent extensions located to the north east of the dwelling and a further separate storage building located to the north of the dwelling. There is also an unauthorised detached garage which has recently been erected to the south east of the dwelling. Other than an agricultural building located immediately to the north of the application site, the site is surrounded by agricultural land.
4. The applicant has submitted evidence in the form of a sworn statement from the site owner which demonstrates that the extended barn and storage building have a lawful use for the storage of machinery and equipment associated with their construction contracting business and domestic storage associated with the farmhouse, respectively. This use took place between 2012 and 2022 and, on the balance of probabilities is, therefore, considered to be lawful. The application site and buildings, therefore, fall to be considered as previously developed land, as defined in the National Planning Policy Framework (the Framework) at Annex 2.

DESCRIPTION OF PROPOSED DEVELOPMENT

5. The application seeks planning permission for extensions and renovations to the listed farmhouse, the conversion of the barn to two dwellings, the demolition of the former farm

buildings and erection of two detached dwellings and two semi-detached dwellings. The unauthorised garage would also be demolished as part of the proposal.

6. The proposal has been amended numerous times following comments received from the case officer and the Council's heritage advisor in relation to Green Belt considerations and to limit the harm caused by the new dwellings upon the setting of the listed building.
7. A separate application for listed building consent has been submitted in parallel with this application, ref. 22/00852/LBC, for the works to the listed building and curtilage listed barn.

REPRESENTATIONS

8. Two objections have been received in relation to the proposal, raising issues of site access, an increase in traffic and pedestrian safety.

CONSULTATIONS

9. Lancashire County Council Highway Services (LCC Highway Services): Have responded with no objection to the proposal but have requested that the submitted drawings be revised to demonstrate that a turning head could be provided for refuse and emergency vehicles and passing places be provided along the access track. The submitted plans have been revised by the applicant to show the requested features. The final design of the passing places can be agreed through the discharge of a suitable worded planning condition.
10. Lancashire County Council Archaeology Service: Have responded to request a condition be attached to any grant of planning permission to provide a formal record of the buildings in advance of any alterations and that an archaeological watching brief should be maintained on the building works proposed for the interior of the house to enable recording of evidence for changes that are currently concealed beneath wall plaster.
11. Greater Manchester Ecology Unit: Have responded with no objection to the proposal and have suggested conditions be attached in relation to the protection of bats, amphibians, nesting birds and the provision of biodiversity enhancement measures.
12. Tree Officer: Have advised that there are mature trees around the site which given their stature would require protection if they are to be retained. Any tree removal should adhere to BS 3998:2010.
13. Waste & Contaminated Land Officer: Have recommended that due to the sensitive end-use of the development (residential housing with gardens), the applicant submits to the Local Planning Authority a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures.
14. Environment Agency: No comments have been received.
15. United Utilities: Have responded with their template response which provides information for the applicant to ensure United Utilities' assets are protected.
16. Eccleston Parish Council: No comments have been received.

PLANNING CONSIDERATIONS

Principle of development

17. The application site is located wholly within the Green Belt. National guidance on Green Belt is contained in Chapter 13 of the 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 resulting from the proposal, 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...:*

- 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;..*
- 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;*

150. *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:...*

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

18. The proposal includes the extension of a building (the dwelling/farmhouse) (paragraph 149c exception), the redevelopment of previously developed land (paragraph 149g exception), and a barn conversion / re-use of a building (paragraph 150d exception). These elements of the proposal are therefore assessed separately and, in more detail, below.

Extension to dwelling

19. Policy HS5 of the Chorley Local Plan 2012-2026 reflects paragraph 149c of the Framework and states that permission will be granted for the extension of dwellings in the Green Belt provided that the proposed extension does not result in a disproportionate increase in the volume of the original dwelling.
20. Paragraph 55 of the Central Lancashire Rural Development SPD October 2012 states that the extension or alteration of dwellings may not be inappropriate in the Green Belt provided it does not result in disproportionate additions over and above the size of the original building. Proposals for extensions to dwellings in the Green Belt, which have an increase of over 50% of the volume of the original building or the building that stood in 1948, will not be considered favourably.
21. The proposed alterations to the farmhouse are mostly internal changes with the only notable external alterations being limited to window changes and a small single storey side extension. The proposed side extension would fall well within the allowable 50% threshold allowed under the SPD and would not, therefore, represent a disproportionate addition to the original dwelling.

Barn conversion

22. The application proposes to convert the existing barn to two dwellings, following the demolition of more modern extensions. The Central Lancashire Rural Development SPD (Oct 2012) provides additional guidance to that of the Framework on the re-use of buildings in the Green Belt.
23. Policy HS9 of the Chorley Local Plan 2012 – 2026 states that that the re-use of existing buildings in the Green Belt will be allowed provided that specific criteria are met:

a) The proposal does not have a materially greater impact on the openness of the Green Belt and the purposes of including land in it;

Existing extensions to the barn are to be demolished as part of the proposal and are included under the following section relating to the redevelopment of previously developed land. The proposed development includes the conversion of the barn with the only extensions relating to a small canopy over each front door. The Framework at paragraph 149 allows for 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. The guidance contained within the Council's Rural Development SPD provides that increases of up to 50% are not considered disproportionate. The proposed extensions would fall well within 50% of the volume of the existing barn and so would not be disproportionate additions and would not, therefore, have a materially greater impact on the openness of the Green Belt.

Further to the above, it is not considered that the proposal would conflict with any of the purposes of including land in the Green Belt.

b) The proposal would not harm the character or quality of the countryside or landscape;

The proposal is for the re-use of an existing building to two separate dwellinghouses. The site already has a somewhat domestic appearance as it is currently associated with the main dwellinghouse which would become split from the barn upon completion of the scheme. Views from the wider countryside would be seen in the context of the existing cluster of development and it is not considered that the proposal would be harmful to the character or quality of the countryside.

c) The re-use of the building must not be likely to result in additional farm buildings which would have a harmful effect on the openness of the Green Belt;

The agricultural use of the barn is believed to have ceased over 20 years ago and has until recently been in use for non-agricultural storage purposes. In any case, it is not of a size or design that is suitable for modern agricultural practices. Its conversion is not considered to be likely to result in additional farm buildings being required.

d) If an agricultural building, it is not one substantially completed within ten years of the date of the application;

The building is no longer an agricultural building.

e) The building is of permanent and substantial construction and capable of conversion without more than 30% reconstruction;

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f) The building must be capable of conversion without the need for additions or alterations which would change its existing form and character. Particular attention will be given to curtilage formation which should be drawn tightly around the building footprint and the requirement for outbuildings, which should be minimal;

The building would largely retain its traditional character with minimal new openings and the main barn doors in the front and rear elevations proposed to be large feature windows. The existing extensions which detract from the character of the barn and somewhat hide the barn from view are proposed for demolition which would enhance the form and character of the building. The proposal is considered to be acceptable in design terms and would not be harmful to the visual amenities of the area. The curtilage formation is considered to be acceptable and not disproportionate to the size of the new dwellings.

g) The building must already have, or there exists the capability of creating, a reasonable vehicular access to a public highway that is available for use without creating traffic hazards and without the need for road improvements which would have an undue environmental impact;

The proposed development includes the utilisation of an existing access from Parr Lane and passing places would be provided, as requested by LCC Highway Services. There is adequate space for the provision of on-site parking in line with the Council's parking standards.

It is not considered that the proposed development would be detrimental to highway safety and would, therefore, accord with this criterion.

h) The development would not result in the loss of or damage to any important wildlife habitat or protected species.

It is not considered that the proposal would be detrimental to nature conservation interests, as discussed later in this report.

Redevelopment of previously developed land

24. As previously noted, the storage use of the site is well established and falls within the definition of previously developed land specified at Annex 2 of the National Planning Policy Framework.
25. Whilst the test for sites such as this relates to the impact on openness, the Framework does not contain a specific definition of 'openness'. It is a subjective judgment which is considered further below, along with objective criteria of making that assessment. It is considered that in respect of the Framework, the existing site currently has an impact on the openness of the Green Belt. However, it is important to note that merely the presence of existing buildings on the site currently does not justify any new buildings. The new buildings must also not "have a greater impact on the openness of the Green Belt".
26. To engage with the exception of paragraph 145g of the Framework, which is reflected in policy BNE5 of the Chorley Local Plan 2012 – 2026, the test relates to the existing development. The openness of an area is clearly affected by the erection or positioning of any object within it no matter whether the object is clearly visible or not. The openness test relates to the whole of the site.
27. Policy BNE5 relates to the redevelopment of previously developed sites in the Green Belt and states that redevelopment of previously developed sites in the Green Belt will be permitted providing that the appearance of the site as a whole is maintained or enhanced and that all proposals, including those for partial redevelopment, are put forward in the context of a comprehensive plan for the site as a whole.
28. Whether harm is caused to openness depends on a variety of factors such as the scale of the development, its locational context and its spatial and/or visual implications. The existing site currently has an impact on the openness of the Green Belt through the presence of the substantially sized buildings. However, it is important to note that merely the presence of existing buildings on the application site currently does not justify any new buildings. The new buildings must also not "have a greater impact on the openness of the

Green Belt". Case law has established that for there to be a greater impact, there must be something more than merely a change.

29. The proposal seeks to demolish the extensions to the barn and other detached buildings. Whilst the unauthorised garage proposed for demolition and the ruins of a further building have been included in the applicant's calculations (buildings B and J), these have been removed from the officer's calculations below, as there is no allowance for such buildings in planning policy terms.
30. The existing buildings to be demolished at the site have an approximate cumulative built volume of 2183.52 cubic metres and a built footprint of approximately 556.56 square metres. The proposed new development at the site would have a built volume of approximately 2924.72 cubic metres and a built floor area of approximately 479.3 square metres.
31. The proposal represents an approximate 30% increase in built volume and a reduction in floor space of approximately 15%. The Council will typically allow for uplifts in volume of up to 30% without the proposal resulting in a greater impact upon the openness of the Green Belt. As a result of the reduced surface area of built development and the increase in volume being within the Council's agreeable threshold, the spatial impact of the proposed development would be similar to that of the existing development. The visual impacts would also be improved due to a reduction in the overall massing of buildings. It is appreciated that in order to lessen the impact of the dwelling on Plot 2 on the settling of the listed farmhouse, the building has been relocated further to the south east which spreads the built development more widely across the site than currently. That said, on balance, it is considered that the sense of openness would be maintained by the proposal. As such the impact on openness when considering the site as a whole would be no greater than the existing development.
32. Given the above, it is considered that the proposed development would not have a greater impact on the openness of the Green Belt than the existing development and as such would not represent inappropriate development in the Green Belt.

Green Belt Summary

33. The proposal falls within a combination of the exceptions of paragraphs 149c and g and 150d of the Framework and is therefore not considered to represent inappropriate development in the Green Belt.

Impact on designated heritage assets

34. The principal statutory duty under the P(LBCA) Act 1990 is to preserve the special character of heritage assets, which includes their setting. Local Planning Authorities (LPAs) should in coming to decisions consider the principle act which states the following;

Listed Buildings - Section 66(1)

"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Great weight and importance is attached to this duty.

35. Section 16 of the Framework refers to conserving and enhancing the historic environment. The following paragraphs contained therein are considered to be pertinent in this case:

194. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no

more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

195. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

197. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

206. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

36. The Central Lancashire Core Strategy (2012) (the Core Strategy), policy 16 refers to Heritage Assets. This policy mirrors that given in the Framework and states that it seeks to:

‘Protect and seek opportunities to enhance the historic environment, heritage assets and their setting by:

a. Safeguarding heritage assets from inappropriate development that would cause harm to their significances.’

37. Policy BNE 8 of the Chorley Local Plan 2012 – 2026 refers to the Protection and Enhancement of Heritage Assets. Essentially this policy mirrors the Framework. Paragraph b, states that, *‘Applications will be granted where they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of the heritage asset itself and the surrounding historic environment and where they show consideration for the following: iii, The Conservation and, where appropriate, the enhancement of the setting of heritage assets.’*
38. The proposal has been amended since its original submission following discussions with the Council’s heritage advisor to limit harm to the setting of the listed building and also to reduce the amount of glazing proposed in the extension to the listed building.
39. A summary of the Council’s heritage advisor’s comments are as follows:

The farmhouse

“Woodend Farm is an altered farmhouse building constructed in C17 and altered in C19. It is two storey with an L-shaped plan with a projecting two-bay crosswing at the left end, which was added later. Having seen the interior of the farmhouse whilst I am now largely content with the changes proposed to the interior of the listed building itself. The removal of the extensive dry lining found throughout the property will be a positive change. The proposed removal of internal walls and changes to the plan form will have little or no impact on the significance of the building. Any minimal impact is more than offset by the decision to remove the existing dry lined interior. All doors and windows should be changed to timber ones of a suitable design. The detail could be secured via a suitable worded condition.”

The barn conversion

“The barn is located within the curtilage of the Grade II listed Woodend Farm, situated to the east. The Heritage Statement notes the presence of a granary in the main house suggests the barn could be contemporary to the main farmhouse, however, it is possibly a later rebuild. There is no information within the listing which relates to the barn’s construction. Historic mapping shows that the main range of the barn has been extended since mid C19, appearing to have much of the same footprint we see today. The barn provides evidence of the farmhouse’s association with agriculture. The barn was inspected on 14th February 2018, it was noted as being semi derelict.

The proposed plans retain the main range and north lean-to section of the barn and remove the later brick additions. The barn will be split into two, three-bed dwellings, both dwellings will be over two floors. The west elevation (facing into the farmyard) of the barn will be the principal elevation of the dwellings. The most recent site plan/layout shows the area in front of the barn being laid out as a setted courtyard.

Internally, new walls will be introduced throughout the barn to create additional rooms. The proposed scheme will use the existing footprint of the barn but the roof will be raised slightly

to create the required additional headroom for a first floor. The barn will be re-roofed replacing the existing concrete sheeting with natural slate.

There is considerable benefit in stripping away the modern brick additions and repairing and converting the principle 'original' barn. I feel retaining this barn will help sustain the relationship between the two buildings and will contribute positively to the historic setting of the listed building. I support this element of the scheme and overall I feel the conversion of the barn into two dwellings will be a positive change to the setting of the farmhouse. If the application is to be approved I would suggest suitable conditions are applied to secure the methodology for the conversion work and the use of appropriate materials."

The proposed houses

"All the proposed dwellings are of different designs but are constructed of the same materials to provide a coherent farm/barn architectural style/appearance. The dwellings are two storey and constructed from brick with slate roofs, all sat upon stone plinths with stone chimney stacks. The dwellings have a mixture of different sized casement windows with stone cills and lintels.

Clearly part of the value of the setting to the listed farmhouse is the agricultural character of its immediate surroundings. On approach from the south, the listed building is seen in the context of the adjacent agricultural buildings and this wider rural context. I feel the provision of the four new houses will have a marked effect on this view and how you will appreciate the listed building and the retained barn.

Historic England's advice on setting is contained in its Planning Note 3 (second edition) entitled The Setting of Heritage Assets (2017), which describes the setting as being the surrounding's in which a heritage asset is experienced and explains that this may be more extensive than its immediate curtilage and need not be confined to areas which have public access.

Historic mapping shows that the farmhouse and existing farm buildings/barn have existed as a 'farmstead' on the site in their current formation since at least the 1840s (OS First Edition 6 inch), with almost no substantive change to the setting.

The immediate setting of the farmhouse has long been made up of four relatively distinct areas, with three separate fields/grassed areas to the north, south and west and farm buildings to the east. The fields to the south and west appear to have once been wooded and the site has always been accessed via the long track to the front of the site with open views across the fields on the approach.

The proposed dwellings, particularly those to the south and east of the site, will impact on the farmhouse's long established prominence and primacy in its setting and the addition of these dwellings not only visually compete with the listed farmhouse but also risk 'sub-urbanising' its immediate surroundings. The two properties to the rear would sit behind the listed building and would therefore intrude less into the setting of the farmhouse on approach. Their impact is however, perhaps felt closer and I feel the creation of a courtyard type development, as illustrated, does not overcome the visual impact upon the setting.

Taking into account the value of the setting and its contribution to the character of the listed farm I feel the harm caused by the proposed four new houses, as presented, would be of a moderate scale and this would equate to a low loss of significance to the listed farmhouse. This level of harm would fall within the less than substantial range.

Conclusion

"Overall, as discussed above, I have no issues in regard to the alterations to the farmhouse or to the barn conversion and feel those aspects of the scheme would cause no discernible impact or harm to the significance of the listed building. However, I feel the proposed four new houses would harm the contribution made by the setting to the

significance of Woodend Farm. Whilst I am mindful that the works to the farmhouse and barn provide some wider improvement, which can be regarded as benefit I do not feel this justifies the need for the new houses and does not outweigh the harm caused to the setting. As I am required to do so, I have given the duty's imposed by s.66(1) of the P(LBCA) Act 1990 considerable weight in my comments.

As discussed above, whilst parts of the proposal are acceptable (subject to materials), due to the issues raised above with regard to the proposed new detached dwellings, I do not consider the proposal meets the statutory test 'to preserve' and would cause some low harm (less than substantial) to the significance of the Grade II listed building.

It will be down to the LPA to consider this loss of significance in its planning balance (as per Paragraph 202 of the NPPF) and weigh the level of harm against any benefits gained by the development as a whole. If a positive balance cannot be achieved then the proposal would not meet the objectives of Chapter 16 of the NPPF and would be at odds with Policy BNE8 of the Local Plan and Policy 16 of the Central Lancashire Core Strategy."

40. The scheme has been amended following receipt of the above comments to move the closest dwelling which was proposed immediately to the east of the farmhouse, further to the south east. Whilst the proposed changes to the listed farmhouse and the barn conversion are seen as positive changes, the Council's heritage advisor considers that the proposed new dwellings would result in a moderate level of harm, equating to a low level loss of significance to the listed farmhouse. Whilst the revised scheme may have lessened the harm, it is considered that the scheme as presented causes 'less than substantial harm' and should be assessed under paragraph 202 of the National Planning Policy Framework.
41. The public benefits of the scheme need to be weighed against the identified level of harm. There are a number of public benefits of the scheme in terms of improving the character and appearance of the site, securing the longevity of the listed building and the provision of much needed housing. It is considered that these benefits outweigh the identified harm, and as such the proposal conforms with S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Chapter 16 the Framework, policy 16 of the Core Strategy and policy BNE8 of the Chorley Local Plan 2012 - 2026.

Impact on character and appearance of locality

42. Policy BNE1 of the Chorley Local Plan 2012 - 2026 states that planning permission will be granted for new development, including extensions, conversions and free-standing structures, provided that (amongst other things):
 - a) *The proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials.*
 - c) *The layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and respect the character of the site and local area;*
43. The existing buildings proposed for demolition are of a functional nature akin to their former agricultural and domestic uses. They are largely in a poor state of repair and do not contribute to the character of the area in any positive way. The listed building and associated barn proposed for conversion have heritage value (as explained earlier in this report) and the proposal represents a positive change to these buildings.
44. Given the remote location of the site, the proposed dwellings are considered acceptable in terms of size, scale, massing and design. The appearance of the dwellings would fit with the rural character of the area. The final choice of external facing materials and landscaping details can be controlled by planning condition. As such it would be an acceptable design response in the context of this site, which is already occupied by large former agricultural buildings.

45. Overall, the proposed development is an appropriate design response to the site and would have a positive impact on the appearance of the site and character of the area in consideration of the present buildings, and would not have a detrimental impact on the surrounding area. The development, therefore, complies with policy BNE1 of the Chorley Local Plan 2012 – 2026 with regards to design.

Impact on neighbour amenity

46. 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.
47. There are no existing dwellings in close proximity to the site, other than the farmhouse which forms part of the proposal. Each dwelling is designed to avoid breaching the Council's minimum interface distances.
48. It is considered that the development would not adversely impact on the amenity of any existing or future occupiers and the proposal complies with policy BNE1 in this regard.

Highway safety

49. Policy BNE1 of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the residual cumulative highways impact of the development is not severe and it would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Site Allocations Policy – Parking Standards, unless there are other material considerations which justify the reduction.
50. The dwellings would be accessed via an existing site access point from Parr Lane with passing places to be provided along the access track. The site layout plan adequately demonstrates that the site would provide off street parking and vehicle manoeuvring areas in line with the parking standards set out in policy ST4 of the Chorley Local Plan 2012 – 2026 and Appendix A.
51. LCC Highway Services have assessed the proposal and do not have any objections. The proposal is considered to be acceptable in terms of highway safety having regard to Chorley Local Plan policy BNE1 (d).

Flood risk and drainage

52. The application site is not located in an area that is at risk of flooding from pluvial or fluvial sources, according to Environment Agency mapping data. In accordance with the Framework and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water being managed by package treatment plant and surface water draining in the most sustainable way.
53. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. As such the developer should consider the following drainage options in the following order of priority:
1. into the ground (infiltration);
 2. to a surface water body;
 3. to a surface water sewer, highway drain, or another drainage system;
 4. to a combined sewer.
54. A Flood Risk Assessment has been submitted in support of the proposal which concludes that no further mitigation measures are considered necessary for the proposed development.

55. United Utilities have responded with no objection to the proposal. The above can be controlled by suitably worded planning conditions.

Ecology

56. Policy BNE9 of the Chorley Local Plan 2012 – 2026 stipulates that Biodiversity and Ecological Network resources will be protected, conserved, restored and enhanced; and that priority will be given to, among other things, protecting, safeguarding and enhancing habitats for European, nationally and locally important species.
57. The Council's ecological advisors have responded with no objection to the proposal and have recommended conditions in relation to protecting bats, birds and the provision of biodiversity enhancement measures, stating the following:

"Bats

*Surveys have shown that that three of the existing buildings on the site, referred to as buildings A, E, and H in the bat survey report, are being used by low/singular numbers of Common pipistrelle bats (*Pipistrellus pipistrellus*), Brown Long-eared bats (*Plecotus auritus*), and Myotis bats (*Myotis mystacinus/brandtii*) for roosting purposes. The presence of bat roosts is a material consideration in the determination of a planning application.*

The applicant has proposed a comprehensive Mitigation Plan for avoidance of harm to bats (report of Tyrer Ecological Consultants, June 2022) and these proposals are acceptable. I would conclude that, providing the mitigation measures are implemented in full, the conservation status of bats is capable of being protected.

Because of the presence of bats, the development will need to be undertaken under the terms of a protected species Licence obtained from Natural England. The process of obtaining a Licence is separate from any grant of planning permission.

I would recommend that, as a Condition of any approval granted to the scheme –

The proposed development shall not in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations (Amendments) (EU Exit) 2019 authorizing the specified activity/development to go ahead; or*
- b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.*

Amphibians

Although the preliminary ecological assessment provided to inform the applicant has concluded that the development proposal will not cause harm to the specially protected species great crested newts, I am more cautious. The ponds to the south of the application site have not been surveyed for the possible presence of newts because it is stated that the small watercourse between the ponds and the application site acts as a barrier to amphibian movement. I do not agree with this – it is a small, shallow watercourse which great crested newts could cross. They could therefore be present on the application site and could be harmed by site clearance and construction works. Notwithstanding this, I would accept that the development is unlikely to cause any long-term harm to great crested newts, if present, because relative habitat losses caused by the development will be small.

In addition, other amphibians could be present on the application site because there are a number of ponds nearby.

I would recommend that as a Condition of any permission which may be granted to the scheme, a Method Statement must be prepared giving details of the reasonable measures

to be taken to avoid any possible harm to amphibians during the course of any approved development. Once approved, this Method Statement must be implemented in full.

Nesting birds

No vegetation clearance or demolition should commence in the optimum period for bird nesting (March to August inclusive) unless nesting birds have been shown to be absent by a suitably qualified person.

Wildlife Enhancement

The site would benefit from the installation of bird nesting boxes, particularly for Swifts and Swallows.”

58. It is, therefore, not considered that any further assessment is required of the proposed ecological impacts of the proposal and it is considered acceptable in this regard. The proposal is considered to comply with policy BNE9 of the Chorley Local Plan (2012-2016).

Public open space

59. Policy HS4 of the Chorley Local Plan 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.
60. The Council does not seek contributions for amenity greenspace, parks and gardens, natural and semi-natural greenspace, allotments or playing pitches for schemes of fewer than 11 dwellings.
61. With regards to the provision of open space for children/young people, policy HS4A sets a standard of 0.08 hectares per 1,000 population. There is currently a surplus of provision in Eccleston, Heskin & Charnock Richard in relation to this standard, however the site is not within the accessibility catchment of an area of provision for children/young people. A contribution towards new provision in the accessibility catchment is therefore required from this development. However, no new schemes within the accessibility catchment are currently identified.

Sustainability

62. 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 1st 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.”

63. Given this change, instead of meeting the code level, the Local Planning Authority required that dwellings should achieve a minimum dwelling emission rate of 19% above 2013 Building Regulations in accordance with the transitional provisions. Building Regulations 2022 have now been brought into force and under Part L require a 31% improvement above 2013 Building Regulations. This exceeds the Council's previous requirement and now supersedes the requirement for a planning condition.

Affordable housing

64. The Framework requires that affordable housing should only be sought for residential developments that are major developments (in this context, the Framework defines major development as development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more). The affordable housing threshold in rural areas of 5 dwellings in Core Strategy Policy 7 has, therefore, now been replaced by the Framework threshold of 10 dwellings. This proposal is for 6 additional dwellings but the site has an area of 1.51 hectares and is, therefore, a major development for the purposes of affordable housing provision.
65. An affordable housing contribution of 35% would normally, therefore, be required in accordance with Core Strategy Policy 7 and the Framework as part of this proposal. This equates to 2no. affordable dwellings, which should be provided on site unless the site is demonstrably an unsustainable location for affordable housing.
66. The applicant submitted a Viability Appraisal in support of the application which seeks to demonstrate that the development of the site is not viable if the affordable housing requirement is imposed by the Council. The Council's advisors for such matters reviewed the Viability Appraisal and raised a number of issues in relation to its contents. The applicant subsequently decided to not pursue this and agreed to provide a contribution, as described in more detail below.
67. The site is separated from the nearest settlement of Ecclestone with a lack of footways on sections of Parr Lane and a lack of public transport between the two. There are also obvious issues for Registered Providers with having a small number of isolated affordable houses in terms of their management. The site is clearly not a suitable location for this level of affordable housing. A commuted sum for off-site provision is, therefore, required from this scheme.
68. The formula for calculating the financial contribution is set out in paragraph 48 of the Central Lancashire Affordable Housing SPD. Based on the proposed scale of development the calculation is as follows:
- Average house price for locality and house type = £498,689 (based on average house price of £255 per sq ft and proposed average size of 1958 sq ft).
33% of open market value = £164,567
Affordable housing requirement (35% of 6 = 2 dwellings) = £329,134
69. The applicant has claimed what is called Vacant Building Credit against the above contribution requirement. National Planning Practice Guidance states that *“National policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace.”*

70. The buildings have been vacant since approximately April 2022. Once the Vacant Building Credit is applied to the proposal, the revised number of affordable housing units to be provided is 0.68 units, which would be rounded up to 1 dwelling. The commuted sum (for borough-wide provision) required from this proposal is, therefore, £111,906 (£164,567 x 0.68) which would be secured via a S106 legal agreement.

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.

CONCLUSION

72. It is considered that the proposed development would not be inappropriate development in the Green Belt as it accords with exceptions 149c and g and 150d of the Framework. Further, the proposal would ensure the protection of neighbouring residential amenity in accordance with the aims of policies within the Framework and the Chorley Local Plan 2012 – 2026 that seek to achieve sustainable development. It is also considered that the proposed development would have no detrimental impact on the character of the area and would not give rise to unjustified harm to ecology, drainage, heritage assets or highway safety.

RELEVANT HISTORY OF THE SITE

Ref: 81/00947/FUL **Decision:** PD **Decision Date:** 16 December 1981
Description: Change of use from garage to farm shop

Ref: 22/00852/LBC **Decision:** PCO **Decision Date:** Pending
Description: Application for listed building consent for extensions and renovations to listed farmhouse, conversion of barn to two dwellings and demolition of former farmbuildings to enable the erection of two detached dwellings and two semi-detached 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

1. 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.

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

Title	Plan Ref	Received On
Location Plan	N/A	26 January 2023
Proposed Site Plan	21/154/P01 Rev F	26 January 2023
Farmhouse - Proposed Plans & Elevations	21/154/P02 Rev A	18 October 2022
Barn - Proposed Plans & Elevations	21/154/P03	4 August 2022

Proposed House Type (4H2003) - Plot 2	21/154/P07 Rev A	2 December 2022
Proposed House Type (3H2382) - Plot 5	21/154/P06 Rev A	2 December 2022
Proposed Plans & Elevations - Plot 6 (3H2184) & Plot 7 (4H2088)	21/154/P09	2 December 2022

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

3. Prior to any works taking place above DPC level, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- a) Details of the colour, form and texture of all external facing materials to the proposed dwellings
- b) Details of the colour, form and texture of all hard ground- surfacing materials.
- c) Location, design and materials of all fences, walls and other boundary treatments.
- d) Existing and proposed ground levels and finished floor level of the proposed dwellings.
- e) A scheme for the landscaping of the development and its surroundings to include the types and numbers of trees and shrubs to be retained, removed and planted and their distribution on site, those areas to be seeded and detail any changes of ground level or landform.

Any tree removal work shall be done in accordance with BS 3998:2010 and those to be retained shall be protected in accordance with BS 5837:2012.

The development thereafter shall be completed in accordance with the approved details. Prior to the first occupation of any of the dwellings hereby permitted all fences and walls shown in the approved details to bound its plot shall have been erected in conformity with the approved details.

Reason: In the interests of the visual amenities and character of the area and to provide reasonable standards of privacy to residents.

4. Prior to the commencement of the development, other than demolition and enabling works, details of a scheme for the mitigation and biodiversity enhancement of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved mitigation measures shall be carried out prior to the occupation of any of the dwellings and should consist of house swift and swallow nesting habitat.

Reason: To deliver biodiversity enhancements.

5. No works to trees and shrubs or vegetation clearance or demolition of buildings shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present.

Reason: All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981 (as amended).

6. Foul and surface water shall be drained on separate systems. Surface water shall be drained in accordance with the hierarchy of drainage options in national planning practice guidance. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

7. Any new external lighting should be designed to minimise the impact on nocturnal wildlife.

Reason: To avoid disturbance of nocturnal wildlife.

8. Prior to the first occupation of any of the dwellings hereby permitted, all existing buildings labelled B, C, D, E, F and G on the Proposed Site Plan (ref. 21/154/P01 Rev F) shall have been demolished and all resultant materials removed from the site.

Reason: To protect the openness of the Green Belt.

9. Due to the proposed sensitive end-use (housing with gardens), no development shall take place until:

- a) a methodology for investigation and assessment of ground contamination has been submitted to and agreed in writing with the Local Planning Authority. The investigation and assessment shall be carried in accordance with current best practice including British Standard 10175:2011 'Investigation of potentially contaminated sites - Code of Practice'. The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;
- b) all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;
- c) the Local Planning Authority has given written approval to any remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of remediation works a validation report containing any validation sampling results shall be submitted to the Local Authority.

Thereafter, the development shall only be carried out in full accordance with the approved remediation proposals.

Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority.

Reason: It is the applicant's responsibility to properly address any land contamination issues, to ensure the site is suitable for the proposed end-use, in accordance with Paragraph 121 of the National Planning Policy Framework (DCLG, 2012).

10. Prior to any works taking place to the listed building or the section of the barn to be converted, details of all external facing, roofing and rainwater goods materials (notwithstanding any details shown on previously submitted plan(s) and specification) and a work methodology for the repair and treatment of the buildings, including internal finishes, 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 listed building and the locality.

11. Prior to the first occupation of any of the approved dwellings, details of passing places along the site access road from Parr Lane shall be submitted to and approved in writing by the Local Planning Authority and the passing places installed as approved. The passing places shall thereafter be maintained as such in perpetuity.

Reason: To ensure the site access is safe for use.

12. The car parking area and manoeuvring area the development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least sub base before any development takes place within the site.

Reason: To ensure that provision is made for the storage of materials and contracting staff.

13. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and such provisions shall be laid out in accordance with the approved plans and the vehicular turning space shall be laid out and be available for use before any development commences and a suitable turning area is to be maintained thereafter.

Reason: Vehicles reversing to and from the highway are a hazard to other road users, for residents and construction vehicles.

14. No development, site clearance/preparation, or demolitions shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

The programme of works should comprise the creation of a record of the house to Level 3 as set out in 'Understanding Historic Buildings' (Historic England 2016), and the farm buildings to level 2/3 (to include cross sections) as set out in Understanding Historic Buildings. It should include full descriptions of the building, inside and out, a drawn plan, elevations and at least one section (which may be derived from checked and corrected architect's drawings), and a full photographic coverage, inside and out. The record should also include a rapid desk-based assessment, putting the building and its features into context. This work should be undertaken by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists (www.archaeologists.net). A digital copy of the report and the photographs shall be placed in the Lancashire Historic Environment Record prior to the dwelling consented being first occupied.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings/site.

15. No works shall take place to any of the existing buildings until the following has been submitted to the Local Planning Authority:

a) a license issued by Natural England pursuant to Regulation 55, of the Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development go ahead:
or

b) a statement in writing from the relevant licensing body or the Local Planning Authority to the effect that it does not consider that the specified development will require a license

Reason: To safeguard bats which are a protected species.

16. Prior to any earthworks or vegetation clearance, a reasonable avoidance measures method statement for amphibians shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved method statement.

Reason: To safeguard a protected species.