

## APPLICATION REPORT – 23/00712/FUL

**Validation Date: 23 August 2023**

**Ward: Clayton East, Brindle And Hoghton**

**Type of Application: Full Planning**

**Proposal: Conversion of barn to form 4no. dwellings, erection of 3no. dwellings and detached car port (following demolition of 5no. existing buildings)**

**Location: Head O'th Marsh Farm Sandy Lane Brindle Chorley PR6 8PQ**

**Case Officer: Chris Smith**

**Applicant: Mr and Mrs R & CJ Ormisher**

**Agent: PWA Planning**

**Consultation expiry: 21 September 2023**

**Decision due by: 22 December 2023**

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### RECOMMENDATION

1. It is recommended that planning permission is granted, subject to conditions and a S106 legal agreement to secure a financial contribution of £938.00 towards the provision of equipped play area for children/young people.

### SITE DESCRIPTION

2. The application site is located within the Green Belt as defined by the Chorley Local Plan 2012-2026 on the southern side of Sandy Lane in the rural locality of Brindle. The site contains a cluster of buildings of varying age, type, and construction most of which have been used for agriculture and one for non-agricultural use. To the east, the site is bounded by a building known as 'the Farmshop' which benefits from an extant planning permission to be converted to 2no. dwellings (ref. 22/00023/FUL). The grade II listed building Head O'th Marsh Farmhouse is also located immediately to the east of the site.
3. The immediate locality is predominantly rural, characterised by agricultural land, farmsteads, and individual dwellings. The M65 is located approximately 300m to the south of the site and the settlement of Brindle is approximately 1.3km to the south west.

### DESCRIPTION OF PROPOSED DEVELOPMENT

4. The application seeks planning permission for the conversion of a barn (building 4, which is a curtilage listed building) to form 4no. dwellings and the erection of 3no. dwellings and a detached car port, following the demolition of 5no. existing buildings as follows:

#### Conversion of building 4

5. This would involve the removal of extensions on the eastern and southern side of the larger eastern portion of the existing barn and the removal of an extension on the western portion of the barn. The resultant building would contain 4no. residential units with units 1 and 2 located in the older, eastern, larger part of the barn and units 3 and 4 situated in the existing western brick section of the barn. Unit 2 would have an integral garage.

6. The larger eastern portion of the barn is the oldest part of the building where external alterations would be limited to the removal of later extensions. Several external alterations to the western brick-built part of the building are proposed including the replacement of the existing roof with a zinc sheet roof and the addition of vertical weather board cladding to the north west and south west elevations.

#### Erection of 3no. dwellings and carport (to replace building B)

7. The proposed dwellings would be built in the location of the existing building B which was last used for caravan storage. They would be contained within a single building which would measure approximately 30m by 10m and would have a dual pitched roof with an eaves and ridge height of approximately 3.3m and 6.6m respectively.
8. The proposed car port would be located immediately to the north of the new building. It would have a mono-pitched roof with an eaves and ridge height of approximately 2.2m and 3.3m respectively. It would provide 5no. car parking spaces as well as storage space.

#### Access, landscaping, and parking

9. Vehicular access to the site would remain as it currently exists with the two existing access points from Sandy Lane to be utilised.
10. Proposed soft landscaping would involve the provision of tree and hedge planting as well as the creation of a wildflower meadow / paddock within the central portion of the site. Hard landscaping would involve a mixture of tarmac, decorative paving and granite setts.
11. A total of 20no. car parking spaces would be provided and modestly proportioned areas of domestic curtilage to be used as private amenity space would serve each of the proposed dwellings.

#### **REPRESENTATIONS**

12. No representations have been received.

#### **CONSULTATIONS**

13. Brindle Parish Council – Have stated that they object to the proposed development for the following reasons:
  - Traffic and highway safety.
  - Impact on the grade II listed property Head O'th Marsh Farm.
  - Overdevelopment of the site which will create a small housing estate.
  - Lack of infrastructure for the development.
  - Insufficient parking provision.
  - Design and materials would be out of keeping with the character of the area.
  - Impact on the Green Belt.
  - Building B does not constitute previously developed land.
14. Greater Manchester Ecology Unit (GMEU) – Have stated that they raise no overall objections to the application on ecology grounds, subject to conditions.
15. Lancashire County Council Archaeological Services - Have stated that the buildings are of some historical interest and the proposed conversion would have a significant impact on the character of the building and would result in the loss of some historic fabric. They advise that an archaeological record of the buildings be made prior to any development.
16. Lancashire County Council Highway Services (LCC Highways) – Have stated that they have no objections in principle to the development, however, they requested that the proposed granite setts surrounding the tarmac at the access to the highway be removed and replaced with tarmac in order to avoid future maintenance issues.

17. United Utilities (UU) – Have not raised any objections to the proposed development and stated that their records show that there are no known public sewers in the vicinity of the proposed development although a water main is located within the vicinity of the site.

## **PLANNING CONSIDERATIONS**

### Principle of the development in the Green Belt

18. The application site is located wholly 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 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 the Green Belt. Exceptions to this are:*

- 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.*

*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. This includes:*

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

19. There are two main elements to the proposal with differing impacts on the Green Belt including the conversion of the barn (building 4) to 4no. residential dwelling units (paragraph 150d exception) and the erection of 3no. dwellings and a car port following the demolition of existing building B (paragraph 149g exception). These elements are assessed separately below leading to a single conclusion as to the overall impact on the Green Belt.

### Proposed conversion

20. With regards to the conversion of an existing barn, previously used for agricultural purposes, to dwellinghouses, this falls within the exception to inappropriate development in the Green Belt relating to the re-use of a building, as detailed at bullet point d) of paragraph 150 of the Framework which states that:

21. In order to benefit from the relevant exception to inappropriate development in the Green Belt, specified at paragraph 150 (d) of the Framework, the applicant must demonstrate that the change of use preserves the openness of the Green Belt, does not conflict with the purposes of including land in the Green Belt and involves the re-use of a building of permanent and substantial construction. Policy HS9 of the Chorley Local Plan 2012-2026 reflects this guidance.
22. Policy HS9 of the Chorley Local Plan 2012 – 2026 states that the re-use of existing buildings in the Green Belt, Safeguarded Land and Area of Other Open Countryside will be allowed providing all of the following 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;*

The proposed conversion would not increase the size, scale, or height of the existing building and as such the resultant building, would have no greater impact on the openness of the Green Belt than the existing building.

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

The proposed development would involve the conversion and re-use of an existing building which is already contained within a cluster of existing buildings. Given that the proposed development would not increase the size and scale of the building it is not considered that there would be any greater or more adverse visual impacts upon the character or quality of the surrounding countryside than that which occurs as a result of the existing building.

*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;*

On a visit of the application site, it was observed that the buildings subject of the application were vacant and no agricultural operations or evidence of recent agricultural activity could be discerned. The design and access statement states that one of the buildings on the site (building B) has been used lawfully for non-agricultural activity as caravan storage. The applicant's agent has also confirmed that:

*"the majority of the farm buildings have not been in use since April 2022 when the last tenant farmer left the site and that prior to this the previous tenant farmer who occupied the farmhouse rented some of the farm buildings and land. That same farmer continues to rent the land associated with Head O'th Marsh, but now lives at and uses the agricultural buildings at Leigh Farm, located approximately 300m from the application site. It is the intention that all farming uses would cease at the site, and whilst the surrounding land will remain in agriculture, no further agricultural buildings will be needed. The applicants themselves are not farmers".*

Taking this into account and in the absence of any evidence to indicate that agricultural operations are likely to resume at the site, it is not considered that the re-use of the building would likely result in any additional farm buildings which would have a harmful effect on the openness of the Green Belt.

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

The application building has been in situ in excess of ten years.

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

The application has been supported by the provision of a Structural Condition Survey report. This stated that the survey identified that the barn is generally in a good condition

with little sign of previous movement and no sign of ongoing movement and existing trusses and purlins appear to be in good condition with little sign of rot or infestation. It stated that the roof to the stone part of the barn is to remain as slate and the brick section would have a new zinc sheet lining system. The report concluded that the amount of rebuilding required would be well below the 30% threshold. It is, therefore, considered that the building is of permanent substantial construction and capable of conversion without more than 30% reconstruction.

*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 proposed development would retain several external features of the existing building. It is considered that the oldest part of the building, the larger eastern portion, contributes positively to the setting of the grade II listed farmhouse and the fabric and appearance of this part of the building would be retained with changes limited to the removal of later extensions in order to return this part of the building to its original footprint. Existing stonework and the roof would also be retained. Consequently, it is considered that this part of the conversion would not involve any additions or alterations which would change the form and character of the building.

Alterations to the brick built western portion of the barn would involve the replacement of the roof with a zinc sheet lining roof and the north west and south west elevations would be clad in vertical weather board cladding. It is considered that the resultant building would reflect the agricultural character of the site and the design, style and form of other agricultural buildings which are relatively commonplace within the immediate locality.

Having regards to the above, the proposal is considered to be acceptable in design terms and would not be harmful to the character of the existing building. 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 development would utilise the existing means of access from Sandy Lane to north of the site.

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

The application is accompanied by a preliminary ecological assessment and a barn owl method statement by Batworker Ecological Consultancy which have been assessed by the Council's appointed ecologists at Greater Manchester Ecology Unit (GMEU). They advised that they raise no overall objections to the application on ecology grounds, however, they noted that breeding barn owls have been recorded on the site and as they are legally protected the measures outlined in the Barn Owl Method statement should be required to be implemented in full by means of a planning condition.

GMEU also advised that the applicant should be aware that bats can and do turn up in unlikely places and if bats are encountered at any time during works, works must cease and advice sought from a suitably qualified person about how best to proceed.

Having regard to the above, it is considered that the nature conservation interests would be sustained, and the proposal would comply with Chorley Local Plan policy BNE9.

23. Following a thorough review of the wording of the Framework and Policy HS9, the proposed conversion is considered to preserve the openness of the Green Belt and it does not

conflict with the purposes of including land in the Green Belt and the development relates to a building of permanent and substantial construction.

#### Redevelopment of previously developed land

24. The proposed dwellings and car port would replace an existing storage building (building B). A planning application for the conversion of this building to a building for the storage of 14no. caravans was approved by the Council in January 2007 (ref. 06/01273/COU). There is no evidence to indicate that there have been any intervening agricultural uses of the building since this time and, therefore, the part of the site which is occupied by the building and its curtilage is considered to constitute previously developed land within the Green Belt as defined within Annex 2 of the Framework.
25. The proposed dwellings and car port would therefore have the potential to engage with the exception detailed at paragraph 149g of the Framework involving limited infilling or the partial or complete redevelopment of a previously developed site which is reflected in policy BNE5 of the Chorley Local Plan 2012 – 2026. This is on the proviso that the development does not have a greater impact on the openness of the Green Belt than the existing development.
26. 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 building must also not “have a greater impact on the openness of the Green Belt”.
27. In considering the impact on openness in relation to any existing development the Council considers that any increase in volume of up to 30% greater than an existing building is not materially larger as applied to replacement dwellings in the Green Belt under policy HS6 of the Chorley Local Plan 2012-2026. It is the Council’s custom and practice to apply this same allowance as a way of determining whether buildings are materially larger in other instances and it is considered to be a useful guideline in this instance. In this case the volume of the existing building to be demolished has been surveyed to measure approximately 2754 cubic metres and the proposed dwelling and car port would have a volume of approximately 2380 cubic metres. This represents an overall decrease in built volume of 13%. These figures have been verified by the case officer.
28. Given the above, there would not be a material increase in volume and the proposed development would not, therefore, 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

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

#### Impact on the character and appearance of the locality

30. 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;”

31. As previously noted, it is not considered that the proposed conversion of the barn building would have an unacceptable adverse impact on the character and appearance of the locality as several external features of the existing building would be retained. The resultant building would reflect the agricultural character of the site and the design, style and form of other agricultural buildings which are relatively commonplace within the immediate locality.
32. The proposed dwellings to replace building B would be accommodated within a single rectangular shaped building with a dual pitched roof. This would be faced with a dark coloured corrugated steel cladding and a zinc sheet lining system roof. It is considered that the relatively basic and conventional form of the building along with the functional facing materials would be an acceptable design solution given the agricultural characteristics of the existing site and buildings, and it is not considered that the building would appear out of place within the rural context of the immediate locality where there is no distinct or prevailing architectural context. 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.
33. The proposed car port would be faced with identical facing materials to the proposed dwellings and it is considered that it would reflect and complement the dwellings and would not detract from the character of the existing site and the immediate locality.
34. 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 the design.

#### Impact on the amenity of neighbouring occupiers

35. 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):
  - b) The development would not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or overbearing;”
36. Building no. 4, which is to be converted, is approximately 32m away from the neighbouring residential property to the north east of the site at Manor Barn. This degree of separation is adequate to ensure that there would be no unacceptable adverse impacts on the amenity of the occupiers of this property. It would be approximately 15m away from the eastern site boundary and the single storey building known as the ‘Farm Shop’ which is located along this boundary. It is noted that there is an extant planning permission for the conversion of this building to 2no. dwellings (20/01114/FULMAJ). However, it is a single storey building and therefore there would be no facing first floor habitable room windows in the two buildings, and it is considered that the resultant relationship between the two buildings would be acceptable in respect of amenity.
37. Head O’th Marsh Farmhouse is approximately 13m to the south east of building no. 4, however, the proposed development would not involve the installation of any first floor habitable room windows within the south facing elevation of the building which would face towards this neighbouring property. It is not considered that the resultant building would have a significantly greater or more adverse impact on the amenity of the occupiers of this neighbouring property than that which already occurs as a result of the existing relationship between the two buildings.
38. The proposed dwellings and car port would be approximately 45m to the west of Head O’th Marsh Farmhouse and this degree of separation is adequate to ensure that there would be no unacceptable adverse impacts on the amenity of the occupiers of this property. It is acknowledged that the development would generate a degree of noise and disturbance as a result of comings and goings to the site. However, the proposed residential use would be

a relatively low-key activity which would not generate any levels of noise that would be significantly greater or more adverse than the noise which would have previously been generated by agricultural operations at the site.

39. The proposal complies with policy BNE1 of the Local Plan with regards to amenity.

Impact on a designated heritage asset

40. The Planning (Listed Buildings and Conservation Areas) Act 1990 (The Act) sets out the primary duty that a 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.

41. The National Planning Policy Framework (The Framework) at Chapter 16 deals with conserving and enhancing the historic environment. It sets out that in determining planning applications LPAs should take account of:

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

42. Paragraph 199 states that when considering the impact of proposals on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be applied. This is irrespective of whether any harm is identified as being substantial, total loss or less than substantial harm to its significance.

43. Paragraph 200 states that any harm or loss of significance to a designated heritage asset (from alteration or destruction or from development within its setting) should require clear and convincing justification.

44. Paragraph 202 states that where a development will lead to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal.

45. The adopted Central Lancashire Core Strategy (2012) policy 16 (Heritage Assets) states: Protect and seek opportunities to enhance the historic environment, heritage assets and their settings by:

- a) Safeguarding heritage assets from inappropriate development that would cause harm to their significances.
- b) Supporting development or other initiatives where they protect and enhance the local character, setting, management and historic significance of heritage assets, with particular support for initiatives that will improve any assets that are recognised as being in poor condition, or at risk.
- c) Identifying and adopting a local list of heritage assets for each Authority.

46. Chorley Local Plan 2012 - 2026 policy BNE8 (Protection and Enhancement of Heritage Assets) states that:

- a) Applications affecting a Heritage Asset or its setting will be granted where it:
  - i. Is in accordance with the Framework and relevant Historic England guidance;
  - ii. Where appropriate, takes full account of the findings and recommendations in the Council's Conservation Area Appraisals and Management Proposals;
  - iii. Is accompanied by a satisfactory Heritage Statement (as defined by Chorley Council's advice on Heritage Statements) and;



- b) 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:
- i. The conservation of features and elements that contribute to the heritage asset's significance and character. This may include: chimneys, windows and doors, boundary treatments, original roof coverings, earthworks or buried remains, shop fronts or elements of shop fronts in conservation areas, as well as internal features such as fireplaces, plaster cornices, doors, architraves, panelling and any walls in listed buildings;
  - ii. The reinstatement of features and elements that contribute to the heritage asset's significance which have been lost or damaged;
  - iii. The conservation and, where appropriate, the enhancement of the setting of heritage assets;
  - iv. The removal of additions or modifications that are considered harmful to the significance of any heritage asset. This may include the removal of pebbledash, paint from brickwork, non-original style windows, doors, satellite dishes or other equipment;
  - v. The use of the Heritage Asset should be compatible with the conservation of its significance. Whilst the original use of a building is usually the most appropriate one it is recognised that continuance of this use is not always possible. Sensitive and creative adaptation to enable an alternative use can be achieved and innovative design solutions will be positively encouraged;
  - vi. Historical information discovered during the application process shall be submitted to the Lancashire Historic Environment Record.
47. The policy also states that development involving the demolition or removal of significant heritage assets, or parts thereof, will be granted only in exceptional circumstances that have been clearly and convincingly demonstrated to be in accordance with the requirements of the Framework.
48. The key considerations in respect of the impact of the proposal on the heritage asset are:
- Whether the proposed works would harm the significance of the curtilage listed building (building 4);
  - Whether the works taken as a whole would cause harm to the contribution made by the setting to the significance of the grade II listed Head O'th Marsh Farmhouse; and
  - Can the proposed works be justified by any public benefits delivered by the scheme?

### **Assessment**

49. As a group of buildings, it is considered that the combination barn (building 4), in particular the early stone element, and single storey stables contribute positively to the setting of the Farmhouse. These buildings frame the view of the Farmhouse which sits at the rear of the eastern section of the farmyard. The western section of the farmyard, including the later brick cattle shed which connects to the combination barn is of less interest and is largely visually separated from the Farmhouse.
50. The modern C20 farm development is of no value and detracts from the appreciation of the wider significance of the traditional farm grouping. However, overall, it is considered that the significance of the buildings and the site is high/exceptional. It is considered that the scheme would secure the sustainable re-use and long-term retention of the traditional buildings which contribute positively to the historic farm group setting for Head O'th Marsh Farmhouse. The removal of the modern C20 farm sheds of different builds which lie to the west of the Farmhouse and obscure any sort of appreciation of the listed farmhouse from the west, would be acceptable.
51. The conversion of the stone barn would help to sustain its important relationship with the farmhouse, which lies to the south and the design and external treatments required in order to facilitate the conversion would be appropriate. Proposed changes to the attached brick building on the western side would represent an improvement and any direct harm or loss of significance to the curtilage buildings would be minimal.
52. Taking the site as a whole it is considered that the reduction in buildings across the site would be seen as a positive and as already indicated above this would benefit the setting to the listed Farmhouse and principal buildings in the group. Furthermore, it is considered that

visually the new building and residential units on the western part of the site including the car port is sufficiently far removed from the listed building as to not cause a concern regarding setting. On this basis is not considered that the proposed scheme would cause any discernible harm to the significance of the heritage assets on the site and would (with the proposed demolition and general clearance of the modern agricultural sheds) provide some improvement to the appreciation of the principal listed building.

53. Any limited harm caused by the conversion works themselves to the barn (building 4) would be very low (less than substantial) in scale and it is considered that this harm would be outweighed by the benefits of providing a new sustainable use for the retained buildings and the improvements brought about to the immediate setting to the farmhouse. As the benefits provided by the scheme gained to the setting to the listed building outweigh the limited harm, the development would meet the requirements of Chapter 16 of the NPPF and would be in accordance with Policies BNE1(e) and BNE8 of the Chorley Local Plan 2012-2026 and Policy 16 of the Central Lancashire Core Strategy.

#### Parking provision and highway safety

54. Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that planning permission will be granted for new development, provided that, where relevant to the development the residual cumulative highways impact of the development is not severe and it would not prejudice highway 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.
55. Policy ST4 'Parking Standards' of the Chorley Local Plan 2012-2026 requires that proposals for development will need to make parking provision in accordance with the standards set out in Appendix A of the Local Plan.
56. Appendix A identifies the Council's minimum parking standards for new residential development and states that off-street parking should generally be provided at a ratio of 2 spaces for a two or three bed dwelling. In this case the proposed development would involve the provision of 2no. two bedroom dwellings and 5no. three bedroom dwellings generating a requirement for 14no. off road car parking spaces. Evidence has been provided to demonstrate that a total 20no. car parking spaces would be provided, and it is considered that this would be an acceptable level of parking provision.
57. The existing buildings which occupy the site were previously used as part of a well-established agricultural enterprise that would have generated traffic in its own right. Whilst it is acknowledged that the proposed residential use of the site would potentially generate an increase in the number of journeys to and from the site relative to the previous use, it is not considered that there would be an intensification in traffic that would be so severe that it would prejudice highway or pedestrian safety.
58. LCC Highways have stated that they have no objections in principle to the development. They did state that the proposed granite setts surrounding the tarmac at the access to the highway be removed and replaced with tarmac in order to avoid future maintenance issues. However, it is considered that the proposed granite setts would be acceptable in this case and would not prejudice highway safety.
59. It is considered that the proposed development is acceptable from a highway safety perspective.

#### Sustainability

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

removes Code for Sustainable Homes. The Bill does include transitional provisions which include:

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

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

61. 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.

Public open space

62. Policy HS4A and HS4B of the Chorley Local Plan 2012 – 2026 - Open Space Requirements in New Housing Developments explains that all new housing developments will be required to make provision for open space and recreation facilities, where there are identified local deficiencies in the quantity, accessibility, or quality and/or value of open space and recreation facilities. The requirements for the proposed development are as follows:
63. The Council does not require contributions from developments of fewer than 11 dwellings in respect amenity greenspace, parks and gardens, natural and semi-natural greenspace, allotments and playing pitches. No contributions are, therefore, required in this case for these standards.
64. However, with regards to provision for children and young people, there is currently a deficit of provision in Clayton East, Brindle and Hoghton in relation to this standard and a contribution towards new provision in the ward is therefore required from this development. The amount required is £134 per dwelling.
65. The total financial contribution required from this development is as follows:
- |                      |               |
|----------------------|---------------|
| Amenity greenspace   | = £0          |
| Equipped Play Area   | = £938        |
| Parks/Gardens        | = £0          |
| Natural/semi-natural | = £0          |
| Allotments           | = £0          |
| Playing Pitches      | = £0          |
| Total                | = <b>£938</b> |
66. The equipped play area provision could be secured by way of a s106 legal agreement. Subject to securing the above, the proposed development would accord with Chorley Local Plan policies HS4 A and B.

## Community Infrastructure Levy

67. 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**

68. It is considered that the proposed development would not be inappropriate development in the Green Belt as it accords with exceptions 149g and 150d of the Framework. The proposed development would not have an unacceptable adverse impact on the character and appearance of the surrounding area, nor would it cause any significant harm to the amenity of neighbouring residents, highway safety or ecology and it would not harm the significance of the identified heritage assets. It is, therefore, considered that the development accords with S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, policies BNE1, BNE5, BNE8, BNE9 and BNE11 of the Chorley Local Plan 2012 – 2026 and the Central Lancashire Rural Development SPD.
69. Consequently, it is recommended that the application is approved, subject to conditions and a S106 legal agreement to secure a financial contribution of £938.00 towards the provision of equipped play area for children/young people.

### **RELEVANT HISTORY OF THE SITE**

**Ref:** 83/00819/FUL **Decision:** PERFPP **Decision Date:** 23 January 1984  
**Description:** Proposed dairy unit and slurry store and relocation of septic tank

**Ref:** 91/00447/FUL **Decision:** PERFPP **Decision Date:** 9 July 1991  
**Description:** Erection of replacement store and animal housing unit with underground water store

**Ref:** 02/00210/FUL **Decision:** WDN **Decision Date:** 8 October 2002  
**Description:** Demolition of existing rear porch and erection of replacement rear porch,

**Ref:** 02/00211/LBC **Decision:** WDN **Decision Date:** 8 October 2002  
**Description:** Listed Building Consent for demolition of existing rear porch and erection of replacement rear porch,

**Ref:** 06/00022/COU **Decision:** PERFPP **Decision Date:** 17 March 2006  
**Description:** Change of use from a redundant farm building to a farm shop and parking area in existing yard

**Ref:** 06/01273/COU **Decision:** PERFPP **Decision Date:** 9 January 2007  
**Description:** Retrospective application for the change of use from agricultural storage barn to the storage of up to 14 caravans

**Ref:** 11/00349/FUL **Decision:** PERFPP **Decision Date:** 15 June 2011  
**Description:** Construction of a temporary widened access and a temporary site compound in relation to maintenance works on the Thirlmere Aqueduct.

**Ref:** 13/00781/FUL **Decision:** PERFPP **Decision Date:** 14 November 2013  
**Description:** Barn conversion to single residential dwelling

**Ref:** 17/00861/FUL **Decision:** PERFPP **Decision Date:** 11 January 2018  
**Description:** Conversion of barn to form 2no. dwellings, including new access and erection of carport/garage.

**Ref:** 19/00067/DIS **Decision:** PEDISZ **Decision Date:** 11 March 2019

**Description:** Application to discharge condition nos. 4 (archaeological recording), 5 (scheme for foul sewers and surface water drainage) and 10 (boundary fences and walls) attached to planning permission 17/00861/FUL (Conversion of barn to form 2no. dwellings, including new access and erection of carport/garage).

**Ref:** 19/00776/FUL **Decision:** PERFPP **Decision Date:** 4 October 2019  
**Description:** Erection of three garages and associated works in relation to development approved by application 17/00861/FUL (conversion of barn to form 2no. dwellings, including new access and erection of carport/garage)

**Ref:** 20/00708/DIS **Decision:** PEDISZ **Decision Date:** 1 October 2020  
**Description:** Application to discharge condition no.7 (fenestration and joinery details) attached to planning permission ref. 17/00861/FUL (Conversion of barn to form 2no. dwellings, including new access and erection of carport/garage)

**Ref:** 20/01107/FULHH **Decision:** WDN **Decision Date:** 21 June 2022  
**Description:** Single storey side extension with glazed link. Demolition of existing single storey kitchen/utility to rear and single storey side lean-to.

**Ref:** 20/01108/LBC **Decision:** WDN **Decision Date:** 21 June 2022  
**Description:** Application for listed building consent for 1) Single storey side extension with glazed link. 2) Demolition of existing single storey kitchen/utility to rear and single storey side lean-to. 3) Relocation of internal staircase.

**Ref:** 20/01114/FULMAJ **Decision:** WDN **Decision Date:** 22 December 2021  
**Description:** Conversion of former farm shop building to form 2no. dwellings; conversion of barn to form 5no. dwellings; and erection of 4no. dwellings following demolition of various buildings

**Ref:** 20/01115/LBC **Decision:** WDN **Decision Date:** 22 December 2021  
**Description:** Application for listed building consent for conversion of former farm shop building to form 2no. dwellings; conversion of barn to form 5no. dwellings; and erection of 4no. dwellings following demolition of various buildings

**Ref:** 22/00004/LBC **Decision:** APPRET **Decision Date:**  
**Description:** Removal of existing stone building, conversion and extension of former farm shop to form 2no. dwellings

**Ref:** 22/00023/FUL **Decision:** PERFPP **Decision Date:** 28 February 2022  
**Description:** Conversion and extension of former farm shop to form 2no. dwellings

**Ref:** 23/00713/LBC **Decision:** PCO **Decision Date:**  
**Description:** Application for listed building consent for the conversion of barn to form 4no. dwellings and erection of 3no. dwellings following demolition of existing buildings

**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. 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 dwelling
- 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) The finished floor level of the proposed dwellings and any detached garages

The development thereafter shall be completed in accordance with the approved details. Prior to the first occupation 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.*

3. A scheme for the landscaping of the development and its surroundings shall be submitted prior to any works taking place above DPC level. These details shall include the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform. The scheme should include a landscaping/habitat creation and management plan which should aim to contribute to targets specified in the UK and Lancashire Biodiversity Action Plans. Landscaping proposals should comprise only native plant communities appropriate to the natural area. The content of the plan should include elements to mitigate for loss of trees shrubs and bird nesting habitat and provide a net gain in the biodiversity value of the site.

All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

*Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design.*

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

<b>Title</b>	<b>Plan Ref</b>	<b>Received On</b>
Building B Ground Floor and First Floor Plans Location Plan	505 B	23 August 2023
Building 4 Ground Floor and First Floor Plans	503 A	23 August 2023
Building B Elevations	506 A	23 August 2023
Building 4 Elevations	504	23 August 2023
Building 4 and B Proposed Site Plan	507 D	11 December 2023

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

5. No part of the development hereby approved shall be occupied until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

*Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.*

6. No part of the development hereby approved shall be occupied until the approved scheme for the construction of the site access and the off-site works of highway improvement has been constructed and completed in accordance with the scheme details.

*Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.*

7. 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.*

8. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall include an investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water. The development shall thereafter be implemented in accordance with the approved scheme.

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

9. Prior to the first occupation of any of the dwellings hereby permitted, existing buildings labelled A, B, C, D and E on the drawing titled 'Existing Block Plan: Building 4 and Replacement Building B' (ref: 500) shall have been demolished and all resultant materials removed from site.

*Reason: To protect the openness of the Green Belt.*

10. Prior to the first use of the approved buildings, three bat boxes shall be installed in the mature trees within the site and retained as such thereafter.

*Reason: To create biodiversity enhancements, in accordance with the National Planning Policy Framework.*

11. Prior to occupation, a "lighting design strategy for biodiversity" for areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

*Reason: To protect a European Protected Species.*

12. Work should be undertaken in line with the mitigation and biodiversity enhancement measures outlined in the 'Preliminary Ecological Assessment' carried out by Batworker Ecological Consultancy, received on 23 August 2023. If at any time any protected species are suspected of being present on the site, work should cease immediately, and an ecologist contacted.

*Reason: To safeguard protected species*

13. No development 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. The programme of archaeological work should comprise the creation of a record of the buildings to level 3 as set out in Understanding Historic Buildings (Historic England 2016). This work should be carried out by an appropriately professional contractor to the standards and guidance of the Chartered Institute for Archaeologists. 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.

*To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building/site.*