

Application Number 07/2016/0248/FUL

Address Oakland Farm
Hollins Lane
Leyland
Lancashire
PR26 8LJ

Applicant Mr Lewis Buller

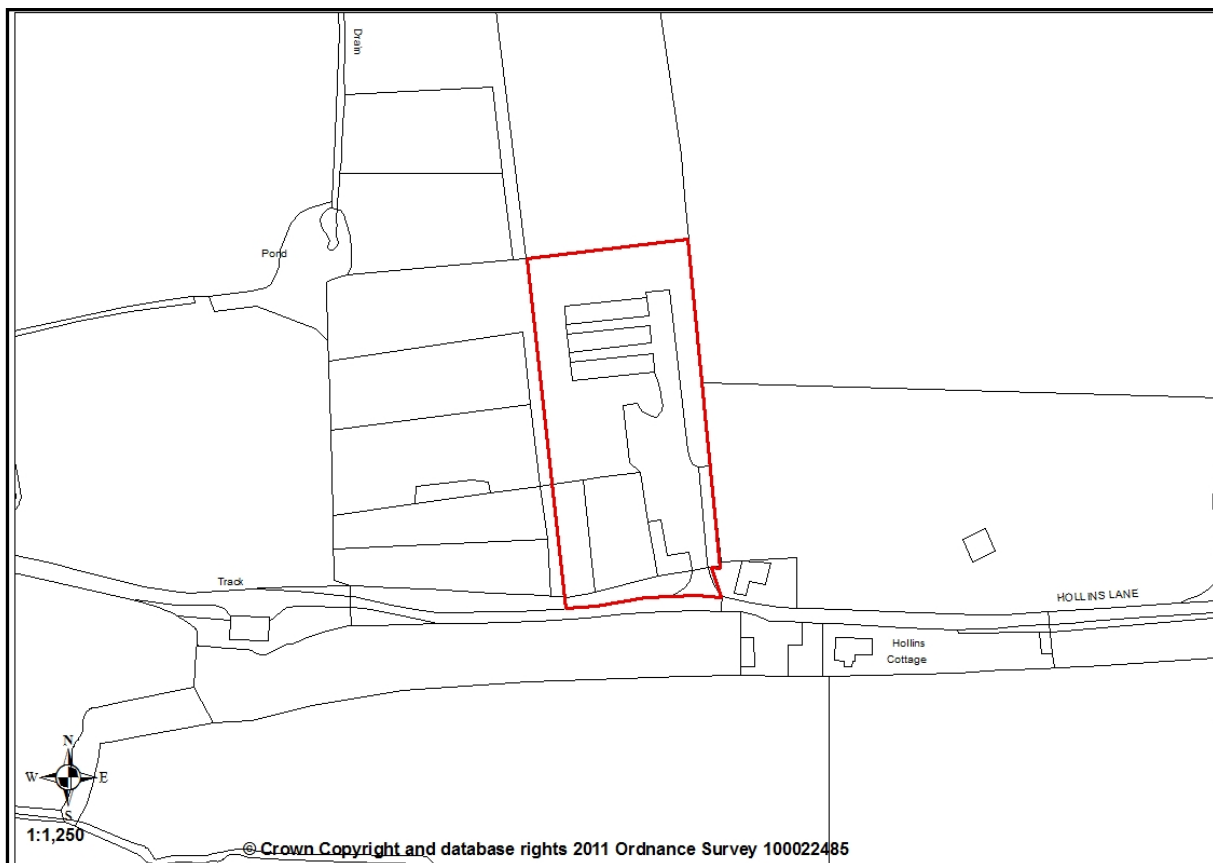
Agent Mr Kiran Patel
195 Ribbleton Lane
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PR1 5DY

Development Erection of a two storey, detached dwelling with a glazed link to a stables/workshop building for Blacksmiths/Equestrian use and the erection of a detached, single storey building to be used as a cattery following the demolition of existing structures.

Officer Recommendation Refusal

Date application valid	14.06.2016
Target Determination Date	09.08.2016
Extension of Time	26.08.2016

Location Plan



1.0 Report Summary

1.1 The application falls for determination by Planning Committee as the applicant is related to a member of staff.

1.2 The application proposes the erection of a new residential dwelling with linked stables/workshop together with a separate building for use as a cattery. As the site is within the Green Belt, where there is a general presumption against inappropriate development, it is for the applicant to demonstrate very special circumstances exist to allow this development in the Green Belt. In this case the application would need to demonstrate that there is a functional or essential need for the dwelling to be located on this Green Belt site. It is considered that no such need has been demonstrated and therefore the proposed dwelling and the cattery are not in accordance with Paragraphs 55, 89 and 90 of the NPPF and Local Plan Policies G1 and D3 and the proposed stable/workshop does not require the provision of a dwelling to be located on the site. The application is therefore recommended for refusal.

2.0 Application Site

2.1 The application site relates to a parcel of land on the north side of Hollins Lane on the outskirts of Leyland close to the Borough boundary with Chorley. The site currently consists of a stable block, a sand paddock, three polytunnels, caravan, storage structures and storage containers. The site is within the Green Belt, surrounded by open green fields. Trees and hedgerows form the southern and eastern boundary to the application site. The site is accessed via Hollins Lane which is a single track un-made road with few passing places along its length.

3.0 Site History

3.1 Planning application 07/1994/0423 for a building for the keeping of horses with associated storage of feed was approved on 14/09/1994

3.2 Planning application 07/2000/0507 for the erection of 2 polytunnels and 3 storage buildings was approved on 19/10/2000

3.3 Planning application 07/2001/0081 for two polytunnels was approved on 04/05/2001

3.4 Planning application 07/2001/0507 for the siting of static caravan for use as an agricultural dwelling was approved on 18/10/2001

3.5 Application 07/2002/0732 for renewal of planning permission for the temporary siting of siting of static caravan for use as an agricultural dwelling was approved on 25/10/2002

3.6 Planning application 07/2004/0929 for the extension of temporary permission granted under 07/2002/0732 for siting of a static caravan for use as an agricultural dwelling was approved on 22/10/2004

3.7 Application for certificate of lawfulness 07/2008/0863/CLU for the use of a static caravan as a permanent residential dwelling was refused on 23/01/2009. The reason was that: *"the Council considers that on the basis of the evidence submitted and on the balance of probability, that a Certificate of Lawfulness should not be issued. The evidence shows the caravan has been in use for a period of 7 years only and therefore the application does not satisfy the requirements to warrant the grant of a Certificate of Lawfulness."*

3.8 Application for certificate of existing lawful development 07/2010/0333/CLU for the use of a building converted in 2001 for residential use was withdrawn.

3.9 Planning application 07/2011/0591/FUL for the erection of block of 12 stables following demolition of existing stables; the erection of single storey building to accommodate a tack room, feed store, horse shower and hay store following demolition of existing block; the formation of a horse exercise area and extension of existing of sand paddock; the erection of office accommodation building; the change of use of existing polytunnels for the use as storage of machinery and plant, storage of haylage, shavings and straw and breeding process; and the erection of floodlighting to sand paddock was approved with conditions on 18/1/2012.

4.0 Proposal

4.1 The application proposes the erection of a two storey, detached dwelling with a glazed link to a stables/workshop building for Blacksmiths/Equestrian use and the erection of a detached, single storey building to be used as a cattery following the demolition of existing structures.

4.2 The detached dwelling is to measure 18.4m by 8.8m with a front projecting element of 4.5m by 2.0m and a rear projecting element of 7.4m by 4.6m. A hipped roof will be formed over to a height of 8.3m with a pitched roof over the front element with a ridge height of 7.0m and a hipped roof over the rear element to a height of 8.0m. The dwelling would be constructed in red facing brickwork with reconstituted stone heads, cills and quoins with grey roof tiles. The

4.3 The proposed dwelling will be joined to the proposed stables/workshop building by a glazed link measuring 5.0m by 2.0m with a pitched roof over to a height of 3.4m. The stables/workshop will measure 19.3m by 11.7m with a pitched roof over with a ridge height of 6.8m. The roof extends beyond the rear elevation by 2.4m and is supported by timber posts. Roof lights will be formed in both roof slopes and a large 'barn door' opening will be incorporated into the front elevation. The building would be constructed in materials to match the proposed dwelling.

4.4 The cattery building is to measure 25.6m by 8.4m with an outdoor exercise area of 2.0m by 22.2m. A pitched roof will be formed over the building and exercise area with a ridge height 6.3m. The building will provide 34 cat units with a kitchen, entrance hall and store room. It would be constructed in concrete blockwork and metal corrugated clad walls with a sheet metal roof.

5.0 Summary of Publicity

5.1 Neighbouring properties were notified and a site notice posted with no letters of representation being received.

6.0 Summary of Consultations

6.1 County Highways have no objections and are of the opinion that the proposed development should have a negligible impact on highway safety and capacity in the immediate vicinity of the site. They also consider that adequate off road parking is proposed for the type and size of the development.

6.2 Ecology comment that the submitted ecological survey and assessment identified a number of ecological issues associated with the proposals and makes a number of recommendations to address these issues together with ecological enhancement measures. These measures should be secured by conditions should permission be granted.

6.3 ADAS the Council's Agricultural Consultants consider that the proposal dwelling and the cattery are not in accordance with Paragraphs 55, 89 and 90 of the NPPF and Local Plan Policies G1 and D3 and the proposed stables/workshop do not require the provision of a dwelling to be located on the site as no functional or essential need has been demonstrated by the applicant in this instance.

7.0 Policy Considerations

7.1 Town and Country Planning Act (1990) (as amended)

7.1.1 Section 336 of the Town and Country Planning Act (1990) (as amended) gives the definition of agriculture as the following:

“agriculture” includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and “agricultural” shall be construed accordingly.”

7.2 National Planning Policy Framework

7.2.1 **Paragraph 55** states that: *“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:*

- *the essential need for a rural worker to live permanently at or near their place of work in the countryside; or*
- *where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or*
- *where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or*
- *the exceptional quality or innovative nature of the design of the dwelling.*

Such a design should:

- *be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;*
- *reflect the highest standards in architecture;*
- *significantly enhance its immediate setting; and*
- *be sensitive to the defining characteristics of the local area.”*

7.2.2 **Paragraph 87** indicates that, as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

7.2.3 **Paragraph 88** goes on to states that, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

7.2.4 **Paragraph 89** requires the local planning authority to regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- 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 replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

7.2.5 **Paragraph 90** indicates that certain other forms of development are also not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These include the re-use of buildings provided that the buildings are of permanent and substantial construction.

7.3 Central Lancashire Core Strategy

7.3.1 **Policy 13: Rural Economy** supports rural based tourist attractions, visitor facilities, recreational uses, business and storage activities; seeks to manage the development of urban related uses such as horse stabling by directing proposals to the urban fringe areas; and supports sensitive conversions and alternative uses of farm buildings no longer needed for agriculture but which enable farm diversification and allows for the limited extension and replacement of existing buildings, with a preference for commercial, tourism and live/work uses.

7.3.2 **Policy 17: Design of New Buildings** expects the design of new buildings to take account of the character and appearance of the local area in terms of siting, layout, massing, scale, design, materials, building to plot ratio and landscaping; is sympathetic to surrounding land uses and occupiers, and avoid demonstrable harm to the amenities of the local area; ensures that the amenities of occupiers of the new development will not be adversely affected by neighbouring uses and vice versa; promote designs that will be adaptable to climate change and adopting principles of sustainable construction including Sustainable Drainage Systems; achieve Building for Life rating of Silver or Gold for new residential developments and ensure that contaminated land is addressed through appropriate remediation and mitigation measures.

7.3.3 **Policy 22: Biodiversity and Geodiversity** seeks to conserve, protect and seek opportunities to enhance and manager the biological and geological assets of the area.

7.3.4 **Policy 31: Agricultural Land** protects the best and most versatile agricultural land – Grades 1, 2 and 3a. The policy seeks to avoid development which will cause irreversible damage to the potential of the soil.

7.5 Central Lancashire Supplementary Planning Document

7.5.1 The **Rural Development SPD** gives further guidance on Policy 13. At paragraph 21 it identifies live/work units as buildings where parts of the floor space are designed as a small work unit which the remainder of the space is devoted to living accommodation. The SPD indicates that the work space that is integrated within the dwelling unit should occupy at least 50% of the floorspace.

7.5.2 At F: Equestrian development, the SPD indicates that the erection of stables and associated facilities on open land require planning permission , particularly commercial equestrian developments including livery uses, riding schools and indoor riding arenas. Large scale development of this type can rarely be located satisfactorily in open countryside and are best located within an existing building complex, as part of a farm diversification scheme. In assessing the acceptability of equestrian developement the Council will take account of the scale; siting; design/materials; highway safety; re-instatement.

7.6 South Ribble Local Plan 2012-2026

7.6.1 **Policy D3: Agricultural Workers' Dwellings in the Countryside** permits the erection of a new dwelling only where accommodation is required to enable farm, forestry or other rural employment workers to live at, or in the immediate vicinity of, their place of work.

- a) New permanent dwellings will be allowed to support existing agricultural or forestry activities on well-established agricultural or forestry units provided that:
- i) There is a clearly established functional need;
 - ii) The functional need relates to a full-time worker or one primarily employed in agriculture or rural employment activities;
 - iii) The unit and the agricultural or forestry activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so;
 - iv) The functional need could not be fulfilled by another dwelling on the unit or any other existing accommodation in the area which is suitable and available; and
 - v) The siting of the proposed dwelling is well-related to the existing farm buildings or its impact on the landscape could be minimised.
- b) If a new dwelling is essential to support a new farming or forestry activity on an established unit or on a new agricultural unit, an application should be made for temporary accommodation. The application should satisfy the following criteria:
- i) There is clear evidence of a firm intention and ability to develop the new activity concerned;
 - ii) There is clear evidence that the new activity has been planned on a sound financial basis.
- c) Where existing dwellings are subject to conditions restricting occupancy, applications to remove such conditions will not be permitted unless it can be demonstrated that:
- i) the essential need which originally required the dwelling to be permitted no longer applies in relation to the farm unit and that the dwelling will not be required similarly in the longer term; and
 - ii) Reasonable attempts have been made to dispose of the dwelling for occupation in compliance with the original condition.

7.6.2 **Policy G1: Green Belt** prevents planning permission from being given for the construction of new buildings unless there are very special circumstances. Exceptions to this are buildings for agriculture and forestry; the provision of appropriate facilities for outdoor sport and recreation; 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; limited infilling or the partial or complete redevelopment of previously developed sites whether redundant or in continuing use which would not have a greater impact on the openness of the Green Belt.

7.6.3 **Policy G16: Biodiversity and Nature Conservation** seeks to protect, conserve and enhance the Boroughs Biological and Ecological Network resources. This policy requires that, where there is reason to suspect that there may be protected habitats/species on or close to a proposed development site, planning applications must be accompanied by a survey undertaken by an appropriate qualified professional. Where the benefits for development in social or economic terms is considered to outweigh the impact on the natural environment, appropriate and proportionate mitigation measures and/or compensatory habitat creation of an equal or greater area will be required through planning conditions and/or planning obligations.

7.6.4 **Policy G17: Design Criteria for New Development** seeks to ensure development proposals do not have a detrimental impact on the existing building, neighbouring buildings or on the street scene by virtue of its design, height, scale, orientation, plot density, massing, proximity, use of materials. Furthermore, the development should not cause harm to neighbouring property by leading to undue overlooking, overshadowing or have an overbearing effect; 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 will provide an interesting visual environment which respects the character of the site and local area; the development 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 **Policy F1**; and the proposal would not have a detrimental impact on landscape features such as mature trees, hedgerows, ponds and watercourses.

8.0 Material Considerations

8.1 Compliance with Green Belt Policy

8.1.1 The NPPF has a presumption against inappropriate development in the Green Belt and development should not be approved except in very special circumstances. Among the exceptions to this is the limited infilling or the partial or complete redevelopment of previously developed sites which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it. Previously developed land is defined as land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This definition excludes land that is or has been occupied by agricultural or forestry buildings.

8.1.2 Section 336 of the Town and Country Planning Act 1990 defines 'agriculture' as including:

- 'horticulture, fruit growing, seed growing, dairy farming;
- the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land);
- the use of land as grazing land, meadow land, osier land, market gardens or nursery grounds; and
- the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes.'

8.1.3 It is recognised that the South Ribble Local Plan defines agricultural uses as cultivating the ground, including the harvesting of crops, horticulture glass houses, the rearing and management of livestock, tillage, husbandry and farming, horses, kennels and catteries. However, it is recognised that this definition is incorrect and the Council will be seeking to remove this at the next Local Plan review. Also, it is acknowledged that horses, kennels and catteries are not considered to be agricultural uses within the definition in Section 336 of the Town and Country Planning Act 1990 and it is this definition, set in legislation that is the definitive and appropriate definition.

8.1.4 The applicant's agent in Page 3, Paragraph 1.17 of their Supplementary Statement explains that they consider the site to be previously developed land and the statement outlines the definition from the NPPF. However, this site is not considered to be a previously developed site but an agricultural site. Its last use was as a mushroom farm and this remains its lawful use. The three polytunnels, erected between 2001 and 2004 were used for the purposes of growing of mushrooms. The land was also used for grazing of ewes by the then owner of the site. It is unclear when the site ceased mushroom growing but the then owner applied for a certificate of lawfulness 07/2008/0863/CLU for the use of a static caravan as a permanent residential dwelling. This was refused in January 2009. An appeal was lodged with the Planning Inspectorate but this was dismissed in April 2010 and the site was then sold on. Therefore, this indicates that, sometime during this period, the use of the site for mushroom growing ceased.

8.1.5 In light of this, it is considered that the majority of the site does not come under the definition of previously developed land. This is because the majority of the land had been used previously for the purposes of agriculture including the polytunnels and the associated storage buildings. The applicant's agent has confirmed in Page 4, Paragraph 2.3 of the

submitted Planning/Design and Access Statement that the site comprises of an existing stable block, three poly tunnels, storage structures, storage containers and a sand paddock. They further confirm the planning history of the site in Page 9 of the submitted Planning/Design and Access Statement. From this it confirms that the polytunnels were required for growing mushrooms and the storage buildings were also required in connection with the former agricultural use of growing mushrooms. The existing storage containers are temporary structures.

8.1.6 The stable block containing 9 stables together with a further building containing 3 stables and a store have existed on the site since the early 1990's. The area which is occupied by the existing stables can be considered as previously developed land. Permission was also granted in 2011 for erection of stables, a horse exercise area, extension of an existing sand paddock, erection of office accommodation building and the change of use of existing polytunnels, 2 for use as storage of machinery and one for use in the horse breeding process. However, this permission was never implemented and has now expired.

8.1.7 Having established that the majority of the site is not previously developed land, this proposal for a residential dwelling, stables/workshop and cattery, when taken as whole scheme, constitutes inappropriate development in the Green Belt and therefore it is for the applicant to demonstrate very special circumstances which would outweigh the substantial harm to the Green Belt.

8.1.8 It is noted that the applicant considers the proposed residential dwelling and stables/workshop as a live/work unit. These are two separate buildings linked by a glazed corridor and not considered to fall within the definition of a live/work unit, as outlined in the Rural Development SPD which defines live/work units a work space that is integrated with a dwelling unit occupied by the proprietor of the work space, with at least 50% of the floorspace being dedicated to the work unit. This is discussed further below.

8.1.9 Residential Dwelling

(i) The NPPF advises that the construction of a new dwelling in the Green Belt is inappropriate development which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF requires that, when considering planning applications for such development, the local planning authority should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. There are a number of exceptions to the general presumption against inappropriate development in the Green Belt. However, a new residential dwelling is not among those exceptions and it would therefore be for the applicant to demonstrate very special circumstances to allow the construction of a new dwelling on this agricultural green belt site.

(ii) The submitted Planning/Design and Access Statement indicates that the residential property will provide a secure place where the applicant can live and work for many years to come and provide a safe family home for a growing family. This is not considered to amount to a very special circumstance to allow the construction of a new dwelling in the Green Belt. No evidence has been submitted to justify why it is essential to build a new dwelling in this Green Belt location. However, as already indicated, the applicant considers the residential dwelling and stables/workshop building to be one live/work unit and the supporting information is given in this context.

8.1.10 Stables/Workshop

(i) Green Belt policy allows for the replacement of a building providing the new building is in the same use and does not result in disproportionate additions over and above the size of the original building. The existing stables building, accommodating nine stalls, is single storey in scale, built in corrugated iron and wood and has a volume of 487 cubic metres.

(ii) Additionally there is a further building at the site entrance which also accommodates 3 stables and a store and has a volume of 307 cubic metres, giving an overall total of 794 cubic metres.

(iii) The two stables buildings are to be replaced with a stables/workshop building of two storey scale constructed in brickwork. This will provide six stalls, storage, a blacksmiths forge, horse shower/washbay and an isolation unit for the cattery. The volume of the proposed stables/workshop building is relatively comparable with that of the two buildings to be removed.

(iv) The applicant has indicated in the submitted Planning/Design and Access Statement that the residential dwelling and stables/workshop amount to a live/work unit and makes several references to this.

(v) The Rural Development SPD defines live/work units at paragraph 21, stating: *“Live/work units are buildings where part of the floor space are designed as a small work unit, which the remainder of the space is devoted to living accommodation. The councils’ definition of a live/work unit is a work space that is integrated with a dwelling unit occupied by the proprietor of the work space, with at least 50% of the floorspace being dedicated to the work unit.”* In this case the residential dwelling and the stables/workshop are two separate, distinct buildings, linked by a glazed corridor and are not considered to meet the definition of a live/work unit. Further both are substantial buildings, with the stables/workshop being two storey in scale and not the *“small work unit”* as per the definition in the SPD. Nor is the work space integral within the dwelling and does not amount to at least 50% of the floorspace. It is therefore considered that this does not amount to a live/work unit and this element of the proposal is inappropriate development in the Green Belt and the applicant has failed to demonstrate very special circumstances to allow its construction on this agricultural green belt site.

(vi) The submitted supporting statement indicates that: *“the applicant acquired the site in 2015 and it is currently being used for the stabling of horses. No material change of use has taken place as the existing stables and storage structures are being used for their intended purpose. The polytunnels erected for agricultural purposes are not being used other than for minimal storage. The applicant has maintained the buildings on site to the best of his ability but most are now beyond any further repair and need replacing. The proposed development will comprise of the demolition of 1,285m² of former agricultural buildings, stables and other structures, removal of a substantial amount of hardstanding and the erection of a live/work residential unit and a cattery building occupying a total of 2,737m².*

An examination of the site’s planning history has revealed that the LPA has had difficulties with the site for a number of years. Structures being erected without planning permission and others retained beyond their permitted time period. The application proposals must be considered against this planning history in addition to relevant local and national planning policy.

What the applicant is trying to achieve is the establishment of a sustainable and financially viable development; the applicant is a blacksmith by trade and requires the workshop and stables to enable him to carry out his trade whilst accommodating his own horses. The cattery is required to provide a source of income to enable the project to commence and add to the long term sustainability of the proposal. The proposed residential property will provide a secure place were the applicant can live and work for many years to come and provide a safe family home for a growing family.”

(vii) Whilst it is accepted that the proposals will remove the polytunnels, stables and other buildings which are unkempt in appearance and do nothing to enhance the Green Belt setting, it is recognised that the size and scale of the proposed development would have a detrimental impact on the openness of the Green Belt. The residential dwelling is to be located to the site’s southern boundary with Hollins Lane, in an area where the building

containing 3 stables and store is located. The existing stables building on the opposite side of the site access is to be removed. The removal of the stable building will effectively open up the site when viewed from Hollins Lane and give a view through the site. However, a substantial dwelling will replace stables/store building on the opposite side. Due to its height and proximity to the highway, the proposed dwelling will undoubtedly have a greater impact on the openness of the Green Belt than the existing structure, even when taking account of the removal of the stables building.

(viii) The proposed stable/workshop building is to be located to the rear of the proposed residential dwelling and would not be particularly visible when viewed from Hollins Lane as the proposed dwelling would partially obscure it.

8.1.11 Cattery

(i) Whilst the South Ribble Local Plan mistakenly includes catteries in its definition of agricultural uses, as previously indicated, it is the Town and Country Planning Act 1990 (as amended) which is considered to be the correct definition. Although one of the exceptions to the general presumption against inappropriate in Green Belt is a building for agriculture and forestry, the legislative definition of agricultural uses does not include catteries.

(ii) The cattery building is located in the area of the existing three polytunnels and effectively replaces them. However, as established above, the majority of the site is not considered to be a previously developed site where policy would allow for redevelopment. The definition of previously development land excludes land that is or has been occupied by agricultural or forestry buildings. The polytunnels were required for growing mushrooms, an agricultural use and the Council has not received any evidence to the contrary. Therefore it is considered the siting of the proposed cattery is not on Previously Developed Land.

(iii) The provision of a cattery through the erection of a new purpose built building is not considered to comply with Paragraphs 89 and 90 of the NPPF and the cattery is not an agricultural use as in accordance with the definition of agriculture in Section 336 of the Town and Country Planning Act (1990) (as amended). Furthermore, there is no essential need for the proposed cattery to be sited in this location within the Green Belt.

8.2 Access and Parking

8.2.1 The site is accessed via Hollins Lane, a single track road with some passing places along its length. The road is adopted up to the access to Oaklands Farm. The application proposes a new widened access accommodating new gates.

8.2.2 County Highways have no objections and are of the opinion that the proposed development should have a negligible impact on highway safety and capacity in the immediate vicinity of the site. They also consider that adequate off road parking is proposed for the type and size of the development.

8.3 Residential Amenity

8.3.1 There are just two properties accessed off Hollins Lane, Hollins Farm and Hollins Cottage. Neither will be impacted upon by the proposed development in terms of residential amenity and therefore this is not an issue.

8.4 Ecology

8.4.1 An Ecological Survey and Assessment was submitted in support of the application. The Council's Ecological Advisors comment that the ecological survey and assessment has identified a number of ecological issues associated with the proposals and makes a number of recommendations to address these issues together with ecological enhancement measures. These include:

- Lighting scheme to limit disturbance to bats
- Enhancing habitats for roosting bats

- Protection of nesting birds
- Provision of compensatory roosting opportunities for swallows
- Protection of amphibian species
- Landscape planting.

8.4.2 The Ecological Advisors recommend that these measures should be secured by conditions should permission be granted.

9.0 CONCLUSION

9.1 The proposed dwelling and the cattery unit are considered to amount to inappropriate development within the Green Belt. There is no functional requirement for the proposed dwelling to be located within the Green Belt and therefore it is not in accordance with Paragraph 55 of the NPPF. No agricultural or equestrian requirement has been put forward by the applicant or their agents and paragraph 55 of the NPPF is clear that Local Planning Authorities should avoid new isolated homes within the countryside, unless there is an *“essential need for a rural worker to live permanently at or near their place of work in the countryside”*. Further, Local Plan Policy D3 gives support for new dwellings in the countryside as long as a clear functional need can be demonstrated. In this case no functional and no essential need has been established.

9.2 The provision of a cattery through the erection of a new purpose built building is also not considered to strictly comply with Paragraphs 89 and 90 of the NPPF. The cattery is not an agricultural use within the definition of agriculture in Section 336 of the Town and Country Planning Act (1990) (as amended). Furthermore, there is no essential need for a cattery to be located in the Green Belt.

9.3 Therefore it is considered that the proposal dwelling and the cattery are not in accordance with Paragraphs 55, 89 and 90 of the NPPF and Local Plan Policies G1 and D3 and the proposed stable/workshop do not require the provision of a dwelling to be located on the site as no functional or essential need has been demonstrated by the applicant in this instance. The proposed dwelling and cattery are inappropriate development which by definition would cause substantial harm to the openness of the Green Belt and there are no very special circumstances which would outweigh this harm. The application is therefore recommended for refusal.

10.0 RECOMMENDATION:

Refusal.

11.0 REASONS FOR REFUSAL:

11.1 The proposed dwelling and the cattery unit are considered to amount to inappropriate development within the Green Belt. They would cause substantial harm to the openness of the Green Belt and there are no very special circumstances which would outweigh this harm. The applicant has failed to demonstrate that there is a clear functional need for the erection of a new residential dwelling to be located within the Green Belt and no agricultural or equestrian requirement has been put forward by the applicant. The cattery is not an agricultural use within the definition of agriculture in Section 336 of the Town and Country Planning Act (1990) (as amended) and there is no essential need for a cattery to be located in the Green Belt. Therefore the proposed development is not in accordance with Paragraphs 55, 89 and 90 of the National Planning Policy Framework and is contrary to Policies G1 and D3 in the South Ribble Local Plan 2012-2026.

11.2 The proposal amounts to a substantial development in a countryside location which would have a serious urbanising effect and a significantly detrimental visual impact upon the rural area. Consequently, the proposed development would have a seriously detrimental impact on the character and appearance of the countryside and would be contrary to paragraph 55 of the National Planning Policy Framework, Policy 17 of the Central Lancashire Core Strategy and Policy G17 of the South Ribble Local Plan 2012-2026.

12.0 RELEVANT POLICY

12.1 National Planning Policy Framework

12.2 Central Lancashire Core Strategy

- 13 Rural Economy
- 17 Design of New Buildings
- 22 Biodiversity and Geodiversity
- 31 Agricultural Land

12.3 Supplementary Planning Documents

Rural Development SPD

12.4 South Ribble Local Plan

- D3 Agricultural Workers' Dwellings in the Countryside
 - G1 Green Belt
 - G16 Biodiversity and Nature Conservation
 - G17 Design Criteria for New Development
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