

PLANNING COMMITTEE

WEDNESDAY, 18TH JULY, 2018, 6.00 PM

SHIELD ROOM, CIVIC CENTRE, WEST PADDOCK, LEYLAND PR25
1DH

AGENDA

1 Welcome and Introduction

2 Apologies for Absence

**3 Minutes of meeting Wednesday, 20 June 2018 of
Planning Committee**

(Pages 5 - 8)

4 Declaration of Interest

Members are requested to indicate at this stage in the proceedings any items on the agenda in which they intend to declare an interest. Members are reminded that if the interest is a Disclosable Pecuniary Interest (as defined in the Members' Code of Conduct) they must leave the room for the whole of that item. If the interest is not a Disclosable Pecuniary Interest, but is such that a member of the public could reasonably regard it as being so significant that it is likely that it would prejudice their judgment of the public interest (as explained in the Code of Conduct) then they may make representations, but then must leave the meeting for the remainder of the item.

5 Appeal Decisions

The Director of Planning and Property will update the Committee.

6 2018/3514/FUL - 2-4 Spinners Square, Bamber Bridge

(Pages 9 - 20)

Report of the Director of Planning and Property attached.

7 2018/3291/FUL - Unit 3, Station Road, Bamber Bridge

(Pages 21 - 26)

Report of the Director of Planning and Property attached.

8 2018/2742/VAR - Oaklands Farm, Hollins Lane, Leyland

(Pages 27 - 34)

Report of the Director of Planning and Property attached.

**9 2018/1674/REM - Land of Shaw Brook Road and Altcar
Lane, Leyland**

(Pages 35 - 54)

Report of the Director of Planning and Property attached.

10 2018/1838/FUL - 72 Marsh Lane, Longton

(Pages 55 - 68)

Addendum report and original report of the Director of Planning and Property attached.

Heather McManus
CHIEF EXECUTIVE

Electronic agendas sent to Members of the Planning Committee Councillors Jon Hesketh (Chair), Rebecca Noblet (Vice-Chair), Renee Blow, Malcolm Donoghue, Bill Evans, Derek Forrest, Mick Higgins, Ken Jones, Jim Marsh, Jacqui Mort, Peter Mullineaux, Mike Nathan, Mike Nelson, Caleb Tomlinson and Barrie Yates

The minutes of this meeting will be available on the internet at www.southribble.gov.uk

Forthcoming Meetings

6.00 pm Wednesday, 8 August 2018 - Shield Room, Civic Centre, West Paddock, Leyland PR25 1DH

Procedure of Debate at Planning Committee

Whenever a planning application is dealt with by Planning Committee the Council is keen to allow the local community to participate in the process. The procedure that will ordinarily be followed is that:-

- Up to five members of the public who wish to speak against an application will be allowed to speak. Each will have up to four minutes in which to state their case.
- Up to five members of the public who wish to speak in favour of an application will then be allowed to speak. Again each will have up to four minutes in which to state their case.
- Borough councillors (not on Planning Committee) will then have the opportunity to make representations about the application. Each will have up to four minutes to state their case – whether for or against.
- The applicant/agent will then be invited to speak in support of the application. Ordinarily he/she will have up to four minutes to speak.
- The application will then be discussed by Committee. At this point members of the public, the applicant and other councillors not on Committee will not be able to speak further.
- Planning Committee will then take a vote on the matter.
- No paperwork, plans or photographs will be allowed to be circulated by the applicant/agent or member of the public at the meeting.

The Chairman of Planning Committee has discretion to vary these rules when dealing with a particular application if he considers it appropriate. Whenever members of the public speak (whether in opposition to a proposal or in favour of it) they should avoid repeating the same points made by other speakers.

Filming/Recording Meetings

The Council will allow any member of the public to take photographs, film, audio-record and report on any Planning Committee meeting. If anyone is intending to record any such meeting (or part of such a meeting) then it would be very helpful if they could give prior notice of their intention to the Council's Democratic Services Team. Ideally 48 hours' notice should be given.

When exercising the rights to record a Planning Committee meeting a member of the public must not in any way be disruptive to that meeting. They must not provide an oral commentary on the meeting whilst it is continuing. If disruption is caused then the Chairman of the meeting may exclude that person from the rest of the meeting.

Members of the public will not be entitled to stay in the meeting if any confidential (exempt) items of business are being discussed.

Full details of planning applications, associated documents including related consultation replies can be found on the Public Access for planning system, searching for the application using the Simple Search box. <http://publicaccess.southribble.gov.uk/online-applications/>

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MINUTES OF PLANNING COMMITTEE

MEETING DATE Wednesday, 20 June 2018

MEMBERS PRESENT: Councillors Jon Hesketh (Chair), Renee Blow, Bill Evans, Derek Forrest, Mick Higgins, Jim Marsh, Jacqui Mort, Peter Mullineaux, Mike Nelson, Caleb Tomlinson and Barrie Yates

OFFICERS: Dave Whelan (Legal Services Manager/Interim Monitoring Officer), Jonathan Noad (Director of Planning and Property), Chris Sowerby (Interim Assistant Planning Manager (Development Management)), Debbie Roberts (Planning Officer), Mike Davies (Planning Officer), Jessica Jarman (Enforcement Officer) and Dianne Scambler (Governance and Member Services Team Leader)

OTHER MEMBERS AND OFFICERS: Councillor Phil Smith and Councillor David Watts

PUBLIC: 9

14 Welcome and Introduction

The Chair, Councillor Jon Hesketh welcomed the members of the public to the meeting, introduced the Committee and explained the proceedings and role of its members.

15 Apologies for Absence

Apologies for absence were received from Councillors Rebecca Noblet (Vice Chair), Mal Donoghue, Ken Jones, and Michael Nathan.

16 Minutes of meeting Wednesday, 30 May 2018 of Planning Committee

RESOLVED: (Unanimously)

That subject to Councillor Peter Mullineaux being in attendance, the minutes of the meeting held on 30 May 2018 be approved as a correct record for signing by the Chair.

17 Declaration of Interest

The following declaration was declared:

Item 6 - Jonathan Noad, Director of Planning and Property declared that he is a Parent Governor at St. James's CE School, Slater Lane, Moss Side.

18 Appeal Decisions

The Director of Planning and Property reported on one appeal decision that had recently been received. The appeal related to land at St James Fields, Wateringpool Lane where the developer had proposed to build an additional 5 dwellings on open space.

The Planning Inspectorate found in favour of the Council's decision to refuse planning permission due to the impact on the character and appearance of the open area and its important contribution to Central Parks.

In response to a question raised by a member of the public, the Director of Planning and Property agreed to feedback on the delivery of the landscaping scheme at St James Fields.

The information was noted.

19 Planning Application - 07/2018/2840/FUL - St James CofE School, Slater Lane, Moss Side

Jonathan Noad, Director of Planning and Property left the meeting.

Address: St James Church of England School, Slater Lane, Moss Side, Leyland PR25 1TL

Applicant: Mrs L Taylor-Bell – Headteacher

Agent: Mr Jeff Heskine, 12 The Spinney, Lancaster LA1 4JQ

Development: Formation of Multi Use Games Area on school field to rear and erection of 3m high boundary fencing.

RESOLVED: (Unanimously)

That the application be Approved with Conditions.

Jonathan Noad, Director of Planning and Property returned to the meeting.

20 Planning Application - 07/2018/2675/FUL - 47 Cann Bridge Street, Higher Walton

Speakers: A representative of the applicant.

Address: 47 Cann Bridge Street, Higher Walton, Preston PR5 4DJ

Applicant: Mr Haydn Williams

Development: Change of use from Class A3 (Café) to Class A4 (Public House) and minor alterations

RESOLVED: (Unanimously)

That the application be Approved with Conditions.

The following additional condition was agreed at the meeting:

That the building shall not be occupied for the use hereby approved, until the Local Planning Authority receives confirmation, and a copy of a written agreement that offsite parking spaces within close proximity of 47 Cann Bridge Street are available, and will remain available at all times in the future for customers of the approved business. Furthermore for the duration of the approved use, signage shall be displayed prominently (and shall be available for inspection by the Local Planning Authority) within the pub to highlight availability of parking within agreed areas.

REASON: To ensure the provision and retention of adequate parking facilities, to reduce the impact on neighbouring properties and to accord with Policy G17 in the South Ribble Local Plan.

21 Planning Application - 07/2018/1773/FUL - 143 Liverpool Road, Longton

Speaker(s): The applicant (Mr Christopher Buckley).

Address: 143 Liverpool Road, Longton, Preston PR4 5AB

Applicant: Mr Christopher Buckley

Development: Change of use from Class A1 (Office Licence) to Class A4 (Drinking Establishment)

RESOLVED: (Unanimously)

That the application be Approved with Conditions.

22 Planning Application - 07/2018/2471/HOH - 51 Green Hey, Much Hoole

Speaker(s): The applicant (Mr Mark Hodges).

Address: 51 Green Hey, Much Hoole, Preston PR4 4QH

Applicant: Mr Mark Hodges

Agent: Mr Harry Fowler, 323 Gregson Lane, Hoghton, Preston PR5 0FD

Development: Two storey and single story rear extensions, porch and single storey extension to front elevation. Replacement detached garage to front and erection of detached outbuilding to form a garden room to rear. Erection of a 2.4m (max) high boundary fence to north western boundary.

RESOLVED: (Unanimously)

That the application be Approved with Conditions.

23 Planning Training

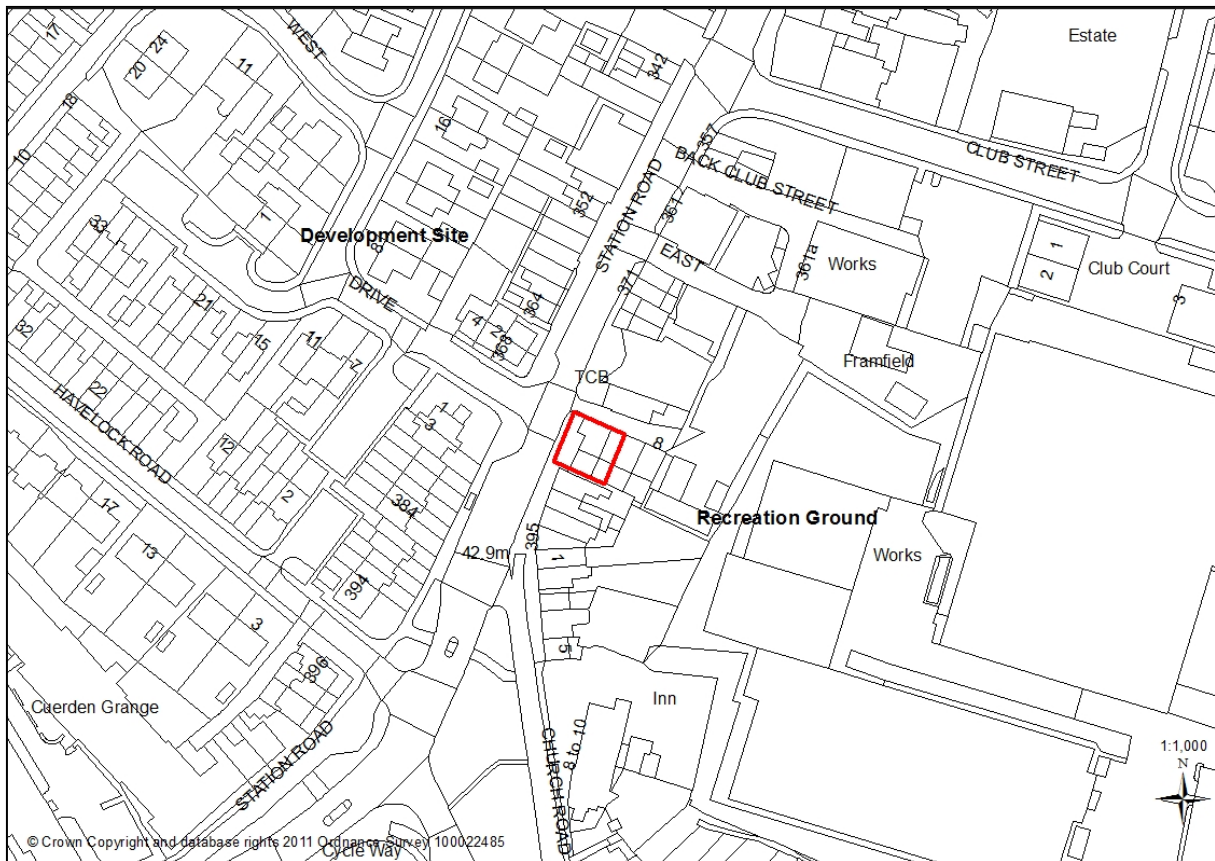
The Director of Planning and Property reminded the Committee about the forthcoming training session being held on Wednesday 27 June and encouraged all Members to attend.

Chair

Date

Agenda Item 6

Application Number	07/2018/3514/FUL
Address	2 - 4 Spinners Square Bamber Bridge Preston Lancashire PR5 6EQ
Applicant	Reginald James Ltd
Agent	Mrs Melanie Scarff 7 Edgefield Astley Village
Development	Change of use from A1 (shop) to A4 (drinking establishment), single storey side extension and decking area with fencing to front and side.
Officer Recommendation	Refusal
Officer Name	Mrs Debbie Roberts
Date application valid	25.05.2018
Target Determination Date	20.07.2018
Extension of Time	None



1. Report Summary

1.1. This applicant seeks permission to change the use of the property from retail (A1 Use Class) to a micro pub (Class A4), with beer store and decking extensions, ancillary external works and conversion of the first floor for use as a managers flat. A refrigeration unit would be installed onto the front/side, first floor elevation. Advertisement consent has been separately applied for.

1.2. Decking has been shown as two separate areas – Decking A which would run across the front of the premises and would provide a smoking area, and Decking B which would sit alongside no: 389 Station Road. The applicant has suggested closure of Decking A by 10.30pm, but to prevent any issue in terms of public nuisance or noise arising from use of the decking, Environmental Health request closure of outside areas by 6pm should members go against this recommendation. This is realistically difficult to enforce, and there is no evidence to suggest that moves to force customers into the building would prevent noise nuisance altogether. Should permission be granted however, a condition to restrict use of external areas is recommended. Noise assessment of the building itself has also been compiled.

1.3. The pub would employ one full time manager and two part time staff, and opening hours have been identified as 10am – 12pm Sunday to Thursday, 10am – 1am Friday and Saturday; these differ by half an hour from those requested of the premises licence. Deliveries would be taken from Station Road through the front of the property and waste removal from the rear via the front decking access. A number of minor cosmetic changes would also be made during upgrade of the premises

1.4. County Highways have fully assessed the application (see Para 7.3 below) and subject to works within the area agreed by both parties raise no objection on parking or highway grounds.

1.5. Environmental Health do object to the proposal however on the grounds that insufficient evidence has been provided to prove without question that noise from both internal and external site areas would not be of detriment to neighbouring properties. (see Para 7.1 – 7.1.3 below)

1.6. At the time of writing this report, and following full consultation, letters of objection have been received from 20 residents, in addition to a petition from 11 people outside of the Borough. Objections are summarised at Para 6.2.1 below; late comments will be reported verbally at committee.

1.7. It is considered that this proposal does not comply with the NPPF, South Ribble Local Plan or Central Lancashire Core Strategy for the following reasons.

- The submission fails to demonstrate that internal and external use of the premises by virtue of noise, increased use and activity would not have an adverse impact on the amenities of neighbouring properties. The proposal is therefore contrary to Paragraph 109 of the National Planning Policy Framework, Policies B1(c) and G17(a) of the South Ribble Local Plan, Policy 17 (c & d) of the Central Lancashire Core Strategy
- Proposed external development would be out of keeping with, and as a result harmful to the character and appearance of the immediate area and is therefore contrary to South Ribble Local Plan Policy G17(a & b)

2. Application Site and Surrounding Area

2.1. The application refers to no: 2-4 Spinners Square, off Station Road Bamber Bridge, which until 2017 was in full use as a fishing tackle shop (A1 retail). Premises are now empty and although work has begun on the buildings refurbishment, the physical works undertaken to date do not in themselves require planning permission.

2.2. The property is a part two/ part single storey unit which faces Station Road, but is attached at right angles to a short row of terraced dwellings. The property appears to have been an end of terrace dwelling facing away from the main road, but whose orientation has at some stage been changed; former garden areas to the south are screened by an existing wall. An area of hardstanding is present to the front of the building which extends directly into the public highway. A bus stop also sits immediately to the front of the premises.

2.3. Adjacent in the south is a mixed use residential/commercial terrace; the closest neighbour being 389 Station Road (dwelling) previously connected by a short wall. Church Road Conservation Area is immediately beyond this terrace.

2.4. To the rear of Spinners Square (east) is a small commercial business, and adjacent in the north is Bargain Booze which faces Station Road; access to properties on Spinners Square is via an alleyway between the proposal site and this shop. Residential properties are located to the north of Bargain Booze.

2.5. Immediately facing are Lychfield Drive (residential) flanked by mixed use terraced properties (predominantly residential)

2.6. There is no off road, parking for this property. This is not unusual for businesses along Station Road. Parking has been proposed in front of Bargain Booze but is within third party ownership, and as such should not be taken into account for use by this property

2.7. The site and immediate surroundings are designated under Policy B1 (Existing Built Up Area); Bamber Bridge District Centre sitting approximately 500m to the north.

3. Site Context / Planning History

3.1. There are 3 planning applications on the history of this site:

- 07/1984/0198 – extension to shop. Refused July 1984
- 07/1987/0790 – extension to shop. Refused May 1988
- 07/1990/0721 – side shop extension. Approved October 1990

4. Proposal

4.1. The applicant seeks permission to change the use of the property from retail (A1 Use Class) to a micro pub (Class A4), with beer store and decking extensions, ancillary external works and conversion of the first floor for use as a managers flat. Advertisement consent has been separately applied for.

4.2. *Main building* – the property itself accounts for 117m² floor area within a 167m² site. Proposals include conversion of the ground floor to accommodate bar and sanitary areas, and conversion of the first floor to provide a small, one bedroomed flat for the pub manager. To protect the amenity of any future resident should permission be granted, a condition is recommended to restrict occupancy of the flat to employees of the business

4.3. *Beer Store Extension* – a small, beer store extension of 4m x 4m, with a maximum ridge height of 3.3m and eaves to 2.2m is proposed to the southern side of the building. The applicant's original statement proposed that the stores roof would be finished in such a way as to be suitable habitat for butterflies, bee's and native wildflowers e.g. wild turf or sedum. Plans and the Noise Impact Assessment (see below) submitted however detail a tiled roof which would not be fit for this purpose. Confirmation has since been received that the roof would be tiles, more in keeping with the character of the area.

4.4. *Decking* – Two areas of decking are proposed. Decking A would run from the front of the proposed bin store (7.8m deep x 3m wide at the front), would be 200mm from ground level, and protected by decorative wooden railings with bamboo style 'modesty' screening behind. An existing wall runs along the southern side to prevent access other than from within the pub; a small bin store would sit between the beer store and this wall. The applicant suggests closure of Decking A by 10.30pm

4.5. Decking B would be similarly screened but would run along the front of the property (approx. 10m wide x 1.4m -3.4m deep) and would be used as a smoking area; the only public access from outside the building would be through this section. Limited late night use of this area has not been suggested but for consistency, ease of management and to protect the amenity of immediately adjacent neighbours a condition to require early closure of all outside areas is considered necessary should permission be granted.

4.6. The pub would employ one full time manager and two part time staff, and opening hours have been identified as 10am – 12pm Sunday to Thursday, 10am – 1am Friday and Saturday. External areas would be restricted as detailed above. Deliveries would be taken from Station Road through the front of the property and waste removal from the rear via the front decking access

4.7. A number of minor cosmetic changes would also be made during upgrade of the premises; namely:

- Door on northern side would be blocked up – this would reduce pedestrian use within the vicinity of residential properties at the rear.
- Installation of patio doors into decking on the southern side which would be screened by the existing wall
- A refrigeration unit is proposed between the first floor side elevation of the property, and the single storey pitched roof

5. Summary of Supporting Documents

5.1. The application and is accompanied by the following:

- Proposed floor plans (Dwg 1 of 3: amended April 2018) Entwistle Design Services
- Proposed elevations (Dwg 2 of 3: amended April 2018) Entwistle Design Services
- Proposed site plan (Dwg 3 of 3: amended April 2018) Entwistle Design Services
- CCTV/Security Plan (Confidential)
- Site Management Plan: 2018
- Noise Impact Assessment (John Holdsworthy/Sound Advice: 22.5.18)
- Planning Statement
- JCC2 Refrigeration Unit Specification

6. Representations

6.1. Summary of Publicity

6.1.1. A site notice has been posted, and 36 neighbouring properties consulted.

6.2. Letters of Objection

6.2.1.20 individual letters of objection have been received. Comments are summarised as

Residential Amenity

- Impact to neighbouring residents from both internal and external general use of the premises after 10pm; particularly retirement and care homes across Station Road
- Noise from clients arriving and leaving by taxi but waiting in front of residential properties
- Smoke from people using smoking area would impact directly on adjacent properties
- Noise in the area has reduced since 3 pubs on Station Road have closed down - problems would start again if this proposal approved.
- Problems should music be allowed at, or outside of the premises
- Potential for anti-social behaviour
- Respondent lives immediately to the side of the property, and does not wish to bring up 2 children next to a pub.
- Licencing Act 2003 primary objective '*Protection of Children From Harm*' quoted
- Loss of privacy
- Light pollution from external lighting and noise from proposed refrigeration unit
- Applicant's noise report states that noise would be below 60db World Health Organisation guidelines. Those same guidelines recommend 35db or less in bedrooms
- Decking and beer store restricts emergency access into Spinners Square – the beer store would be within already restricted areas. Decking would be to the front of, but would not further restrict emergency access
- Proposed 'wildflower roof' would affect immediate neighbour who has pollen allergies – plans since changed
- Respondent mentions issues with pavement use by customers of the Brig & Bottle – photographic evidence supplied.

Design

- Fence and decking design is out of keeping with the area
- Overdevelopment of site resulting in an unacceptable mass adjacent to residential properties

Highways

- Proposal will exacerbate parking problems on Station Road, Lychfield Drive and West View
- Decking would be too close to the bus stop and would restrict the footpath
- Proposal would disrupt parking to Bargain Booze (adjacent)
- Presence of bus stop means that deliveries and taxis will park directly outside neighbouring properties
- No parking proposed for either pub or managers flat

Other Comments

- The proposal would be a security risk to neighbouring properties
- Land in front of the Bargain Booze has been suggested by the applicant for use by delivery waggons. The owner of Bargain Booze states that this is not acceptable, that the applicant has not been given permission and that he '*requires uninterrupted access for deliveries and customers*'

- Proposed times on applicants statement differ from those suggested on the premises licence
- Proposal has not been subject to sequential testing and would result in loss of an A1 unit – protection, and marketing of A1 use premises is generally within designated District centres (500m north). Regardless of the sites allocation however, the A1 use would be replaced by an A4 use – more than acceptable if this unit had been in a protected locality.
- Users of the bus stop will be intimidated by users of the pub

Comments have also been made which as non-material planning considerations have not been taken into account:

- Request that earlier covenants on the property are checked to see if they would prohibit the scheme
- Regardless of ownership the land to the front of the property has never been fenced off and as such is a Public Right of Way by default – this is a civil matter between the applicant and users of the land, rather than of relevance to the planning process.
- Applicant has removed an existing wall and relocated neighbours fence without permission – this issue has been raised with the applicant who feels that it is incorrect. The matter however would be a civil issue between the relevant parties.
- ‘There are too many pubs in the area’ – Proliferation of premises is not relevant to this proposal
- Vacant flat above Bargain Booze would be disadvantaged if next to a pub, and loss of tenant to, and subsequent property value of rented properties adjacent as tenant would move to protect children from such an environment – property values and/or tenancy issues cannot be taken into account

A petition letter has also been submitted by 11 people with much the same content as summarised above. It should be noted however that the letter is from residents of Fulwood, Lytham St Anne’s, Garstang and Ingol who would not be immediately affected by the proposal.

6.3. Letters of Support

6.3.1. None received

7. Summary of Responses

7.1. **Environmental Health** are of the opinion that *‘the development would result in a serious adverse impact on the amenities of nearby occupiers, by reason of noise, contrary to planning policies B1 & G17 and policy 17 of the Central Lancashire Core Strategy. This department therefore recommends refusal of the application’*. In support of their objection comments made are as follows

7.1.1. *‘The acoustic report is erroneous in concluding that the premises are unlikely to cause noise nuisance to the residents of Spinners Square. The scope of the report was far too limited to make this conclusion valid. The report was limited to the performance of the party wall between the proposed premises and the existing residential accommodation. This is far from being the only way in which the residents of Spinners Square or other residents could be subjected to a noise nuisance. The report has not considered noise from external sources such as customers using the decking area, the refrigeration unit, ancillary activities such as barrel deliveries or noise breakout through doors or windows.*

The report states that the party wall does not currently provide sufficient acoustic insulation to prevent noise nuisance being caused to the adjacent property on Spinners Square. While it does state that work can be carried out to rectify this it also states that there may still be noise transmission between the two properties arising from structural interconnections. The

report is also based on a level of 85dB(A) within the premises. This is a level that can be exceeded where music is being played as is the intention with this premises.

In the absence of any assessment relating to noise from the decking area a visit was made with a colleague. This revealed that the windows of No. 6 & 8 Spinners Square are in close proximity (less than 10m for 6 Spinners Square) and direct line of sight from the proposed decking area. A quiet telephone conversation held in the proposed location of the decking area could clearly be heard in the rear bedroom of No. 6 Spinners Square (a child's bedroom). While the proposed beer store may attenuate this slightly it is not known by how much if at all. The noise from the decking in use will be greater than one person talking on a telephone. The background noise will also be lower in the evening so any noise will be more prominent. While the acoustic report has commented on how the party wall should be insulated to provide a level of below 30dB(A) (World Health Organisation recommendations) in the adjacent property there has been no attempt to assess how this could be achieved when noise is being generated on the decking and travelling through the bedroom window.

The acoustic information for the beer chiller unit is insufficient as it relates to the unit in a "free field" at 10m distance. The unit will be located in a position with a variety of acoustically reflective surfaces. The actual sound has the potential to be significantly louder than specified and potentially quite directional – no assessment of this has been carried out.

The licensing application for the premises requests a closure time of 1.30am on Fridays and Saturdays with an additional 13 days of seasonal variation which would allow 24 hour opening. The adjacent off licence closes at 11pm so this reflects a considerable lengthening of the time over which residents would be subject to increased background noise levels. When the background noise level is low noise from the decking area may become an issue for other nearby residents as well as those on Spinners Square'.

7.1.2. Should permission be granted conditions with regards to noise impact testing, and mitigation works are recommended, as are restrictions re: live and amplified music, lighting, and delivery and construction management. EH also recommend that use of the decking and associated lighting after 6pm should be prohibited, but some consideration should be given to actual management and enforcement of this condition if the premises themselves were open until later hours.

7.2. Lancashire Constabulary's response details a number of criminal incidents reported at the site within the last 12 months. They have assessed the application and confidential security information, and recommend a number of security measures which should be addressed prior to first occupation of the premises. An informative note to this effect would be included with any permission granted.

7.3 Lancashire County Council Highways note that there are 4 recorded incidents on the LCC accident database; none of which would have been worsened by the proposed development. LCC acknowledge that parking is sub-standard, but taking into account the existing commercial use, and its sustainable location i.e. close to public transport//rail services, where parking is limited for all business and residential premises, they do not object on parking or highway grounds.

7.3.1 A check of the LCC highways adoption records identified a large section of proposed decking (approx. 1.3m – 2m deep running along the front boundary) which LCC initially felt would encroach into the adopted highway. The decking also had the potential to restrict access to an existing manhole cover, and for both reasons LCC objected to the development in its original form.

7.3.2 LCC have examined the area, and as there is some disparity between adoption and land registry documents have assigned an area of land which they feel is probably public highway. In the spirit of compromise amended plans have been submitted to LCC which

draw the decking in towards the building and avoid the manhole. As a result, and subject to construction behind the public highway 'line', LCC withdraw their objection.

7.3.3 It should be noted that provided that due process has been followed, planning permission may be granted to any applicant, on any land regardless of land ownership. Permission would not however override LCC's land ownership rights.

8. **Material Considerations**

8.1. Site Allocation

8.1.1. The site is designated under Policy B1 (Existing Built Up Area) of the South Ribble Local Plan 2012-2026

8.1.2. **Policy B1** allows for redevelopment in allocated areas provided that proposals would comply with requirements of the local plan relating to access, parking and servicing; would be in keeping with the character and appearance of the area, and would not adversely affect the amenity of nearby residents.

8.2. Policy Background

Additional policy of marked relevance to this proposal is as follows:

8.2.1. *National Planning Policy Framework*

The NPPF at Para 14: provides a presumption in favour of sustainable development '*which should be seen as a golden thread running through both plan-making and decision taking*', and supports sustainable economic growth. Other pertinent chapters of the NPPF are:

Chapter 1: Building a Strong and Competitive Economy. Para 20 states that local planning authorities should '*support existing business sectors to meet the development needs of business in an economy fit for the 21st century*'. Para 21 of the same chapter urges planning to '*identify and plan for new and emerging sectors in the area offering flexibility to accommodate needs not anticipated in the plan and to allow rapid response to changes in economic circumstances*'

The application premises sit just outside of an established local centre, and the proposal would support rather than impact upon local business by attracting people into the area. The micro-pub market is new and innovative, and although not specifically considered within the Development Plan itself, removes a vacant premises whilst offering a level of positive diversification to the local centre as a whole

Chapter 7: Requiring good design attaches great importance to the design of the built environment which contributes positively to making better places for people. One of the 12 NPPF core principles is that planning should '*always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*'

8.2.1.3 Chapter 11: Conserving and Enhancing the Natural Environment – Although primarily concerned with more rural aspects of the natural environment, Para: 109 does aim to '*prevent both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of ... noise pollution*'. Para 123 of the same chapter states that '*decisions should aim to mitigate and*

reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development'

8.2.2. Central Lancashire Core Strategy

Policy 1: Locating Growth focusses growth and investment on well-located, brownfield sites within key service and urban areas of the Borough; one of which is Bamber Bridge, but with a focus on district centre regeneration.

Policy 3: Travel encourages alternative, sustainable travel methods to reduce dependence on motor vehicles.

Policy 12: Culture & Entertainment Facilities seeks to '*promote cultural and entertainment facilities within key centres*' which '*are important in attracting visitors and investment to the area*'.

Policy 17: Design of New Buildings requires new development to take account of the character and appearance of the local area.

Policy 26: Crime & Community Safety seeks to reduce crime levels and improve community safety by encouraging the inclusion of Secured by Design principles in new development.

8.2.3. South Ribble Local Plan

In addition to site allocation policy B1 (above), the following are also pertinent:

Policy F1: Parking Standards requires all development proposals to provide car parking and servicing space in accordance with parking standards adopted by the Council.

Policy G17: Design Criteria for New Development considers design in general terms, and impact of the development upon highways safety, the extended locale and the natural environment.

8.3. Impact of Development on Neighbouring Properties

8.3.1. Proposed sanitary areas of the pub would be attached the No: 6 Spinners Square, whilst the rear of the beer store would abut this properties rear garden. No: 8 Spinners Square would sit beyond this property in the east

8.3.2. In the south is 389 Station Road whose side elevation would face the side of proposed decking A and screening to the bin store at 1.3m, and in the north is Bargain Booze at a distance of 4m. Properties face across Station Road at approximately 22m from the front of proposed decking.

8.3.3. Problems arising from noise and general use of the premises are not considered to be of detriment to Bargain Booze, although unauthorised use of the neighbour's car park by customers of, and deliveries to the proposed pub might hamper the adjacent business which requires unrestricted access to its own site. The same cannot be said for the occupants of adjacent residential properties who would be subject to noise emission from the pub itself and from general use of external seating areas until late in the evening. Daytime stock deliveries to the property would be similar to any other business, but the arrival and departure of customers by taxi would – particularly late at night – be of issue. There are no parking spaces available to the property, and as driving would be discouraged there are only a few other client transport alternatives.

8.3.4. The applicant has offered to restrict access to, and lighting of proposed decking after 10.30pm. Environmental Health wish for this to be reduced further to 6pm but realistically this would not only be difficult to enforce, but would force clientele into the building which would exacerbate noise problems from within for the occupants of Spinners Square.

8.3.5. Conditions to prevent noise nuisance as best as possible from the property itself might be effective, but it is considered that it has not been clearly demonstrated that noise emitting from both building and proposed decking – despite the option of early closure of outside areas – can be suitably mitigated. It is therefore considered that approval of such areas would result in a serious loss of amenity to immediate residents in direct contravention of adopted policy.

8.4. Design, Character & Appearance

8.4.1. Local Plan Policy G17 (Design Criteria for new development) seeks to ensure new development relates well to neighbouring buildings and the extended locality, that layout, design and landscaping of all elements of the proposal are of a high quality; providing interesting visual environments which respect local character, reflect local distinctiveness, and offer appropriate levels of parking and servicing space in line with Policy F1 (Parking Standards) of the same document. Core Strategy Policy 17 (Design of New Buildings) effectively mirrors these criteria.

8.4.2. In consideration of the above, local distinctiveness and character of the area have been assessed. This part of Bamber Bridge is a fairly traditional mix of terraced, commercial and new build, supported/retirement living properties. Retail properties in Bamber Bridge tend to be predominantly to the north although some do exist towards this site. The Conservation Area sits immediately south

8.4.3. Conversion of the property would undoubtedly upgrade what is a very tired unit – the applicant has a track record in the area of clean, well maintained properties, and in purely visual terms, minimal changes to allow for the proposal change of use alone are not considered unacceptable. Proposed decking and the refrigeration unit however considered out of character with their immediate surroundings.

8.5. Highways Considerations, Suitability of Access and Parking Arrangements

8.5.1. Highways issues have been assessed by LCC as the Highways Authority, and whilst they recognise that on-site parking following development would be unavailable, they accept this reduced standard as the norm along Station Road and have no objection. It should be noted however that following erection of proposed decking, hardstanding used also for deliveries would be lost, and as the road immediately to the front of the building is spanned by a bus stop, delivery wagons will be forced to park unlawfully, or in front of adjacent residential properties to the detriment of neighbouring occupants

8.6. Noise

8.7. Noise has been assessed formally by South Ribble Environmental Health as the Councils acoustic specialist (see detailed commentary at Para's 7.1 - 7.1.3 above).

9. Conclusion

9.1 The application proposes change of use of 2-4 Spinners Square to micro-pub, with erection of external decking and ancillary works. The application has been assessed by the Councils expert consultants, and whilst LCC now have no objection on parking or highways safety grounds, Environmental Health do have cause for concern.

9.2 The applicant has failed to provide sufficient information to show that works to internal areas of the building would protect the living conditions and amenity of neighbouring properties; particularly those on Spinners Square and immediately adjacent.

9.3 Similarly, but of importance to a much wider area is the inability to prove that use of proposed refrigeration and external decking areas, would also not be of detriment e.g. increased activity, noise and traffic generation i.e. client arrival/collection by taxi, delivery vehicles without off road parking etc.,

9.4 On balance, and for the reasons stated in this report, the application does not accord with the relevant policies of the NPPF, Local Plan or Core Strategy, and is therefore recommended for refusal for the following reasons.

The submission fails to demonstrate that internal and external use of the premises by virtue of noise, increased use and activity would not have an adverse impact on the amenities of neighbouring properties. The proposal is therefore contrary to Paragraph 109 of the National Planning Policy Framework, Policies B1(c) and G17(a) of the South Ribble Local Plan, Policy 17 (c & d) of the Central Lancashire Core Strategy

Proposed external development would be out of keeping with, and as a result harmful to the character and appearance of the immediate area and is therefore contrary to South Ribble Local Plan Policy G17(a & b)

RECOMMENDATION:

Refusal.

REASONS FOR REFUSAL:

1. The submission fails to demonstrate that internal and external use of the premises by virtue of noise, increased use and activity would not have an adverse impact on the amenities of neighbouring properties. The proposal is therefore contrary to Paragraph 109 of the National Planning Policy Framework, Policies B1(c) and G17(a) of the South Ribble Local Plan, Policy 17 (c & d) of the Central Lancashire Core Strategy

2. Proposed external development would be out of keeping with, and as a result harmful to the character and appearance of the immediate area and is therefore contrary to South Ribble Local Plan Policy G17(a & b)

RELEVANT POLICY

National Planning Policy Framework

Central Lancashire Core Strategy

- 1 Locating Growth
- 3 Travel
- 12 Culture and Entertainment Facilities
- 17 Design of New Buildings
- 26 Crime and Community Safety

South Ribble Local Plan

- B1 Existing Built-Up Areas
- F1 Car Parking
- G17 Design Criteria for New Development

Agenda Item 7

Application Number 07/2018/3291/FUL

Address Unit 3
143 Station Road
Bamber Bridge
Preston
Lancashire
PR5 6LA

Applicant Mr Mark Bentham

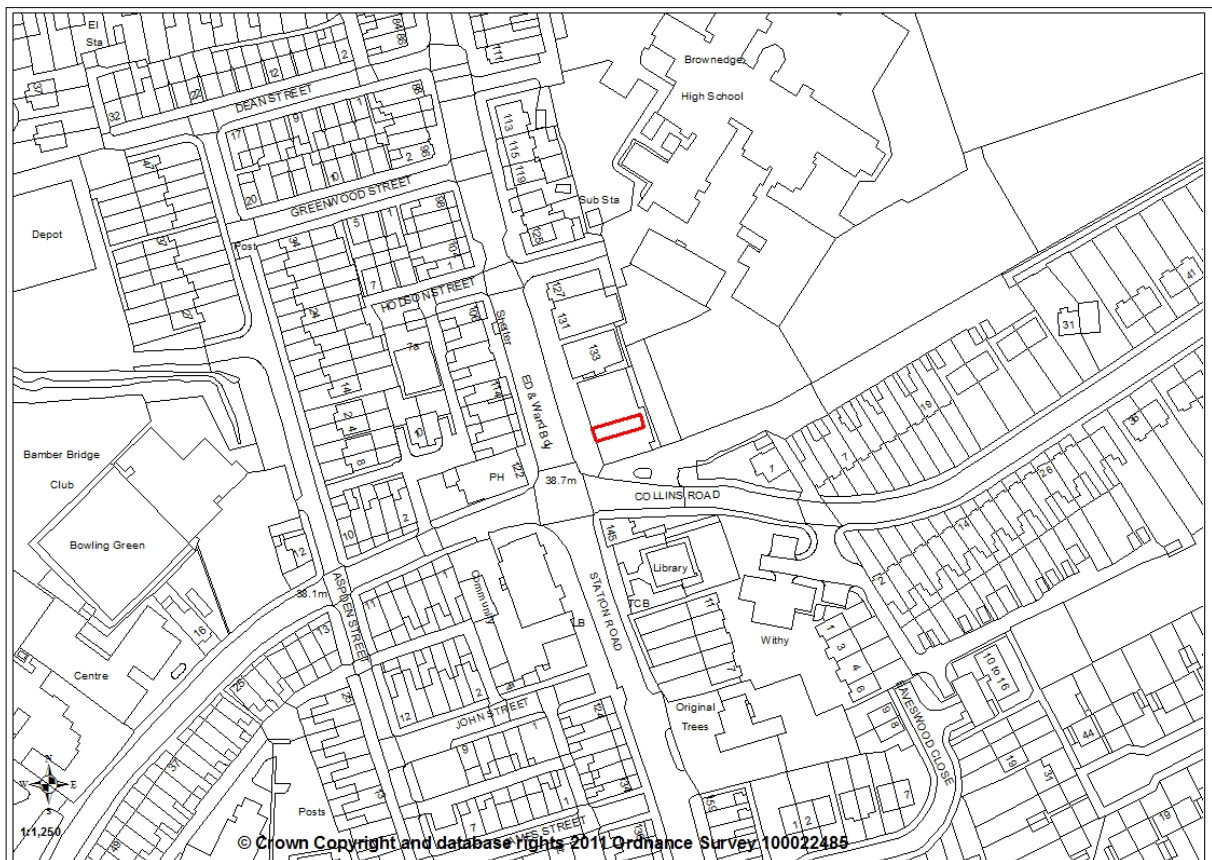
Development Change of use of former shop (Class A1 retail)
to drinking establishment (Class A4 Drinking
Establishment)

Officer Recommendation **Approval with Conditions**

Officer Name **Mrs Janice Crook**

Date application valid 25.05.2018
Target Determination Date 20.07.2018
Extension of Time N/A

Location Plan



1. Report Summary

1.1 This application is for a change of use of a vacant A1 retail premises to a drinking establishments within the A4 Use Class. The proposal is for a micro pub serving craft ales.

1.2 The site is outside of the district centre of Bamber Bridge in a mixed use area where commercial and residential properties are alongside each other. The site is also close to the busy crossroads junction of Station Road/Collins Road and Browndge Lane.

1.3 The premises has a lawful use for retail and is in a highly sustainable location. County Highways have raised no objections and consider the proposal should have a negligible impact on highway safety and capacity in the immediate vicinity. Environmental Health consider there is only limited potential to impact on neighbouring properties and therefore recommend conditions be imposed. The application is recommended for approval subject to the imposition of conditions.

2. Site and Surrounding Area

2.1 The application relates to the commercial property Unit 3, within a terrace of commercial premises at 143 Station Road. The terrace is located on the eastern site of Station Road in Bamber Bridge, close to the crossroads junction of Station Road, Collins Road and Browndge Lane. The unit has previously been used as an A1 retail premises for domestic appliances.

3. Planning History

- 07/1983/0457 Alterations to shop front. Approved 24/08/1983
- 07/1986/0524 New shop front. Approved 22/10/1986

4. Proposal

4.1 The application proposes the change of use of Unit 3 from A1 Retail to a drinking establishment within Use Class A4. No alterations are proposed to the property. Internally the proposal provides for a storage area to the rear of the premises with WC's opposite, a square bar area with seating around, two areas of linear seating, one to the front and one to the left hand side and tables and chairs in the remaining floorspace area.

5. Summary of Publicity

5.1 Neighbouring properties were notified and a site notice posted with two letters of representation being received, one objecting to the proposal on the following grounds:

- Will cause anti-social behaviour in the area
- In close proximity to a school
- There are enough pubs and off licences in the area

5.2 The second letter supports the application, commenting:

- good to see that empty shops being used for new businesses
- person involved in the business is a local person
- community should support local businesses

6. Summary of Consultations

6.1 **County Highways** consider the proposal should have a negligible impact on highway safety and capacity within the immediate vicinity of the site and therefore have no objections.

6.2 **Environmental Health** comment that the proposed development has the potential, although limited, to adversely impact on neighbouring land uses and as such conditions are required to restrict the use of live music, recorded music, no outside use and a restriction on the time of deliveries.

7. Policy Background

7.1 **Policy B1: Existing Built-up Areas** permits development proposals for the re-use of undeveloped and unused land and buildings, or for redevelopment, provided that the development complies with the requirements for access, parking and servicing; is in keeping with the character and appearance of the area; and will not adversely affect the amenities of nearby residents.

7.2 **Policy F1: Parking Standards** requires all development proposals to provide car parking and servicing space in accordance with the parking standards adopted by the Council. In general, parking requirements will be kept to the standards as set out unless there are significant road safety or traffic management implications related to the development of the site. The parking standards should be seen as a guide for developers and any variation from these standards should be supported by local evidence in the form of a transport statement.

Where appropriate, some flexibility will be factored into the standards in relation to the specific local circumstances.

7.3 **Core Strategy Policy 26: Crime and Community Safety** aims for reduced levels of crime and improved community safety through a number of measures, as follows:

- Working with the police, community safety partnerships and other agencies to co-ordinate analysis and action.
- Encouraging the inclusion of Secured by Design principles in new developments.
- Providing adequate leisure and community facilities or activities, particularly in high crime areas, and especially for young people.
- Aiming to achieve a complementary mix of uses in the City and key service centres with appropriate controls over entertainment uses, taking account of the local authorities' Statement of Licensing policies.

8. Material Considerations

8.1 The application property is within a row of 6 shops, all of uniform size and design. Adjacent properties include an Age Concerns shop and hot food takeaway to the south and a florist, laundry and accountants to the north with a Spar convenience store beyond. On the opposite side of Station Road is the Withy Arms public house with four residential properties, a hairdressers and tanning studio. To the rear is the Browndedge St Mary's RC High School. The area is therefore considered to a mixed use area.

8.2 The proposal is for a change of use from an A1 retail premises, last used by Northwest Domestic, a domestic appliances retail premises, to a drinking establishment within the A4 use class. The proposal is for a micro pub and the submitted supporting statement indicates:

"We are submitting this application to turn the empty unit that was formerly North West Domestic Appliance centre into a Micro Pub. We are three friends that have lived in the local area all our lives and are passionate about real ale and craft beers and want to create a small but welcoming venue that serves a variety of locally made craft ales. We have chosen this location as it will be convenient for local residents to call in but it should have no adverse impact on residents as it is in an existing predominantly commercial zone.

The pub will employ people from the local community and we seek to compliment other local business for mutual benefit. We are aware that two other Micro Pubs are due to open in Bamber Bridge (Brig N Barrell and Weaver's Arms) which we see as a positive as this will offer local residents multiple places to visit and potentially encourage customers from other surrounding areas.

Given the number of public houses that have closed in Bamber Bridge in recent years we see this as a positive addition to the area and it will complement the other businesses in the near vicinity comprising multiple takeaways, off licences, taxi ranks and other drinking establishments.

Our plan is to invest our own money in creating an updated and inviting interior but with a low key and complimentary exterior that fits well with the recent investments and regeneration in Bamber Bridge.”

8.3 The principle of this proposal is therefore in accordance with Policy B1 which permits development proposals for the re-use of undeveloped and unused land and buildings, or for redevelopment. However, this is providing the development complies with the requirements for access, parking and servicing. The site does not have its own dedicated off-street parking provision and there are no public car parks in the immediate vicinity of the site. The adopted parking standards are a maximum requirement and require one parking space per 5 square metres of public floor space for a drinking establishment outside of the district centre compared to 1per 20 square metres for non-food retail floorspace. Therefore the level of parking required would amount to 10 spaces

8.4 However, County Highways do not raise parking as an issue, commenting this is an existing retail unit without parking. The site is in a highly sustainable location. The proposed use is unlikely to generate any more demand for parking than the existing use, and there is an argument that as a licenced premises a significant proportion of customers are not likely to drive.

8.5 Additionally, County Highways are of the opinion that the proposals should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site and has no objections to the application.

8.6 Given that the premises is on Station Road with good public transport access, that no dedicated parking exists for the existing retail premise and that County Highways do not consider the proposed use will not increase demand for parking, then, on balance, the proposal is considered acceptable in terms of parking.

8.7 To be in compliance with Policy B1, the application proposal must also be in keeping with the character and appearance of the area. The proposal does not include any external alterations and therefore there will be no impact on the street scene in which the property is located.

8.8 Finally, the proposal must not adversely affect the amenities of nearby residents. Four residential properties are located on the opposite side of Station Road within a terrace of residential and commercial. It is unclear whether there is any first floor residential accommodation above the commercial premises. The corner property is the Wither Arms public house with the opposite end of the terrace being a further residential property. The commercial premises are mainly day time uses.

8.9 Along the same side of Station Road are a convenience store and three hot food takeaway premises, open until 11pm (2 premises) and midnight. The proposed drinking establishment proposes opening hours of 12 noon until 23.30 Monday to Friday and 12 noon until midnight on Saturday and 12 noon until 23:00 on Sunday and Bank Holidays. These proposed hours of opening are in line with other premises in the area and it is therefore

considered this aspect of the proposal will not unduly impact on neighbouring residents in terms of residential amenity, particularly as the area is in mixed use.

8.10 One letter of objection has been received from the adjacent convenience store. The objector comments that by allowing this bar to open it will cause more anti-social behaviour in the area. The convenience store has already had window smashed allegedly due to drunken behaviour and fighting, with the police having to be called. However, there is no evidence to demonstrate that the proposed drinking establishment will create anti-social behaviour. The proposal is for a micro pub operated by three local friends who are passionate about real ale and craft beers and want to create a small but welcoming venue that serves a variety of locally made craft ales. It cannot be automatically assumed that this type of premises would attract anti-social behaviour.

8.11 Additionally, the location has been chosen as it will be convenient for local residents. Environmental Health have recognised that the proposal has the potential to adversely impact on neighbouring land uses but consider this is limited. With the inclusion of the conditions recommended by Environmental Health, there should be no adverse impact on residents, particularly as it is in a predominantly commercial zone.

8.12 The objector also considered that there are enough pubs and off licences in the area another one is not needed. However, competition is not a material planning consideration.

9. Conclusion

9.1 For the reasons outlined above, the application is considered to be policy compliant and is recommended for approval subject to the imposition of conditions.

10. Recommendation

10.1 Approval with Conditions.

11. Recommended Conditions

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.
REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans Dwg "Proposed Plan and Front Elevation" (un-referenced)
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development
3. The use of the premises hereby approved shall be restricted to the hours as applied for of 12:00 Noon until 23:30 Monday to Friday; 12:00 Noon to Midnight on Saturday and 12:00 Noon to 23:00 on Sundays and Bank Holidays,
REASON: In the interests of the amenities of adjoining residents and to accord with Policy 17 in the Central Lancashire Core Strategy
4. No deliveries or waste collection shall be received by the site between the hours of 22:00 and 07:30 Monday to Friday, 09:00 and 13:00 Saturdays. No deliveries or waste collection shall be received on Sundays or nationally recognised Bank Holidays.
REASON: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy.
5. No live music shall be played at the venue.

REASON: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy.

6. Prior to first use of the premises hereby approved, a sound limiter device shall be fitted. Details of the device shall be submitted to the local planning authority, once agreed all amplified audio shall be played through the limiter. The limiter shall be set to ensure that the resulting sound cannot be heard at neighbouring properties. On the receipt of any complaints to the local authority relating to sound emissions from the development then the limiter shall be set to the requirements of the Environmental Health Department of the local authority.

REASON: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy.

7. There shall be no external seating or patio heaters outside the venue.

REASON: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy.

12. Relevant Policy

B1 Existing Built-Up Areas

F1 Car Parking

26 Crime and Community Safety (Core Strategy Policy)

Agenda Item 8

Application Number 07/2018/2742/VAR

Address Oakland Farm
Hollins Lane
Leyland
Preston
Lancashire
PR26 8LJ

Applicant Mr Lewis Buller

Development Application for the variation of condition 2 (Restriction of repair and storage) of planning permission 07/2017/2505/FUL - use of polytunnel 3 for general storage (B8)

Officer Recommendation **Refusal**
Officer Name **Mrs Janice Crook**

Date application valid 28.04.2018
Target Determination Date 23.06.2018
Extension of Time 20.07.2018

Location Plan



1. Report Summary

- 1.1. The application is to be determined by planning committee as the applicant is related to a serving officer of the Council. The application seeks the variation of condition 2 of planning approval 07/2017/2505/FUL in respect of the use of polytunnel 3 on the Oaklands Farm site

on Hollins Lane, Leyland. The condition restricts the use of the polytunnel to agricultural storage only and the applicant wishes to change this to allow general storage.

2. Site And Surrounding Area

2.1. The application relates to the Oakland Farm site located 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 containing 8 stalls, a second stable/hay store which is an 'L' shaped open fronted wooden building, a sand paddock, three polytunnels and associated areas of hardstanding. The site is within the Green Belt with the area characterised by open green fields. Trees and hedgerows form the southern and eastern boundaries to the application site. The site is accessed via Hollins Lane which is a single track un-made road with just a few passing places along its length.

3. Planning History

- Planning application 07/1994/0423 for a building for the keeping of horses with associated storage of feed was approved on 14/09/1994.
- Planning application 07/2000/0507 for the erection of 2 polytunnels and 3 storage buildings consisting of a boiler room, packing shed and refrigeration unit was approved on 19/10/2000.
- Planning application 07/2001/0081 for two polytunnels was approved on 04/05/2001
- Planning application 07/2001/0507 for the siting of static caravan for use as an agricultural dwelling was approved on 18/10/2001.
- Application 07/2002/0732 for renewal of planning permission for the temporary siting of a static caravan for use as an agricultural dwelling was approved on 25/10/2002
- 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.
- 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.
- 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.
- 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.
- Planning application 07/2016/0248/FUL for 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 was refused on 25/08/2016.

- Lawful Development Certificate application 07/2017/0019/CLU to establish that the existing use of the site as a livery stables and mixed use of polytunnels for storage, repair of vehicles and general workshop is the lawful use was refused 05/05/2017
- 07/2017/2505/FUL Retrospective application for a change of use of three agricultural polytunnels and associated hardstanding to a mixed use as a mechanic's workshop (Use Class B2) and General Storage (Class B8) was conditionally approved on 03/10/2017 with condition 2 being imposed to restrict the use of the third polytunnel for agricultural storage only.
- 07/2018/0844/FUL for the erection of 1no. two-storey dwelling with detached garage, erection of domestic stable block together with the erection of a single storey building to be used as a cattery following the demolition of existing buildings was approved on 26/4/2018. An appeal is currently pending in respect of condition 27 of this planning permission with the appellant seeking to remove the condition which required the removal of outbuildings in an area of land in the applicant's ownership immediately to the north of the site, as follows:

"That prior to the first occupation of the new the dwelling hereby approved the outbuildings identified for removal within the section of the labelled as being 'Area returned to grass' on the approved site layout plan 'Proposed Site Plan' (reference 1545-PSP01A) shall be demolished/removed and all associated material permanently removed off site in accordance with a detail to be submitted to and be approved in writing by the Local Planning Authority."

4. Proposal

- 4.1. The application seeks a variation of condition 2 of planning approval 07/2017/2505/FUL relating to the use of polytunnel 3. Condition 2 restricted the use of polytunnel 3 to agricultural storage, stating: *"Notwithstanding the provision of the Town and Country Planning (Use Classes) Order 1987 (as amended) Paragraph 3(1) or any provision equivalent to this in any statutory instrument revoking and re-enacting this Order, the use of Units 1 and 2 as indicated on the submitted supporting statement at 2.4 page 4, shall be restricted to repair and storage of vehicles and Unit 3 restricted to **agricultural storage**, unless the prior consent of the Local Planning Authority is obtained."*
- 4.2. The proposal seeks to vary the wording to read: *"Notwithstanding the provision of the Town and Country Planning (Use Classes) Order 1987 (as amended) Paragraph 3(1) or any provision equivalent to this in any statutory instrument revoking and re-enacting this Order, the use of Units 1 and 2 as indicated on the submitted supporting statement at 2.4 page 4, shall be restricted to repair and storage of vehicles and Unit 3 restricted to **general storage**, unless the prior consent of the Local Planning Authority is obtained."*

5. Summary of Publicity

- 5.1. Neighbouring properties were notified and a site notice was posted with one letter of representation being received, commenting:

- The plans state all the existing building will be demolished
- Question why would the applicant want an ugly polytunnel when building a large new house with separate garage, multiple stables, tack room and cattery?
- Question why repair motor vehicles in a plastic polytunnel which was designed to grow mushrooms in.
- Tunnels are visible from Leyland Lane and Hollins Lane, contrary to applicant's statement.

6. Summary of Consultations

6.1. No consultation was carried out.

7. Policy Considerations

7.1 National Planning Policy Framework (NPPF)

- 87. 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.
- 88. 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 **Central Lancashire Core Strategy Policy 13: Rural Economy** aims to achieve economic and social improvement for rural areas by sustaining and encouraging appropriate growth of rural businesses in a number of ways, including b) supporting rural based tourist attractions, visitor facilities, recreational uses, business and storage activities and f) supporting sensitive conversions and alternative uses of farm buildings no longer needed for agriculture but which enable farm diversification where they: (i) sustain and maintain the core farm business; (ii) do not compromise the working of the farm; and (iii) are located within or near the existing farm complex; allow limited extension and replacement of existing buildings, with a preference for commercial, tourism and live/work units.

7.3 Further guidance on the re-use of buildings in the countryside is also contained in the **Rural Development Supplementary Planning Documents** at Chapter I. It recognises that the re-use or adaptation of existing buildings can help reduce demands for new buildings. For a rural buildings to be appropriate for re-use, it must be permanent and substantial and should not require significant extension, rebuilding or extensive alteration to accommodate the proposal. The new use should not result in the need to provide an otherwise unnecessary replacement buildings.

7.4 **South Ribble Local Plan Policy G1: Green Belt** has a general presumption against inappropriate development and planning permission will not be given for the construction of new buildings unless there are very special circumstances. However, 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, 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.

7.5 **Policy G2: The Re-Use and Adaptation of Buildings in the Green Belt** allows for the re-use of existing buildings within the Green Belt, provided that the development does not have a materially greater impact on the openness of the Green Belt and the purposes of including land in it. The policy requires that the building is of permanent and substantial construction, of sufficient size and suitable for conversion to the proposed use without the need for additions or alterations which would harm its existing form or character; would not result in an adverse impact in respect of noise, odours, emissions or traffic; and the building and site has access to a public highway available for use without creating traffic hazards and without involving significant road improvements which would have an undue environmental impact.

8. Material Considerations

8.1 Background

8.2 Retrospective planning application 07/2017/2505/FUL was submitted to regularise the use of the site for the change of use of existing polytunnel buildings from an agricultural use to a mixed use of B2 and B8. The site was being used for a mix of mechanics workshop; vehicle storage and storage of the applicant's tools and equipment. The adjacent land to the north and west is agricultural land with horse stabling to the south-east, both within the applicant's ownership but not part of the planning application. The officer's report described the use of the polytunnels as follows:

"Polytunnel 1 – Mechanic's workshop for car servicing, repairs, engine and gearbox changes with no bodywork and paint spraying – operated between the hours of 07:00am to 20:00pm.

Polytunnel 2 – Storage of cars and motorbikes and occasional repairs to vehicles – operated between the hours of 07:00am to 20:00pm.

Polytunnel 3 and areas of hardstanding – Storage of carts, harness, mowers, quad bikes, machinery, vehicles, trailers, tools and equipment – hours of operation to be unrestricted as this is used by the applicant in association with the existing horse stabling use on the adjacent part of the site, not part of this planning application."

8.3 However, during consideration of this application, it was deemed appropriate to restrict the hours of use to those outlined in the Supporting Statement for the two polytunnels with the third not being restricted due to the nature of the storage in this polytunnel which was for use by the applicant for his own personal tools and equipment used in association with the horse stabling and agricultural land which was not part of that application proposal.

8.4 It was therefore considered appropriate to impose Condition 2 restricting the use of polytunnel 3 to agricultural storage, stating:

"Notwithstanding the provision of the Town and Country Planning (Use Classes) Order 1987 (as amended) Paragraph 3(1) or any provision equivalent to this in any statutory instrument revoking and re-enacting this Order, the use of Units 1 and 2 as indicated on the submitted supporting statement at 2.4 page 4, shall be restricted to repair and storage of vehicles and Unit 3 restricted to agricultural storage, unless the prior consent of the Local Planning Authority is obtained."

9. Application Proposal

9.1 This application seeks to vary this condition to read:

*"Notwithstanding the provision of the Town and Country Planning (Use Classes) Order 1987 (as amended) Paragraph 3(1) or any provision equivalent to this in any statutory instrument revoking and re-enacting this Order, the use of Units 1 and 2 as indicated on the submitted supporting statement at 2.4 page 4, shall be restricted to repair and storage of vehicles and Unit 3 restricted to **general storage**, unless the prior consent of the Local Planning Authority is obtained."*

9.2 The applicant has now indicated that the agricultural use of this site has ceased and therefore there is no requirement for agricultural storage and that the polytunnel remains for storage of various items but does not specify the nature of these items.

9.3 However, this appears contrary to the details provided in the retrospective planning application 07/2017/2505/FUL for the change of use of three agricultural polytunnels and associated hardstanding to a mixed use. During consideration of that application, it was apparent that only two of the polytunnels had changed use, one as a mechanic's workshop and one as general storage of vehicles with some vehicle repair. It was judged that polytunnel 3 was used by the applicant in association with horse stabling and agricultural land maintenance with the storage in this polytunnel being identified as for carts, harness, mowers, quad bikes, machinery, vehicles, trailers, tools and equipment. This permission established that the area of land and polytunnel 3 were not considered to be part of the previously developed site where the re-development was permissible under green belt policy. It must also be noted that the adjacent land is within the applicant's ownership and is agricultural land.

9.4 This current application would also appear to conflict with a planning permission 07/2018/0844/FUL which was approved on 26 April 2018. The permission was for the erection of a two-storey dwelling with detached garage, domestic stable block with tack room together with a single storey building to be used as a cattery following the demolition of the existing buildings on site. That application did not include the polytunnel, subject of this current application, within the red edge but it was included in the blue edge (other land within the applicant's ownership). The approved site layout plan 1545-PSP01A clearly showed the polytunnel was to be removed and the area in which it is located return the grass. Condition 2 was included to ensure the development was carried out in accordance with that approved plan:

"The development, hereby permitted, shall be carried out in accordance with the submitted approved plans ref 'Location Plan', 1545-PSP01A (Proposed Site Plan), 1545-PR05A (Proposed Stables), 1545-PR04B (Proposed Cattery Building), 1545-PR01A (Proposed Garage Plans), 18-001 (Proposed House Plans) and 18-002 (Proposed House Elevations)."

9.5 Additionally, condition 27 was also included to ensure that the polytunnel be removed prior to first occupation of the new dwelling, as follows:

"That prior to the first occupation of the new the dwelling hereby approved the outbuildings identified for removal within the section of the labelled as being 'Area returned to grass' on the approved site layout plan 'Proposed Site Plan' (reference 1545-PSP01A) shall be demolished/removed and all associated material permanently removed off site in accordance with a detail to be submitted to and be approved in writing by the Local Planning Authority."

9.6 In determining that application it was considered that, although the application site is located within the Green Belt, the site is lawfully in a mixed use of B2 (General Industrial), B8 (Storage and Distribution) and livery stables. The application site therefore constituted brownfield land (previously developed) with the wider parcel of land in the applicant's ownership being wholly in an agricultural use and constituting greenfield land (not previously developed). This further established that the land and polytunnel 3 were not considered to be part of the previously developed site where re-development was permissible under green belt policy. Green Belt policy is restrictive and has a general presumption against inappropriate development unless there are very special circumstances.

9.7 It is noted that Condition 27 is now subject of an appeal in which the appellant contests that the outbuildings (polytunnel 3) should be removed and that the condition was imposed unlawfully. However, the LPA is of the opinion this condition was imposed lawfully.

9.8 The main issues for consideration when determining a planning application in the Green Belt are:

- a) Whether the proposal would be inappropriate development in the Green Belt for the purposes of the NPPF (the Framework).
- b) The effect of the proposal on the open ness of the Green Belt
- c) If the proposal is inappropriate development whether the harm by reason of inappropriateness and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

a) Whether inappropriate development:

Paragraph 89 and 90 of the National Planning Policy Framework, the Framework set out those categories of development which may be regarded as not inappropriate, subject to certain circumstances. The design, construction and use of polytunnels for agriculture is considered appropriate within the Green Belt. However, the use of the polytunnel for general storage is considered as inappropriate development within the Green Belt. General Storage is not an acceptable use within the Green Belt and the use does not fall within the listed exceptions of Paragraph 89 which is replicated within Policy G1 of the South Ribble Local Plan. It is therefore considered that the proposal would represent inappropriate development,

as set out in the Framework. According to Paragraph 87 of the Framework inappropriate development is, by definition harmful to the Green Belt.

b) Openness:

Openness is an essential characteristic of the Green Belt. It can be considered the absence of built or otherwise urbanizing, development. It is acknowledged that the polytunnels are acceptable development associated with agriculture. However, the use of the polytunnel for general storage together with the associated vehicular movements is considered inappropriate development within the Green Belt and therefore the use of the polytunnel would conflict with one of the purposes of the Green Belt. If the polytunnel is not required for agriculture it should be removed to preserve the openness of the Green Belt.

c) Other considerations:

Whilst the applicant has advised that the polytunnel is no longer required for agriculture, the council has not been provided with any evidence to demonstrate very special circumstances to outweigh the harm to the Green Belt and other harm that the use of the polytunnel for general storage would cause. Therefore, the proposal would be inappropriate development in the Green Belt which is by definition harmful.

10. Conclusions

10.1 Polytunnel 3 was established as being for the storage for the applicant's own tools and equipment for a use associated with horse stabling and maintenance of agricultural land with the previous permission 07/2017/2505/FUL. At that time it was not accepted that polytunnel 3 could be used for general storage as was the case with the two other polytunnels. There was a clear case that the use of the other two polytunnels had been used for the maintenance and storage of motor vehicles but not for the third polytunnel. The associated land remained in agricultural use and the polytunnel together with the area in which it is located was not considered to be part of the previously developed site. Therefore, if the agricultural use of the area has indeed ceased as the applicant now states, it does not automatically follow that the use of the polytunnel for general storage is an acceptable one given that it is within the Green Belt where such uses are considered inappropriate. Although among the exceptions to Green Belt development are buildings for agriculture and forestry which allowed for the polytunnels construction initially, in the case of polytunnel 3 no 'very special circumstances' have been demonstrated to allow the change of use from agricultural storage to a B8 general storage. The items stored in the building are considered to be of an agricultural/horsicultural nature.

10.2 In seeking the amendment to the wording of condition 2 to allow the use of polytunnel 3 for general storage (B8), it is considered this would have a detrimental impact on the Green Belt in which it is located. The proposal would result in this part of the site then constituting previously developed land, which would conflict with Green Belt policy in terms of inappropriate development. It is considered that the proposed development therefore constitutes inappropriate development in the Green Belt resulting in definitional harm to the openness of the Green Belt. No 'very special circumstances' have been provided to allow the change of use of this third polytunnel and the details that have been provided are more of a general nature with the planning statement only stating: *"The agricultural use of this site has ceased and as such the applicant seeks to remove the agricultural storage condition. The poly tunnel will still be used for storage of various items and not for any other use."*

10.3 It is considered that the use of this part of the site and the land to which it is associated should remain in agricultural use. The proposed change to the wording of the condition and therefore the use of the polytunnel would conflict with Green Belt policy, amounting to inappropriate development with no very special circumstances being put forward as to why the use of the polytunnel should change from an agricultural use to a general storage use. As no 'very special circumstances' have been provided by the applicant which clearly outweigh the harm that

would be caused to the Green Belt by reason of inappropriateness and no such circumstances are considered to exist, the proposal is considered contrary to the requirements of paragraphs 87-88 of the NPPF and Policy G1 of the South Ribble Local Plan

10.4 Furthermore, the proposal would also conflict with the later planning permission 07/2018/0844/FUL which required polytunnel 3 to be removed and the site returned to green field within the green belt.

10.5 Therefore it is considered the proposal to vary condition 2 to allow for general storage cannot be justified in this green belt location and the application is recommended for refusal with condition 2 remaining as originally worded.

11. RECOMMENDATION:

11.1 Refusal.

12. REASONS FOR REFUSAL:

12.1 The use of polytunnel 3 was restricted by the previous planning permission 07/2017/2505/FUL to agricultural storage only. The proposal to allow for general storage would amount to inappropriate development in the Green Belt with no very special circumstances being put forward to allow for the inappropriate development. As no 'very special circumstances' have been provided by the applicant which clearly outweigh the harm that would be caused to the Green Belt by reason of inappropriateness and no such circumstances are considered to exist, the proposal is considered contrary to the requirements of paragraphs 87-88 of the National Planning Policy Framework (NPPF) and Policy G1 of the South Ribble Local Plan

12.2 Additionally, it is considered that the proposal would conflict with planning permission 07/2018/0844/FUL which requires polytunnel 3 to be removed and the site returned to green field within the green belt. However, it is acknowledged that the applicant may choose not to implement this extant permission and therefore this application to vary condition 2 of planning permission 07/2017/2505/FUL has been considered in terms of its impact on the Green Belt.

13. RELEVANT POLICY

National Planning Policy Framework (NPPF)

G1 Green Belt

G2 The Re-use and Adaptation of Buildings in the Green Belt

Application Number 07/2018/1674/REM
Address Land Off Shaw Brook Road and
Altcar Lane
Leyland
Lancashire

Applicant Redrow Homes Lancashire

Agent
Miss Laura Birkett

14 Eaton Avenue
Chorley
PR77NA

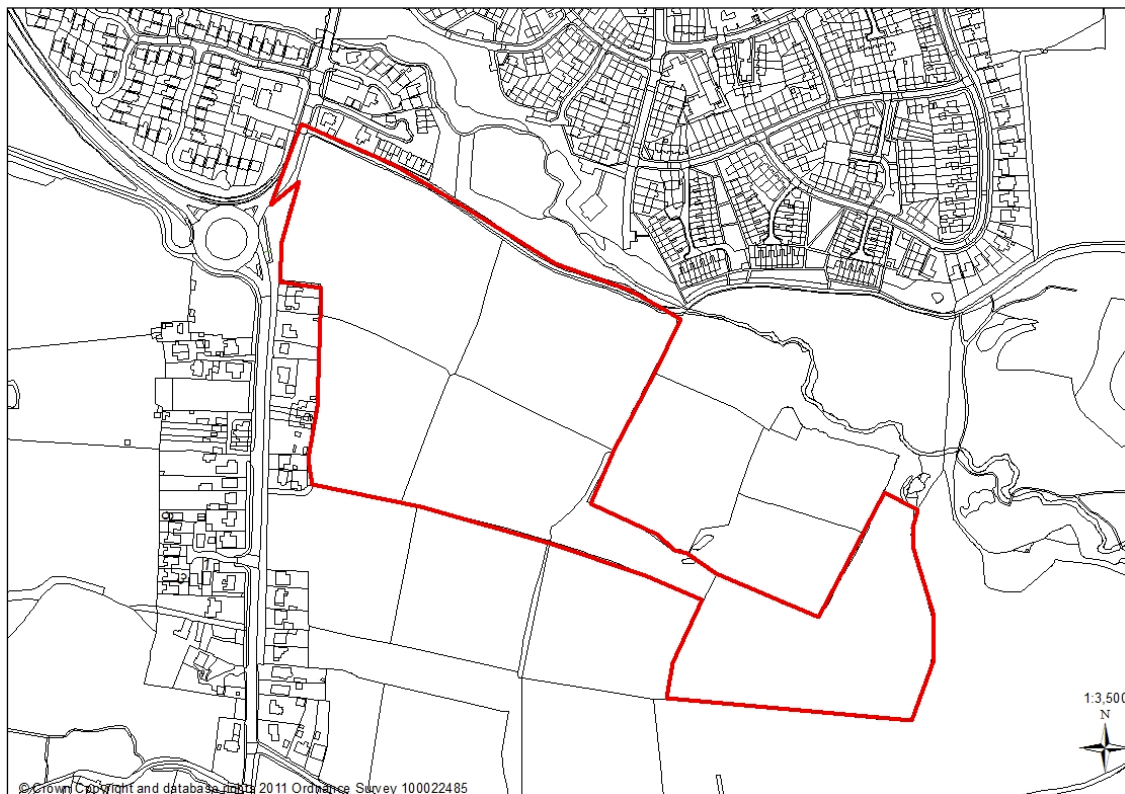
Development

Application for Reserved Matters for residential development for 232 dwellings (Appearance, Landscaping, Layout and Scale applied for)

Officer Recommendation **Approval with Conditions**
Officer Name **Mrs Catherine Lewis**

Date application valid 22.03.2018
Target Determination Date 21.06.2018
Extension of Time 19.08.2018

Location Plan



1.0 Report Summary

1.1 Outline planning permission was granted for up to 400 dwellings and associated infrastructure following the successful completion of a Section 106 Agreement in September 2017. The Affordable housing contribution element of the Section 106 required 10% as a commuted sum for provision off-site and 20% discounted open market value units on site.

1.2 The current application is for 232 dwellings on part of the approved outline consent. Matters of layout, scale, appearance and landscaping are being applied for. The details provide for a housing mix of 186 open market three and four bedroom together with a total of 46 affordable including: 3, two bedroomed; 12, three bedrooms and four apartments of two bedrooms each. The development meets the aims of Policy 7 Affordable Home of the Central Lancashire Core Strategy.

1.4 The Preston, South Ribble and Lancashire City Deal was the first of 20 second wave City Deals to be agreed and was signed in September 2013. New investment of £434 million will expand transport infrastructure in Preston and South Ribble at an unprecedented rate, driving the creation of some 20,000 new jobs and generating the development of more than 17,000 new homes over the next ten years.

1.4 Key to the success of City Deal is for development sites to come forward to deliver houses which in turn provides funding towards the costs of the infrastructure. The wider Site P at Altcar Lane is one such site. The proposed development would enable the delivery of the site to be accelerated, to provide a significant number of residential dwellings, which will help South Ribble deliver part of its requirement towards the City Deal housing target.

1.5 The proposed development would not have an undue impact upon the amenities of neighbouring properties and there would not be any significant highway issues, or amenity implications. The Reserved Matters have been considered in terms of the relevant planning policy and are found to be acceptable. Therefore the application is recommended for approval. Policies 1, 4, 5, 6, 17, 22, 26 and 29 of the Central Lancashire Core Strategy and policies A1, D1, F1, G7, G10, G13, G14, G16 and G17 of the South Ribble Local Plan.

2.0 Site and Surrounding Area

2.1 The application site is located approximately 2km south of Leyland town centre. Shaw Brook Road forms the northern boundary, with Altcar Lane to the south, to the east lies Worden Park with agricultural land beyond. The rear gardens of the properties on Leyland Road form the western boundary.

2.2 The site is characterised by small fields with established hedges and trees and is currently used for agricultural purposes. Public Footpath number 46 runs east from Leyland Lane along part of the southern boundary of the site boundary. This path joins Footpath 20 which runs north from Altcar Lane and continues north to meet with Shaw Brook Road.

2.3 There are two locally designated Biological Heritage Sites (BHS) in proximity to the application site: Shaw, Altcar and Ruin Woods BHS, is located on the eastern boundary and Brickfield Wood BHS, approximately 250m to the north of the site.

2.4 Cliffs Farmhouse a Grade II Listed Building is located some 125m to the west of the application site.

3.0 Planning History

3.1 A Masterplan has been endorsed by the Planning Committee in March 2016 for up to 600 residential properties which included two access points one to the north to serve the Redrow Homes development and one to the south off Leyland Lane to serve the Homes and Community Agency (HCA).

3.2 Outline planning permission has been granted for the Redrow Homes application for up to 400 dwellings to be served from the northern access point (Ref:07/2016/0591/OUT). This application is subject to a Section 106 agreement which requires:

- Delivery and Financial Contribution to Worden Park of £123,000
- Financial Contribution to the Travel Plan of £24,000
- Affordable Housing:
 - 10% Off site Housing Contribution
 - 20% On site Affordable Housing
- Management of Open Space

3.3 Outline planning permission has also been granted for the Home and Community Agency (HCA) application for up to 200 dwellings to be served from the south eastern access point (Ref: 2016/0310/OUT). This too is the subject of a Section 106 agreement which requires: The two residential sites would be linked via an internal access road.

3.3 Other applications currently being considered:

07/2017/2486/FUL Formation of new vehicular access onto Leyland Lane Approved November 2017. Approved

07/2017/3919/DIS Application to discharge condition 11 (Construction details) of planning permission 07/2016/0591/OUT Pending

07/2018/0362/DIS Application to discharge condition 31 (Archaeological Desk based assessment) of planning permission 07/2016/0591/OUT Part discharged

07/2018/1678/DIS Application to discharge conditions 3 (Highway works) and 4 (Drainage) of planning permission 07/2017/2486/FUL Pending

07/2018/2848/DIS Application to discharge condition No 6 (Drainage), 7 (Construction Management Plan) to planning permission 07/2017/2486/FUL Pending

07/2018/3600/DIS Application to discharge conditions Nos 20 (Ecology), 23 (Resurvey Work) and 27 (Desk Top Study) of planning approval 07/2016/0591/OUT Pending

07/2018/3673/DIS Application to discharge conditions Nos 6 (Drainage) and 29 (Sustainable Drainage and Management Plan) of planning approval 07/2016/0591/OUT Pending

07/2018/4052/DIS Application for the discharge of conditions 16 (Pedestrian and cycle use) 26 (Standard Assessment Procedure) and 30 (Full Travel Plan) of planning permission 07/2016/0591/OUT Pending

4.0 Proposal

4.1 The proposal is a Reserved Matters application for the erection of 232 dwellings with the matters of Appearance, Layout, and Scale and of the buildings and Landscaping being applied for. Due to land ownership issues, two areas of the original outline approval are not included: an area to the north east corner abutting Worden Park and an area to the south east corner.

4.2 The table below provides the accommodation schedule:

House Type	Beds	Number of Units
Shrewsbury	4	20
Stratford	4	36
Marlow	4	17
Oxford	4	30
Cambridge	4	18
Cantebury	4	23
Welyn	4	17
Harrogate	4	2
Warwick	3	17
Oxford LS	3	6
TOTAL		186
Affordable		
Ledbury	2	30
Ledbury 3	3	12
Alton Apartments GF	2	2
Alton Apartments FF	2	2
TOTAL		46
Grand Total		232

5. Summary of Supporting Documents

5.1 The applicant has submitted the following supporting documents:

- Construction Environmental Plan
- Design and Access Statement
- Arboriculturalist Impact Assessment
- Addendum Design and Access Statement
- Community Infrastructure Forms.
- Tree Protection Drawings
- Landscape Plans
- Landscape Management Plan.
- Travel Plan
- Surface Water Drainage
- Ground Investigation Report
- Update Housing elevations
- Site Sections
- Street Scenes

- Waste Management Plan
- Phasing Plan

6. Summary of Publicity

6.1 Site Notices have been posted and a total of 143 properties have been notified. Four letters of representation have been received which make the following summarised points:

6.2 Letters of objection

- Bungalows should be built behind the bungalows on Leyland Lane.
- No buffer zone or fencing to the rear of the gardens.
- Light will be taken from our property which will have an effect on gas and electricity bills
- A rates reduction should be given due to noise and light pollution due to the new development
- Drainage ditch to the left of 491 Leyland Lane and consideration of any flooding needs to be addressed.
- Increased amount of traffic will add to the problems of the existing road conditions which are not fit for purpose.
- Wish to challenge the Environmental Report produced for the planning application as the proposed development would destroy owls, birds, bats, deer, the land is Green Belt -has the local authority gained financially from passing this application?
- Concern that there does not appear to be a boundary between the properties
- Open ditch that needs addressing due to issues of flooding across the fields.
- Concern about the future of the Oak Trees and whether they will be retained.

6.3 Upon receipt of revised plans to address concerns about the boundary treatment and car parking spaces two more consultation exercises were undertaken. An update will be provided at the Meeting if any further representations are made.

7. Summary of Consultations

7.1 County Highways Drainage: The site should be drained on a separate system with foul water draining to a public sewer and surface water to be drained in the most sustainable way. The previous comments for the outline application still apply.

7.2 County Highways: Initially required clarification about whether the width of the proposed spine road would be 6.5m or 6m as the information submitted by the applicant was confusing. The proposed 6m width is acceptable subject to providing bus tracking at bends/corners on the layout.

Re drive length - It is recommended that all private drives fronting garages to be a minimum of 6m long and this **must not** include any of the required 2m wide service verge. The drive length can be reduced to 5.5m if roller shutters are fitted and conditioned as part of the planning decision.

Re drive width - The private drives must have a minimum width of 3.2m where they are used for vehicular access and pedestrian access to the property. From the Approved Document M (Access to and use of buildings). Clause 6.10, 6.15-b and 6.17-a require access with unobstructed widths of at least 900mm. For parallel parking I would increase this to 5.6m width (3.2+2.4).

7.3 Revised plans have been received which address these points and the LCC Highways are satisfied with the car parking and the ability of the internal estate road to accommodate buses.

7.4 Local Lead Flooding Authority: No comments received.

7.5 Environmental Agency: No objection in principle to the proposal and in formative's about the status of Shaw Brook watercourse is required.

7.6 Ecology Services: If the pond is to act as a landscape/nature conservation feature details of the future management are required. Following confirmation from the applicant that the pond is an attenuation pond for drainage Ecology have no objections to the scheme.

7.7 Natural England: No comments to make.

7.8 Preston Ramblers: No comments received.

7.9 Chorley Council: No objection to the proposal

7.10 Architectural Police: No comments received.

7.11 SRBC Landscape Officer: No formal observations to make on the application.

7.12 SRBC Arboculturalist: No objection subject to conditions to ensure that the trees and their roots are protected during construction as set out in the submitted planning documents. Any remedial tree works would need to be completed in accordance British Standards and any change to the tree retention plan would require consent from the Council.

7.13 SRBC Housing: The scheme offers 232 residential units on an allocated housing site and provides for affordable housing contribution that is Policy compliant. The scheme consists of two, three and four bedroom with the affordable homes being two and three bedrooms located in clusters across the site. Whilst affordable should be pepper-potted through the development, small clusters are accepted on larger developments.

7.14 Cadent Pipelines Cadent have identified operational gas apparatus within the vicinity of the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance. An Informative Note should be added to any Decision Notice.

7.15 Fire and Rescue: No comments received

7.16 National Grid: No comments received

7.18 Environmental Health: Request condition controlling the importation of soil, electric vehicle recharge points, cycle storage, travel plan, piling and heating systems.

7.19 Homes England: No comments received

7.20 LCC Public Rights of Way: No objection in principle but there are a number of conditions on the outline application that need to be addressed. Initially, no connection of the PROW Footpath no 20 to Shaw Brook Road had been provided. Other comments relating to the need for a temporary closure during construction if there is likely to be a danger to the public, quality of resurfacing, drainage of properties should address the any threat to flooding on the rights of way have been made.

8 Policy Background

i) NPPF

The NPPF Sustainable Growth Policy - The NPPF at Para 14: provides a presumption in favour of sustainable development 'which should be seen as a golden thread running through both plan-making and decision taking', and supports sustainable economic growth to deliver, amongst other things, homes. Similarly, Chapter 6 (Delivering a wide choice of high quality homes) of the same document notes that 'housing applications should be considered in the context of the presumption in favour of sustainable development' (Para 49).

Design Policy - NPPF Chapter 7 (Requiring good design) is also relevant.

ii) Core Strategy Policy Considerations

- **Policy 1: Locating Growth** supports development.
- **Policy 4: Housing Delivery** seeks to provide a minimum of 417 dwellings per annum within South Ribble during the period 2012 to 2026.
- **Policy 5: Housing Density** advises that the density of development should make efficient use of land whilst also maintaining with the character of local areas.
- **Policy 6: Housing Quality** supports the provision of accessible housing, neighbourhoods and the use of higher standards of construction.
- **Policy 7: Affordable and Special Needs Housing** requires the provision of 30% affordable housing within urban areas and 35% in rural areas for sites providing 15 or more dwellings, subject the financial viability considerations and contributions to community services.
- **Policy 17: Design of New Buildings** provides guidance for the design of new buildings. Designs should consider a number of criteria including the character and uses of the local area, minimise opportunity for crime, be inclusive, adaptable to climate change and the achievement of 'silver' or 'gold' Building for Life ratings.
- **Policy 22: Biodiversity and Geodiversity** promotes the conservation and enhancement of biodiversity and the safeguarding of ecological networks and geological assets.
- **Policy 26: Crime and Community Safety** encourages the use of Secure by Design principles in new development.
- **Policy 27: Sustainable Resources and New Development** requires the incorporation of sustainable resources into new dwellings. The design of new homes should minimise energy use, maximise energy efficient and be flexible enough to withstand climate change. Further, appropriate facilities should be provided for the storage of recyclable waste and composting.
- **Policy 29: Water Management** aims to improve water quality, water management and reduce the risk of flooding through a number of measures.
- **Policy 30: Air Quality** seeks to improve air quality through the use of green infrastructure initiatives.

iii) South Ribble Local Plan

- **Policy B1: Existing Built-up Area** permits development proposals for the re-use of undeveloped and unused land and buildings, or for redevelopment providing that the development complies with the requirements for access, parking and servicing; is in keeping with the character of the local area and would not adversely impact the amenity of nearby residents.
- **Policy D1: Allocation of Housing Land** provides a schedule of housing allocation sites. The application site is identified as Site R: Land off Wesley Street, Bamber Bridge. It identifies that the site extends to 6.9ha and has capacity for up to 195 dwellings. It is

noted that the site includes land which forms part of the playing fields of Cuerden Church School and proposals should provide a replacement playing field.

- **Policy D2: Phasing and Monitoring of Housing Land Supply** has regard to the phasing of housing development, advising that delivery will be monitored on an annual basis.
- **Policy F1: Parking Standards** advises that parking and servicing space should accord with the adopted parking standards. Any variation from the standards should be supported by a transport statement based on local evidence.
- **Policy G10: Green Infrastructure Provision in Residential Development** requires residential development with a net gain of 5 or more dwellings to provide sufficient Green Infrastructure, which should be provided on-site, though off-site provision can be made via developer contributions. Residential developments are normally required to meet the needs for equipped children's play area which are generated by the development, either as part of the integral design or by developer contributions.
- **Policy G11: Playing Pitch Provision** requires residential development with a net gain of 5 or more dwellings to provide playing pitches at a standard provision of 1.14 ha per 1,000 population. The stated standards are to be flexible and appropriate for each individual development.
- **Policy G13: Trees, Woodlands and Development** prevents development that will adversely impact on protected trees, ancient woodlands, trees in conservation areas or recognised conservation sites. The policy supports the retention and enhancement of existing trees and hedgerows and the provision of replacements for any trees on a 2 for 1 basis.
- **Policy G14: Unstable or Contaminated Land** supports the redevelopment of previously developed land and advises that applications should be supported by satisfactory site investigations and mitigation measures where required.
- **Policy G15: Derelict Land Reclamation** supports the reclamation of derelict land for employment and residential development. Provision should also be made for maintaining and improve the environment and landscape.
- **Policy G16: Biodiversity and Nature Conservation** seeks the protection and enhancement of biodiversity assets, with the use of appropriate mitigation measure where required.
- **Policy G17: Design Criteria for New Development** permits new development provided that, the proposal does not have a detrimental impact on 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, unless there are other material considerations which justify the reduction such as proximity to a public car park. Furthermore, any new roads and/or pavements provided as part of the development should be to an adoptable standard; and the proposal would not have a detrimental impact on landscape features such as mature trees, hedgerows, ponds and watercourses. In some circumstances where, on balance, it is considered acceptable to remove one or more of these features, then mitigation measures to replace the feature/s will be required either on or off-site.
- **Policy H1: Protection of Health, Education and Other Community Services and Facilities** protects health, education and other community services through CIL and/or developer contributions.

iv Supplementary Design

The South Ribble Residential Design SPD discusses design in very specific terms, and whilst more attuned to domestic extensions, is relevant with regards to separation with properties within and beyond the site bounds.

The Employment Skills SPD seeks additional benefits (social value) to be incorporated within major development (housing and other development opportunities).

9.0 Material Considerations

9.1 Local Plan Allocation

9.1.2 The principle of the development has been established through the Masterplan process and the granting of planning permission for Ref: 07/2016/0591/OUT.

9.1.3 This current Reserved Matters application seeks permission for the detailed design of a scheme for 232 dwellings with matters of layout, scale, appearance and landscaping being applied for. These matters are considered in further detail below with reference to the relevant planning policies. In respect of the access, the access to the site has been agreed as part of the Outline stage. Whilst the increase in traffic has been previously analysed the detail in relation to the internal layout has been assessed by County Highways and will be addressed below

9.2 Access

9.2.1 The principle of the access points to Site P have been agreed through the Masterplan process. With regard to this application, to serve the northern part of the site, access would be taken from Leyland Lane, through the re configuration of the roundabout. The outline consent comprises a modified junction with Leyland Lane close to the Schleswig Way roundabout. There would be a change to the alignment of Leyland Lane north from the roundabout to sweep into the application site with the existing Leyland Lane creating a priority junction to the north. This access point would be provided by changing the existing vehicular priorities so that a Give Way would exist on Leyland Lane with priority to traffic entering and exiting the new housing development.

9.2.2 Residents have raised concerns about the impact that this would have on the exiting vehicular traffic. However these issues were identified and discussed and the vehicular access for the development has been approved. Therefore, the increase in traffic has been previously addressed, together with the details of the construction from the roundabout to the internal layout. This current application focuses on the internal layout and has been assessed by County Highways as set out below.

9.3 Internal Layout

9.3.1 The outline application was accompanied by a Parameters plan which illustrated the vehicular connection east between the Redrow site and the wider Homes England (HE) land. This demonstrated a loop road between the proposed Redrow access junction and a separate HCA access junction as per the approved Masterplan.

9.3.2 LCC Highways has now advised that the construction of the internal estate road through the whole of Site P should be delivered as part of the early stages of the development. However, this was not required of the outline applications and such a request could impact upon the delivery of the site given the separate owners. The applicant has advised that it has never been proposed that the spine road would be delivered at the outset of the development, rather that it (together with other key infrastructure items) would be delivered progressively as

the development proceeds. There is no requirement in the Council's adopted Masterplan and supporting statement (March 2016), the S106 or planning permission for the spine road to be delivered by a certain threshold. Likewise, the approved development on the Homes England land will not deliver an access through to the land subject to the current application (07/2018/1674/REM). A reserved matters in respect of the remaining section of spine road will follow in due course, but it must be acknowledged that the current application seeks approval for 232 dwellings and will take the developer over 5 years to build out.

The focus with this development has always been to provide off-site public transport improvements (i.e. bus stop improvements).

9.3.3 The developer advised that the width of the internal estate road had been designed to accommodate bus routes. Initially, LCC Highways sought clarification about this aspect due to the discrepancy in the documentation. The applicant advised "As referred to in the SCP Transport Assessment (ref: JA/CR/15214/TA/0 dated April 2016) submitted with Outline Planning Permission 07/2016/0591 OUT, the internal road layout has been designed to accommodate the movement of service and refuse vehicles. The main spine road will consist of a 6m carriageway with localised widening on bends to 6.5m. There is no requirement for the entire length of the spine road to be 6.5m. Nevertheless, although the spine road is not specifically proposed as a bus route (because the site is already well connected to the local bus network), it is of sufficient width to accommodate buses in the future in accordance with LCC'S own design guidance as detailed in the 'Creating Civilised Streets' document, as published in 2010...."

9.3.4 Therefore, the design and width of the internal estate road has been clarified and the road would be able to accommodate buses. LCC Highways has raised no objection.

9.4 Parking Arrangements

9.4.1 Initially, concern was raised about a number of plots (56, 57, 80, 85, 96, 113, 144, 146, 173, 183, 232) falling short by one space. The applicant has submitted amended plans which now include 6 x 3 detached garages to accommodate the additional required parking space. LCC Highways has confirmed that these details are acceptable and are satisfied that the layout complies with the car parking standards.

9.5 CIL

9.5.1 Based on the Community Infrastructure Levy charging schedule, the proposed development would be required to pay a net CIL payment (after deductions for the Social Housing element) of £2,076,966.45 which will contribute to infrastructure requirements contained within the Regulation 123 list.

9.6 Housing

9.6.1 Policy 7 of the Core Strategy -Affordable Housing states that a target of 30% affordable housing provision is to be sought on new housing schemes on urban sites. Further advice in the Central Lancashire Affordable Housing SPD at paragraph 9 states that "The definition of affordable Housing Affordable is set out in annex 2 of the National Planning Policy Framework. It includes Social Rented, Affordable Rented and Intermediate housing provided to eligible households whose needs are not met by the market. Affordable housing is to be provided through both on and off-site contributions; 20% will be provided on-site in the form of an intermediate tenure offering affordable home ownership and the remaining 10% to be provided off-site in the form of a financial contribution in lieu of on-site provision. This provision was negotiated at outline stage and secured through a section 106 agreement.

9.6.2 The Councils' Strategic Housing has advised that the housing mix on-site provides two, three and four-bedroom homes with the affordable homes being two and three bedrooms located in clusters across the site. Whilst affordable housing should be pepper-potted through the development, small clusters are accepted on larger developments. In this case there is a cluster of 14 properties to the east of the application site and clusters to the north of the site.

9.6.3 These properties are smaller in design, designed as small mews 2 and 3 bed roomed, which means that the clustering does have an effect upon the character and appearance of the majority of the site. The applicant has advised that the affordable units on the site are discounted market value units, and would be standard Heritage Range house types. As such they would be indistinguishable from the larger units in terms of style/design. This will create a totally integrated tenure blind development. The site offers a mix of 3 and 4 bed market dwellings, to be complemented with 2 and 3 bed discounted market units (including apartments). This will offer an attractive mix of dwellings across the site to suit a range of people and their needs. The discounted market units are spread through the phasing plan with units in phases 1, 3 and 5 to ensure that affordable dwellings are available throughout the build period and can be delivered in accordance with the S106 Agreement.

9.6.4 Paragraph 47 of the NPPF advises that there is a need to deliver a wide choice of high quality homes to boost significantly the supply of housing. The following factors need to be weighed in the balance: the applicant has provided additional landscaping; the nature of the build costs of the affordable product which would be small mews (terraces) and although clustered they are dispersed within the site, Therefore, on balance the scheme is acceptable.

9.6.5 Initially, the parking arrangements for these properties incorporated off site driveways with little in terms of soft landscaping to provide a visual relief. Revised plans have been received which provide for more soft landscaping which is considered acceptable. It is therefore considered that the development is acceptable in terms of Policy 7 of the Central Lancashire Core Strategy.

9.7 Character, Design and Appearance

9.7.1 Policy 17 of the Core Strategy expects new buildings to *"take account of the character and appearance of the local area"* with Policy G17 of the South Ribble Local Plan 2012-2026 requiring development 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"*. In consideration of the above, the local distinctiveness and character of the local area have been assessed. The application site is located on the edge of the built form of Leyland with access served from Leyland Lane. To the west of the site (Leyland Lane), the area comprises of a mix of housing including bungalows, and detached properties. To the east is farm land with Worden Park further afield. There are sporadic farm buildings on Altcar Lane.

9.7.2 Immediately to the north of the application site is Butlers Farm Court which is a modern residential cul-de-sac of three storey blocks of residential accommodation. The entrance to the site is characterised by larger detached dwellings adjacent to a landscaping strip with the roundabout beyond. The landscaping strip would provide a pedestrian link from Leyland Lane to the north to Leyland Lane to the south thereby providing a pedestrian link on the eastern side of the roundabout which is currently lacking.

9.7.3 The applicant has defined distinct character areas including: the Entrance Grouping and Landscaped Core. The Entrance Grouping is characterised by large, detached dwellings facing onto the proposed water feature. Although the approved Masterplan provided for a water

feature to be located in the North West corner of the site, the proposal now provides for a green landscaped area with the water feature further within the site. This aspect is supported as the water feature is less isolated and includes housing on three sides which would provide some natural surveillance. The water feature and area of landscaping adjacent to the entrance would provide a distinct but soft approach to the housing estate and supports the aims of national and local policy to encourage strong place making.

9.7.4 The Landscape Core incorporates retained landscaping and field boundaries and the applicant has advised that detached dwellings have been sited to front on to landscape features. The internal access roads would loop through the development to allow ease of access for service and general traffic.

9.7.5 As set out in the Accommodation Schedule there is a range of house types with a total of 163 four bedroomed dwellings and 23 three bedroomed as part of the 186 dwellings for open market provision. A total of 46 affordable including: 3, two bedroomed; 12, three bedrooms and four apartments of two bedrooms each.

9.7.6 The gross site area is 11.42 hectares with a net site area of 8.42 hectares this would provide for a gross density of 20.3 units per hectares with a net density of acre 27.54 units per acre. Densities between 25-50 dwellings per hectare (DPH) are considered to provide a medium density of development. Given that the application site provides for 27.5 units per hectare this figure is at the lower level and would provide for a mix of house types and sizes.

9.7.5 Considering the variety of house types present within the locality, the proposed mixture of house types and designs on the site is not considered to be out of character with the surrounding area. Sufficient garden spaces are proposed for the dwellings. It is therefore considered that the proposed development is not considered to result in the overdevelopment of the site. A simple palette of materials utilising brick and render to the walls and grey and brown roof tiles is proposed, but through the use of different elevational treatments an interesting design would secure a strong sense of place. Some elevational treatments would include tile hanging and timber boards and some properties would incorporate detail to the heads and cills of the windows. Different coloured front doors would provide variety within the street scene and although there are no three storey properties to provide a focal point on corners within the site, dual aspects of elevational treatment are utilised. The existing trees and field boundaries have been incorporated to ground the development.

9.7.5 For the above reasons the proposed development is considered to comply with Core Strategy Policy 17 and Policy G17 of the South Ribble Local Plan 2012-2026.

9.8. Relationship To Neighbours

9.8.1 There are no neighbouring residential properties immediately to the south and east of the application site.

9.8.2 The closest residential properties about the western boundary of the application site and this boundary has a number of trees and hedges which currently provide some screening. Other residential properties which back on to Shaw Brook Road are also well screened by mature trees bordering the northern boundary of the application site. At the outline stage concern was raised by residents about the impact of the development upon their residential amenities.

9.8.3 A minimum distance of 3.5m would be present between the side elevation of the garage associated with 491Leyland Lane and the proposed side elevation of the detached property on Plot 1. The only window proposed along the southern elevation of Plot 1 serves a kitchen

and although a door way to a utility at ground floor, there would be no windows at first floor level. As a result of the absence of a habitable room window along the western side elevation, this inter-relationship is considered to be acceptable and there will be no undue loss of amenity to the owners/occupiers of 491 Leyland Lane. The separation distances of the proposed properties exceed the minimum distance of 21 m from any first floor window from any facing habitable room. The gardens have a minimum of 10m and as set out under the Highway section the car parking is compliant.

9.8.4 Concern has been raised by neighbours about the proposed fencing to the rear of the properties on Leyland Lane, the applicant has provided more detailed plans which demonstrate a timber boundary fence of 1.8m to 2.1 m depending on ground levels and the need to incorporate the boundary hedging and trees where possible. The design and layout of the scheme has been carefully assessed and the proposed development meets the separation distances as set out with in the Residential Extensions (Supplementary Planning Document).

9.9. Phasing and Delivery

9.9.1 The applicant has advised that the site will be developed out through 5 distinct phases from a westerly to easterly direction. A Construction Management Plan has been submitted which details three separate areas for the car parking, site set up and the materials store. These areas are located approximately 100 metres south of the site access and would be approximately 51 meters from rear wall of no. 491 Leyland Lane (32m from rear boundary). A temporary hall road would be constructed from the site access to the compound for the purposes of Phase 1 which includes the construction of the Plots 1 to 50, 78, and 79. The location of the compound provides for some of the housing that would back on to the existing properties to be to be delivered early in the phasing schedule. This newly constructed housing would then provide a buffer zone to the existing properties and the proposed development. The Environmental Health Officer has advised that the location of the compound is acceptable.

9.10. Drainage and Ground Levels

9.10.1 Concerns by residents have been raised in relation to drainage issues. In particular the impact of the development upon the existing drainage ditch which runs along part of the rear boundary of the dwellings that back on to the site. The associated outline planning consent includes a planning condition requiring the agreement of foul and surface water drainage details. This condition allows the Local Planning authority to retain control over the final drainage details. Notwithstanding this aspect the concerns raised due to the local knowledge of the site have been welcomed by your planning officers and forwarded to the applicant to ensure that this detailed knowledge can be acted upon.

9.10.2 The applicant has advised that in terms of the drainage on the site, surface water flows will be restricted to greenfield rates, and attenuated within an on-site balancing pond. The surface water outfall will discharge into Shaw Brook, to the north of the site. The foul water will discharge into the public sewers in Leyland Lane. Due to the topography of the site, which falls towards the west, the foul will drain to the sewers in Leyland Lane by gravity and no pumping will be required.

9.11.3 As part of the discharge of condition applications required for the outline permission, detailed surveys have been completed of the ditches/culvert on site. The applicant has advised that the two ditches which run horizontally from the residential dwellings will not be effected by the development. These will be maintained as natural features. No additional discharge will be made to these ditches. In relation to the culvert close to the site access, this has been surveyed as part of the works to discharge condition 11 (drainage) and incorporated into the design solution. The applicant has further advised that they are satisfied that the proposed drainage

designs will achieve betterment in surface water levels. These designs must pass the approval of the LLFA. Additional plans relating to the drainage construction details will be submitted as part of the discharge of condition application.

9.11.4 The majority of the land is flat/undulating and the applicant has provided site sections together with existing and proposed site levels provided, which are considered acceptable. These details relating to the levels across the site will be considered as part of the discharge of condition application.

9.11 Wildlife

9.11.1 A neighbour has raised concerns at the potential loss of wild life habitat. This application is however, a Reserved Matters application which provides details on an associated outline planning consent, which is in effect the planning permission. Ecological matters were given consideration as part of the associated outline application and a condition requiring further surveys to be undertaken if the existing ones become outdated.

9.12 Tree Issues

9.12.1 The applicant has submitted an Arboricultural Impact Assessment and Method Statement together with drawings relating to Tree Survey and Root Protection Areas and Tree Protection Plans. One of the most important aspects of this site is the contribution that the existing field boundaries and trees make to the site. This contribution includes not just the ecological and biodiversity aspects but the opportunity to incorporate natural features within the proposed settlement pattern. It is acknowledged that there would be the loss of some trees including 4 Common Oaks, the partial removal of the mixed hedging to the main access and the partial removal to form access points within the site. A great willow, two alder and trees from a mixed group are required to be felled as part of access works and some remedial work is also proposed to an oak, an ash and some hedging. However, the majority of the 172 individual together with the 38 groups of trees and hedgerow would remain in situ. The Council's tree officer is satisfied with the proposed works and has recommended stringent conditions to protect the trees and their roots during construction. It is considered that the development strongly supports Policy G17 criterion (e) and Policy G13 criterion(b).

9.13 Landscape and Public Rights Of Way (PROW)

9.13.1 The approved Masterplan provided for a pond to the north west corner of the site adjacent to the site entrance. The water feature has been relocated some 65 metres further east in to the housing estate and has reduced in size with housing now overlooking the water feature. This design change is welcomed as the water feature is less isolated and has natural surveillance from the housing. An area of grass land is proposed in place of the original location of the water feature. There are other small pockets of open space within the development in particular to the north eastern boundary adjacent to a cluster of affordable units. A Public Right of Way runs in a north south direction linking the proposed housing to Shaw Brook Lane. There is a condition on the outline consent to ensure that the path is upgraded and lit thereby providing a useable open space feature for all members of the community. A cause for concern relates to a small part of the internal access road adjacent to the southern boundary which links more housing, but appears isolated. The area of land immediately to the north of the internal access road is in different ownership. Subsequently, any application to develop that parcel of land would need to address this aspect.

9.13.2 A detailed landscape plan for the application has been submitted which provides for a mix of trees, shrubs and climbers across the site together with bulb planting to the entrance. A significant amount of new tree planting is proposed utilising both semi mature trees to the

entrance and around part of the water feature. Many of the garden areas include trees or hedge and shrub planting. The pond would form a landscaped area and a 750mm high timber post and rail fence would be provided to enclose this area. The applicant has advised that such a height is similar to other housing developments and to date there have not been any health and safety issues.

9.13.3 Concerns were raised by the LCC Public Rights of Way Officer about the connection and delivery of the existing PROW to Shaw Brook Lane. The applicant has submitted an amended layout plan showing the new footpath/cycleway link continuing northwards to Shaw Brook Road. An amended Phasing Plan has also been submitted showing the proposed link within Phase 1. The comments from LCC PROW will be provided as a late update or verbally at the committee meeting. An Informative about construction works and the impact to the PROW will be added to the Decision Letter.

9.13.4 Concerns were raised about the need for further planting to areas adjacent to the roundabout and areas close to the affordable housing. The applicant has provided revised plans to address this point which demonstrate more extensive areas of bulb planting. Redrow have incorporated spring bulb planting across the site to increase the variety of vegetation, and create attractive planted borders for the residents to enjoy. Significant tree and shrub planting is to take place across the site to break up the residential development and create an attractive scene. It is considered that that this aspect is acceptable and supports the aims of Policy G17 criterion (b).

9.14 Preston, South Ribble and Lancashire City Deal.

9.14.1 The Preston, South Ribble and Lancashire City Deal was the first of 20 second wave City Deals to be agreed and was signed in September 2013. New investment of £434 million will expand transport infrastructure in Preston and South Ribble at an unprecedented rate, driving the creation of some 20,000 new jobs and generating the development of more than 17,000 new homes over the next ten years.

9.14.2 Key to the success of City Deal is for development sites to come forward to deliver houses which in turn provides funding towards the costs of the infrastructure. The wider Site P at Altcar Lane is one such site. The application site would provide a significant number of residential dwellings, which will help South Ribble deliver part of its requirement towards the City Deal housing target.

9.14.3 It is therefore considered that this site would provide much needed new homes and strongly support the commitment of South Ribble to the delivery of the City Deal.

9.15 Other matters

9.15.1 Residents have advised that at times they currently experience intermittent electricity supply and have raised concerns that the proposed development would exasperate this issue. The applicant has confirmed that a point of connection (POC) has been requested and granted by Electricity North West, the distribution network operator. The POC is high voltage and is 350m from site. The development will require a substation to transform the high voltage to low voltage. This POC will not affect the surrounding low voltage network.

9.15.2 Environmental Health have requested a number of conditions most of which have been included on the Outline application. A condition with regard to the Electric Vehicle Recharging Points is recommended.

10 CONCLUSION

10.1 The delivery of this site for residential development supports the aims and objectives of the Lancashire, Preston and South Ribble City Deal. The application site forms part of a wider housing site known as Site P under D1 of the adopted South Ribble Local Plan 2015. The application site is a parcel of land that the Council wishes to see come forward for residential development and a Masterplan was endorsed by the Planning Committee in March 2016 which identified two access points for Site P. Planning permission has been granted for outline consent with "access only" applied for and would provide for 400 dwellings. The reserved Matters provides for 232 dwellings of which 46 would be afford able.

10.2 The proposed development would not have an undue impact upon the amenities of neighbouring properties. The proposed development is not considered to result in the overdevelopment of the site and is not considered to be out of character with the street scene. There are no significant highway safety or amenity implications. Conditions controlling, time scale, plans, materials, landscaping, delivery of parking before occupation and retention of garages for storage of cars are recommended.

10.3 The outline permission included conditions relating to sustainability, neighbour amenity, contaminated land, ecology, surface water, flood risk, and construction which do not need to be re-imposed as part of the Reserved Matters approval. The most significant issue is that of the delivery of the extension to Worden Park, A section 106 has been signed which as part of a construction programme of phasing would be delivered.

10.4 The proposed development is deemed to accord with the NPPF and, policies 1, 4, 5, 6, 17, 22, 26 and 29 of the Central Lancashire Core Strategy and policies A1, D1, F1, G7, G10, G13, G14, G16 and G17 of the South Ribble Local Plan. The application is therefore recommended for approval subject to the imposition of conditions.

RECOMMENDATION:

Approval with Conditions.

RECOMMENDED CONDITIONS:

1. The development hereby approved shall be begun either before the expiration of 3 years from the date of the outline permission, or before the expiration of 2 years from the date of the permission herein.

REASON: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990

2. The development, hereby permitted, shall be carried out in accordance with the approved plans Drawing No:

Drawing no. ALL/DSL/03 Rev E Composite Detailed Site Layout

Drawing No. ALL/DSL/01 Rev E entitled "Detailed Site Layout Parcel 1"

Drawing No. ALL/DSL/02 Rev D entitled "Detailed Site Layout Parcel 1"

Drawing no. ALL/BTP/01 Rev D entitled "Boundary Treatment Plan Sheet 1"

Drawing no. ALL/BTP/02 Rev D entitled "Boundary Treatment Plan Sheet 2"

Drawing no. ALL/DSL/03 Rev D entitled "Composite Detailed Site Layout "

Drawing no. ALL/MP/01 Rev C entitled "Materials Plan Parcel 1"

Drawing no. ALL/MP/02 Rev C entitled "Materials Plan Parcel 2"

Drawing No ALL/PP/01 Rev E entitled "Parking Plan Parcel Plan 1 "

Drawing No ALL/PP/02 Rev E entitled "Parking Plan Parcel Plan 2"

Drawing No ALL/ P-P/01 Rev B entitled "Phasing Plan"
Drawing No ALL/WBTP/01 Rev A /01 Rev E entitled "Western Boundary Treatment Plan"
Drawing no. ALL/AHL/01 entitled "Affordable Homes Layout"
Drawing No SCP_18031_ATRO1 Rev B entitled "Swept Path Analysis 12m bus" Landscape
Drawing No 4829.05 rev B entitled Landscape Proposals Sheet 1 of 5
Drawing No 4829.05 rev B entitled Landscape Proposals Sheet 1 of 5
Drawing No 4829.06 rev B entitled Landscape Proposals Sheet 2 of 5
Drawing No 4829.07 rev B entitled Landscape Proposals Sheet 3 of 5
Drawing No 4829.08 rev B entitled Landscape Proposals Sheet 4 of 5
Drawing No 4829.09 rev B entitled Landscape Proposals Sheet 5 of 5
Tree Protection
Drawing No 4829.10 entitled "Tree Protection Plan 1 of 4" Drawing
No. 4829.11 entitled "Tree Protection Plan 2 of 4"
Drawing No. 4829.12 entitled "Tree Protection Plan 3 of 4"
Drawing No 4829.13 entitled "Tree Survey and Root Protection Areas"

Housing:

Affordable

The Ledbury 4 Block E Series Elevations Render dated March 2013
The Ledbury 4 Block E Series Elevations Brick dated March 2013
The Ledbury 4 Block E Series Floor Plans dated March 2013 Rev B
The Alton Elevations Heritage Collection dated March 2016
The Alton 2 Bedroom Heritage Collection dated March 2016

Open Market

The Cambridge Brick (B1) dated Nov 2017
The Cambridge Render (A1) dated Nov 2017
The Canterbury Floor Plans dated Dec 2017
The Canterbury Elevations dated Dec 2017
The Harrogate Brick (B1) dated October 2017
The Harrogate Render (A1) dated October 2017
The Marlow Render (A1) dated Nov 2017
The Oxford Lifestyle Brick (B1) dated Dec 2017
The Oxford Lifestyle Render (A1) dated Dec 2017
The Oxford Brick (B1) dated Jan 2018
The Oxford Render (A1) dated Jan 2018
The Shrewsbury Brick (B1) dated Nov 2017
The Shrewsbury Render (A1) dated Nov 2017
The Stratford Brick (B1) dated Oct 2017
The Stratford Render (A1) dated Oct 2017
The Warwick Brick (B1) dated Nov 2017
The Warwick Render (A1) date Nov 2017
The Warwick Brick (B2) date Nov 2017
The Warwick (Cnr) Render (A2) Nov 2017
The Welwyn Floor Plans dated Dec 2017
The Welwyn Brick (B1) dated December 2017
The Welwyn Render (A1) Dated December 2017
Drawing No 201 Rev A entitled Single Garage 002

or any subsequent amendments to those plans that have been agreed in writing by the Local Planning Authority.

REASON: For the avoidance of doubt and to ensure a satisfactory standard of development

3. An electric vehicle recharge point shall be provided to every property, prior to occupation. This shall consist of as a minimum a 13 amp electrical socket located externally (or in the garage if available) in such a position that a 3 metre cable will reach the designated electric vehicle car parking space. A switch shall be provided internally to allow the power to be turned off by the residents.

REASON: To enable and encourage the use of alternative fuel use for transport purposes in accordance with Policy 3 of the Central Lancashire Core Strategy."

4. The development shall be carried out in accordance with the approved materials detailed on the approved Drawing:

Drawing Number ALL/MO/01 Rev C entitled "Materials Plan Sheet 1"
Drawing Number ALL/MP/02 Rev C entitled "Materials Plan Sheet 2" unless otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure the satisfactory detailed appearance of the development in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026

5. Notwithstanding the provisions of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Town and Country Planning (General Permitted Development) (England) Order 2015, or any subsequent Orders or statutory provisions re-enacting the provisions of these Orders, all garages shown on the approved plan shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority in consultation with the Highway Authority.

REASON: To safeguard residential amenity and to provide satisfactory off-street parking facilities in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026

6. No property shall be occupied or be brought in to use until their respective car parking spaces have been surfaced or paved in accordance with the details shown on:

Drawing number ALL/PP/01 Rev E entitled "Parking Plan Parcel 1"
Drawing number ALL/PP/02 Rev E entitled "Parking Plan Parcel 2"

This area shall be retained at all times thereafter and shall not be used for any purpose other than the parking of vehicles.

7. The approved landscaping scheme, as detailed on Drawings no.

Drawing No 4829.05 rev B entitled Landscape Proposals Sheet 1 of 5
Drawing No 4829.05 rev B entitled Landscape Proposals Sheet 1 of 5
Drawing No 4829.06 rev B entitled Landscape Proposals Sheet 2 of 5
Drawing No 4829.07 rev B entitled Landscape Proposals Sheet 3 of 5
Drawing No 4829.08 rev B entitled Landscape Proposals Sheet 4 of 5
Drawing No 4829.09 rev B entitled Landscape Proposals Sheet 5 of 5

shall be implemented in the first planting season of each completed phase as set out in Drawing No ALL/ P-P/01 Rev B entitled "Phasing Plan" following completion of the development of each phase or first occupation/use, whichever is the soonest, and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority, in compliance with BS 5837 2012 - Trees in Relation to

Design, Demolition and Construction - Recommendations. This maintenance shall include the watering, weeding, mulching and adjustment and removal of stakes and support systems, and shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies by the same species. The replacement tree or shrub must be of similar size to that originally planted.

REASON: In the interests of the amenity of the area in accordance with Policy 17 in the Central Lancashire Core Strategy, Policy G13 and Policy G17 in the South Ribble Local Plan 2012-2026

RELEVANT POLICY

NPPF National Planning Policy Framework

- 1 Locating Growth (Core Strategy Policy)**
- 4 Housing Delivery (Core Strategy Policy)**
- 5 Housing Density (Core Strategy Policy)**
- 6 Housing Quality (Core Strategy Policy)**
- 7 Affordable and Special Needs Housing (Core Strategy Policy)**
- 17 Design of New Buildings (Core Strategy Policy)**
- 22 Biodiversity and Geodiversity (Core Strategy Policy)**
- 26 Crime and Community Safety (Core Strategy Policy)**
- 27 Sustainable Resources and New Developments (Core Strategy Policy)**
- 29 Water Management (Core Strategy Policy)**
- POLA1 Policy A1 Developer Contributions**
- POLD1 Allocations of housing land**
- POLD2 Phasing, Delivery and Monitoring**
- POLF1 Car Parking**
- POLG9 Worden Park**
- POLG10 Green Infrastructure Provision in Residential Developments**
- POLG11 Playing Pitch Provision**
- POLG13 Trees, Woodlands and Development**
- POLG16 Biodiversity and Nature Conservation**
- POLG17 Design Criteria for New Development**

Note:

1. Informatives:

1. Regardless of planning permission being granted the applicant will have no rights to build on a public right of way unless a diversion has been applied for and certified.

2. A temporary closure on the relevant rights of way will be necessary during construction if there is likely to be a danger to the public

3. Rights of way should not be obstructed during or after construction unless temporarily with a temporary closure in place and rights of way to be reinstated on completion e.g. gates or vehicles

4. Rights of way should be taken into account if there is likely to be a change in ground level - a raise in ground level could cause surface water to run off onto a right of way potentially flooding.

5. Drainage of properties should also take into account the potential threat of flooding onto the rights of way

6. The quality of resurfacing of any right of way should be of sufficient standard to take into account the increased footfall and also contribution to future maintenance costs would be agreeable.

7. 4 weeks' notice is required for a temporary closure application and should there need to be a PROW diversion this can take several years due to the process involved.

Cadent Pipelines:

The applicant is advised to contact Cadent direct due to operational gas apparatus within the vicinity.

ADDENDUM TO PLANNING COMMITTEE REPORT 07/2018/1838/FUL

Application Number 07/2018/1838/FUL

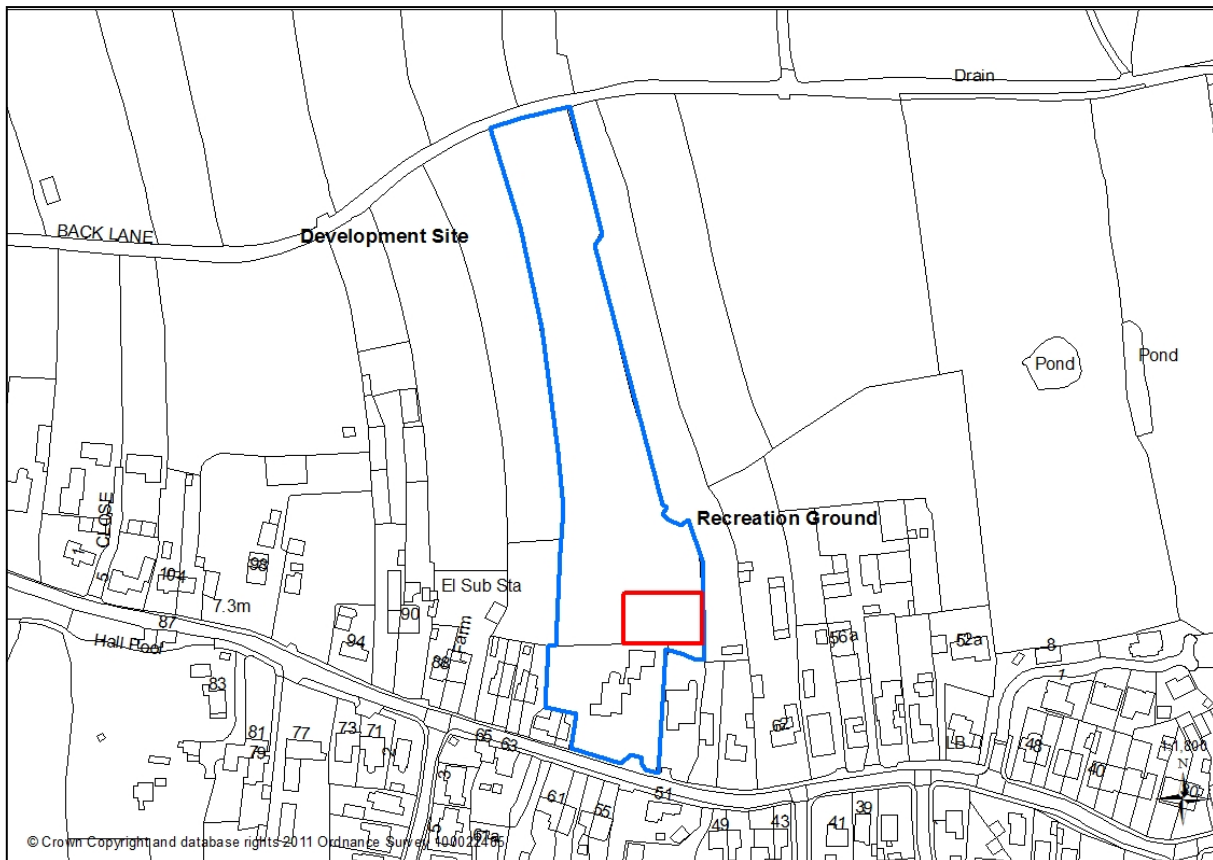
Address 72 Marsh Lane
Longton
Preston
Lancashire
PR4 5ZL

Applicant Mr Andrew McKerney

Development Erection of 2no agricultural stores (steel shipping containers) to accommodate storage of equipment and to house sheep/feed and the formation of silo area for grass

Officer Recommendation **Refusal**
Officer Name **Mr Chris Sowerby**

Date application valid 22.03.2018
Target Determination Date 17.05.2018
Extension of Time 31.05.2018



ADDENDUM TO PLANNING COMMITTEE REPORT 07/2018/1838/FUL

1. INTRODUCTION AND UPDATE

1.1 As a Councillor is an immediate neighbour to the application site and is opposed to the development in its submitted form the application is to be determined by the Planning Committee.

1.2 The application was presented to the Planning Committee at their meeting on the 30th May 2018 and decided to defer the application to allow for further dialogue to take place regarding the siting of the buildings and information on the intended use of the land and buildings for the keeping of sheep.

1.3 Officers have since received advice from appointed independent agricultural advisors and have received further comments from the applicant. These are referred to in this addendum report to the Planning Committee.

1.4 Given the Officer recommendation has changed in the addendum from the original report that was taken to Planning Committee it is necessary to prepare a full new report to support any potential appeal should the application be refused.

2. REPORT SUMMARY

2.1 The application relates to an open agricultural field to the rear of 72 Marsh Lane, which also extends to the rear of 68, 74 and 76 Marsh Lane. The application site is within an area of land designated as Green Belt in the Local Plan.

2.2 The application proposes the siting of two timber clad steel storage containers on the agricultural field together with a contained grass cutting storage area and associated area of hardstanding. The stores would be used to accommodate equipment used in the maintenance of the field and would provide shelter and a feed store for a flock of sheep that the owner is acquiring. The applicant has advised that should the Planning Committee object to the use of steel alternative build materials for the sheds can be considered (e.g. wood, concrete etc.)

2.3 The Council's agricultural advisors, ADAS, are of the opinion that sheep only need accommodating under cover for a small part of the year and that this need can be provided by a smaller, appropriately designed, structure and that there does not currently appear to be the need for the development as there are no sheep on the land.

2.4 As the agricultural need has not been suitably justified and there are outstanding concerns relating to suitability of the structures for their stated purpose it is considered that the proposed development constitutes inappropriate development in the Green Belt resulting in definitional harm to the openness of the Green Belt. No 'very special circumstances' have been provided by the applicant which clearly outweigh the harm that would be caused to the Green Belt by reason of inappropriateness and no such circumstances are considered to exist, contrary to the requirements of the NPPF and Policy G1 of the South Ribble Local Plan. The application is therefore recommended for refusal.

3. APPLICATION SITE AND SURROUNDING AREA

3.1 The application relates to an open agricultural field to the rear of 72 Marsh Lane, which also extends to the rear of 68, 74 and 76 Marsh Lane.

3.2 The field is in the ownership of 72 Marsh Lane but does not form part of the domestic curtilage of the property. The application site is immediately to the north of the existing field access adjacent to the dwellinghouse.

3.3 The application site is within an area of land designated as Green Belt in the Local Plan.

4. PROPOSAL

4.1 The application proposes the siting of two timber clad steel storage containers on the agricultural field together with a contained grass cutting storage area and associated area of hardstanding.

4.2 The proposed stores would be arranged in an 'L' shaped form with one measuring 2.3m (wide) x 12m (long) x 2.6m (high) and the second one measuring 2.3m (wide) x 6m (long) x 2.6m (high). The stores would be used to accommodate equipment used in the maintenance of the field and would provide shelter and a feed store for a flock of sheep that the owner is acquiring. Adjacent to the stores would be a 3m x 6m area enclosed by 1.5m high timber post and panel fencing to provide an enclosure for grass cuttings. The stores are proposed to be located to the rear of 68 Marsh Lane, adjacent to the existing field access from the rear of the domestic curtilage of 72 Marsh Lane.

4.3 A 21.5 x 22m area of hardstanding (road planings/tarmac) is proposed that would provide turning capabilities for a 4x4 vehicle towing a 6m long trailer (to be used for the transportation of livestock).

4.4 The application was amended at the request of Officers prior to the Planning Committee meeting on the 30th May 2018 which resulted in the size of one of the proposed stores being reduced, a reduction in the proposed area of hardstanding and the reorientation of the proposed stores in relation to 68 Marsh Lane so that the closest store is side facing the boundary.

4.5 Despite discussions with the applicant no amended plans have been submitted since the Planning Committee's decision to defer the planning application at their meeting on the 30th May.

5. SITE HISTORY

5.1 Whilst there is a planning history relating to the associated dwelling, the open field to which the application has a longstanding agricultural use and no planning history.

6. REPRESENTATIONS

6.1 One letter of objection has been received from a neighbouring residential property. A summary of the points raised follows:

Policy

- ☐ No 'very special circumstances' presented to warrant the development in the Green Belt

Character and Design

- ☐ Detrimental impact the proposed development would have on the character and appearance of the area

Drainage Issues

- ☐ Potential for the proposed development to result in increased flooding of stream at the rear of 68 Marsh Lane

Other Issues

- ☐ No need for the proposed development
- ☐ Proposal could be the precursor for further development
- ☐ Amendments could be made that would result in a better scheme

7. CONSULTATION REPLIES

7.1 The Council's appointed **agricultural advisors (ADAS)** have confirmed that a steel container, with no means of ventilation, are not appropriate accommodation for sheep. Using the John Nix Pocketbook (2018 48th Edition), the space provision for each sheep is a recommended 1.35sq metres pen space per ewe. ADAS therefore advise that the stated needs of the applicant would be better served by a modest structure to accommodate the livestock – approximately 10sq metres. ADAS also confirm that the need for a silo area has not been demonstrated and can also be served by a smaller limited structure. Justification would also need to be provided to demonstrate the need for the storage of implements as this appears to already be met by the existing garage.

8. MATERIAL CONSIDERATIONS

Policy Considerations

8.1 i) Core Strategy Policy Considerations

8.1.1 Policy 17 of the Core Strategy, which is entitled 'Design of New Buildings', requires an assessment to be made of the design of new buildings to ensure that they are in character with the surroundings and will not adversely affect neighbours.

8.2 ii) South Ribble Local Plan

8.2.1 Within the South Ribble Local Plan the site is allocated as Green Belt. The policy relating to development in the Green Belt, Policy G1, states:

"As set out in the NPPF (National Planning Policy Framework), planning permission will not be given for the construction of new buildings unless there are very special circumstances.

Exceptions to this are:

- a) buildings for agriculture and forestry;*
- b) 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;*
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or*
- f) 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."*

8.2.2 Buildings to be used in connection with agriculture, fall within criterion a) and are an acceptable form of development in the Green Belt negating the need for 'very special circumstances' to be presented.

8.3 'Need' for the Proposed Development

8.3.1 ADAS have disputed the suitability of the proposed stores for the intended use to accommodate sheep together with the 'need' for the proposed buildings in their consultation response, stating:

"To conclude, the applicant has not provided sufficient information to demonstrate an agricultural need for the proposed structures and works. No confirmation has been provided to the Council that there is any livestock on the land and all the information which has been provided to the Council appears to be deficient in demonstrating a clear and credible agricultural requirement in this instance. Notwithstanding this, any requirement for the

accommodation of livestock can be undertaken by a smaller structure which is appropriately designed for livestock and in accordance with the welfare requirements for such livestock.”

8.3.2 In response to the advice given by ADAS the applicant has not submitted any amendments but has provided supporting information which states the following:

“The storage shed within the application relating to the keeping of sheep, 6m x 2.3m, has been proposed in steel in order to be weather proof and long lasting, albeit with a wood cladding on the exterior to soften the appearance. As can be seen the storage shed has the addition of a 3m door, comprising two openings of 1.5m each, in wood, in a stable door style, providing shelter, light and air for the livestock. The 6m x 2.3m space will be divided internally, as required, to provide sheep pens, the dimensions in line with the John Nix Pocketbook (2018 48th Edition) of 1.35 sqm for each ewe, along with food troughs, walk ways for access and the remainder of the space given over to storage of feed, bedding and general equipment. We note the ADAS comments and so if the SRBC Planning Committee has specific objection to steel being used for this particular shed, we’re happy to consider alternative build materials, such as wood, concrete, etc.”

8.3.3 A photograph has also been provided from the application site towards the rear boundary of 68 Marsh Lane to which the applicant has stated *“the objector does not have a view north up the greenbelt land and would not see the proposed development”*.

8.3.4 ADAS have provided further written advice in response to the rebuttal points made by the applicant and reaffirm that sheep only need accommodating under cover for a small part of the year – normally during severe weather and when giving birth. ADAS repeat their advice that this need can be provided by a smaller, appropriately designed, structure and that there does not currently appear to be the need for the development as there are no sheep on the land.

8.3.5 With no sheep currently present on the site and the site not forming part of an established agricultural enterprise the need for the proposed structures cannot be established. Furthermore, it has not been demonstrated to the satisfaction of the Council’s agricultural advisors that the proposed structures are suitable for the intended purpose of providing accommodation for sheep or justification of the general storage need for containers of this size. As the agricultural need has not been suitably justified and there are outstanding concerns relating to suitability of the structures for their stated purpose, it is considered that the proposed development constitutes inappropriate development in the Green Belt resulting in definitional harm to the openness of the Green Belt. No ‘very special circumstances’ have been provided by the applicant which clearly outweigh the harm that would be caused to the Green Belt by reason of inappropriateness and no such circumstances are considered to exist, contrary to the requirements of the NPPF and Policy G1 of the South Ribble Local Plan.

8.3.6 With the application site currently being open and absent of built structures, the proposed development detrimental impact on the openness and visual amenity of the Green Belt, contrary to Policy G1 of the South Ribble Local Plan and paragraph 89 of the National Planning Policy Framework by introducing built development.

8.3.7 Should the Planning Committee be minded to approve the application a condition can be imposed requiring the removal of the stores and hardstanding, together with the site being returned to its current state, should the stores no longer be used for their stated purpose.

8.3 Character and Design

8.3.1 The proposed stores, whilst being of steel construction, would be clad in timber therefore giving the appearance of timber built structures. With the previously stated view from ADAS that the design of the structure are not appropriate for the intended use aside, the visual appearance of the stores are not considered to be out of character in a semi-rural

area where there is a significant variety of outbuilding styles present. The stores have been sited close to the southern boundary of the field therefore minimising the visual impact of the proposal.

8.3.2 A swept path analysis has been provided to demonstrate that the proposed area of hardstanding is required to provide turning capabilities for a 4x4 vehicle towing a 6m long trailer (to be used for the transportation of livestock. Whilst the extent of the hardstanding is not disputed by Officers there is concern that the proposed use of tarmac would result in an unnecessary urbanising effect on the Green Belt. Should the Planning Committee be minded to approve the application it is recommended that a condition be imposed to secure the surfacing of this area in loose road planings which would be more in keeping with the surroundings. With the imposition of such a condition the proposed development is not considered to have a detrimental impact on the character and appearance of the area.

8.4 Relationship to Neighbours

8.4.1 A minimum distance of 31m would be present from the main rear elevation of the nearest neighbouring residential property (68 Marsh Lane) to the side elevation of the nearest proposed store, with intervening tree planting and a 1.8m high boundary fence/wall. The application site is also set slightly lower than the rear garden of 68 Marsh Lane. This inter-relationship is considered to be sufficient to prevent the proposal from unduly impacting on the amenities of neighbouring properties in terms of overlooking / loss of privacy and overshadowing / overdominance. The proposal therefore complies with the requirements of Policy G17 of the Local Plan.

8.5 Highway Issues

8.5.1 The proposed stores would be accessed from an existing field gate from the domestic curtilage of 72 Marsh Lane. No new accesses would need to be created onto the adopted highway and the proposed development would not materially alter traffic to and from the site.

8.6 Drainage Issues

8.6.1 The application site is not within Flood Zones 2 or 3 and therefore is considered by the Environmental Agency as having a low risk of flooding. The imposition of the condition previously referred in relation to the use of loose road planings would ensure a porous surface through which water can drain.

8.7 Other Issues

8.7.1 An objector has questioned the need for the proposed development. Whilst the open field may not have been farmed in recent times its lawful use has clearly remained as for 'agriculture' The application has provided a justified reason for the proposal and this can be controlled by a suitably worded condition that would require the site is returned to its current form should the stated use cease.

8.7.2 Concerns have also been raised that the proposal could be a precursor for further development and there are amendments that could be made that would result in a better scheme. Each application however has to be judged on its own merits, as would any subsequent applications. The application therefore needs to be determined as presented.

9. CONCLUSION

9.1 The 'need' for the proposed siting of two timber clad steel storage containers on the agricultural field has not been established and it has not been demonstrated to the satisfaction of the Council's agricultural advisors that the proposed structures are suitably for the intended purpose of providing accommodation for sheep or justification of the general storage need for containers. The proposed development therefore constitutes inappropriate development in the Green Belt resulting in definitional harm to the openness of the Green Belt. No 'very special circumstances' have been provided by the applicant which clearly outweigh the harm that would be caused to the Green Belt by reason of inappropriateness and no such circumstances are considered to exist, contrary to the requirements of the Para

87-88 of the NPPF and Policy G1 of the South Ribble Local Plan. The application is therefore recommended for refusal.

RECOMMENDATION:

Refusal.

REASONS FOR REFUSAL:

1. The submission fails to demonstrate the 'need' for the proposed agricultural stores/shelter with the proposed structures also not considered to be suitable for housing of sheep. As such the proposal constitutes inappropriate development in the Green Belt. The applicant has not demonstrated 'very special circumstances' to justify the proposal. As such the proposal is contrary to Paras 87-88 of the National Planning Policy Framework (NPPF) and Policy G1 of the South Ribble Local Plan.
2. The proposal would introduce development into an open, green area which would result in a detrimental impact on the openness and visual amenity of the Green Belt, contrary to Policy G1 of the South Ribble Local Plan and paragraph 89 of the National Planning Policy Framework.

RELEVANT POLICY

17 Design of New Buildings (Core Strategy Policy)

POLG1 Green Belt

POLG17 Design Criteria for New Development

Note:

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REPORT TAKEN TO PLANNING COMMITTEE ON 30TH MAY 2018

****PLEASE SEE ADDENDUM REPORT FOR CURRENT RECOMMENDATION****

Application Number 07/2018/1838/FUL

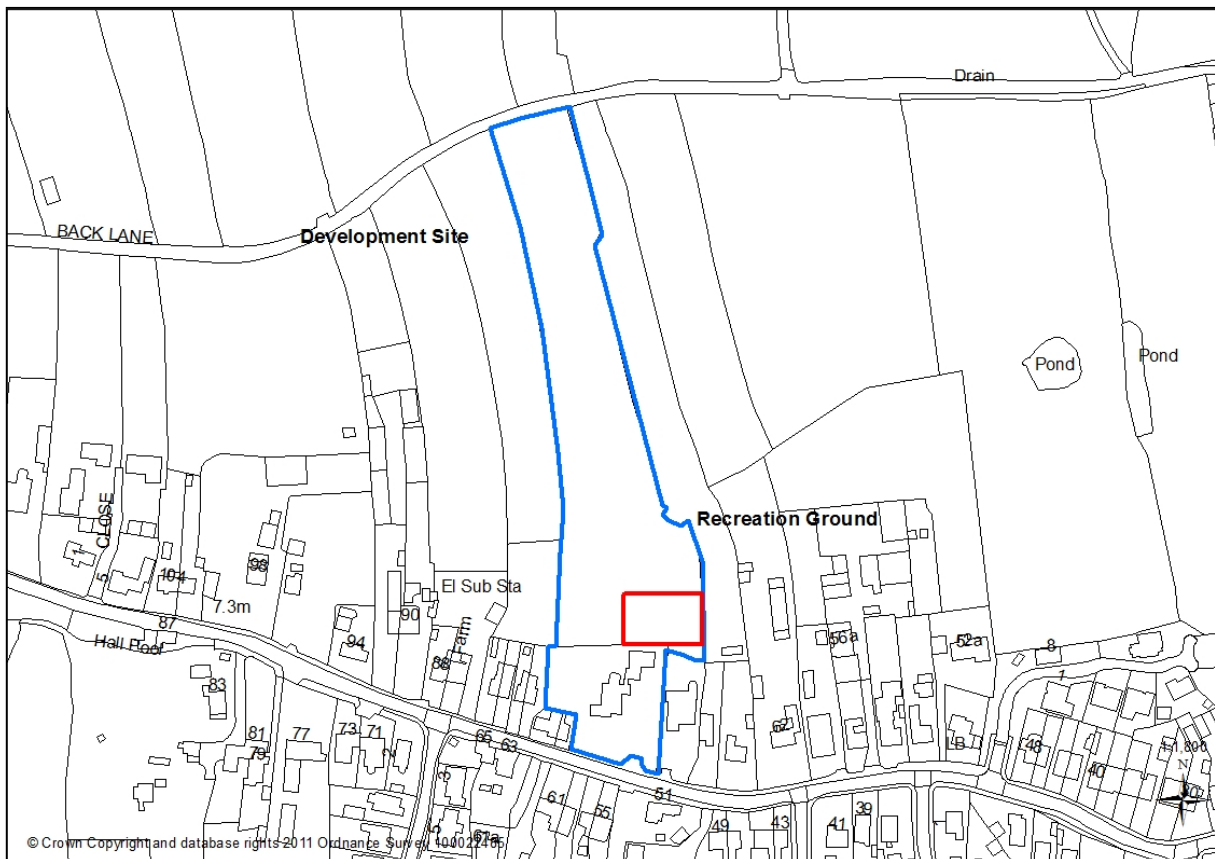
Address 72 Marsh Lane
Longton
Preston
Lancashire
PR4 5ZL

Applicant Mr Andrew McKerney

Development Erection of 2no agricultural stores (steel shipping containers) to accommodate storage of equipment and to house sheep/feed and the formation of silo area for grass

Officer Recommendation Approval with Conditions
Officer Name Mr Chris Sowerby

Date application valid 22.03.2018
Target Determination Date 17.05.2018
Extension of Time 31.05.2018



1. INTRODUCTION

1.1 As a Councillor is an immediate neighbour to the application site and is opposed to the development in its submitted form the application is to be determined by the Planning Committee.

2. REPORT SUMMARY

2.1 The application relates to an open agricultural field to the rear of 72 Marsh Lane, which also extends to the rear of 68, 74 and 76 Marsh Lane. The application site is within an area of land designated as Green Belt in the Local Plan.

2.2 The application proposes the siting of two timber clad steel storage containers on the agricultural field together with a contained grass cutting storage area and associated area of hardstanding. The stores would be used to accommodate equipment used in the maintenance of the field and would provide shelter and a feed store for a flock of sheep that the owner is acquiring

2.3 The proposed use of the stores constitute an acceptable form of development in the Green Belt. A condition can be imposed on any given permission requiring the removal of the stores and hardstanding, together with the site being returned to its current state, should the stores no longer be used for their stated purpose.

2.4 A swept path analysis has been provided to demonstrate that the proposed area of hardstanding is required to provide turning capabilities for a 4x4 vehicle towing a 6m long trailer (to be used for the transportation of livestock. Whilst the extent of the hardstanding is not disputed by Officers there is concern that the proposed use of road planning and/or tarmac would result in an unnecessary urbanising effect on the Green Belt. A condition is therefore considered necessary to secure the surfacing of this area in grasscrete which would minimise the visual impact of the manoeuvring area.

2.5 Sufficient distances to neighbouring properties are present to prevent the proposal from unduly impacting on the amenities of neighbouring properties in terms of overlooking / loss of privacy and overshadowing / overdominance.

2.6 The proposed development complies with Policy 17 of the Core Strategy and Policies G1 and G17 of the Local Plan and is therefore recommended for approval, subject to the imposition of conditions.

3. APPLICATION SITE AND SURROUNDING AREA

3.1 The application relates to an open agricultural field to the rear of 72 Marsh Lane, which also extends to the rear of 68, 74 and 76 Marsh Lane.

3.2 The field is in the ownership of 72 Marsh Lane but does not form part of the domestic curtilage of the property. The application site is immediately to the north of the existing field access adjacent to the dwellinghouse.

3.3 The application site is within an area of land designated as Green Belt in the Local Plan.

4. PROPOSAL

4.1 The application proposes the siting of two timber clad steel storage containers on the agricultural field together with a contained grass cutting storage area and associated area of hardstanding.

4.2 The proposed stores would be arranged in an 'L' shaped form with one measuring 2.3m (wide) x 12m (long) x 2.6m (high) and the second one measuring 2.3m (wide) x 6m (long) x 2.6m (high). The stores would be used to accommodate equipment used in the maintenance of the field and would provide shelter and a feed store for a flock of sheep that the owner is acquiring. Adjacent to the stores would be a 3m x 6m area enclosed by 1.5m high timber

post and panel fencing to provide an enclosure for grass cuttings. The stores are proposed to be located to the rear of 68 Marsh Lane, adjacent to the existing field access from the rear of the domestic curtilage of 72 Marsh Lane.

4.3 A 21.5 x 22m area of hardstanding (road planings/tarmac) is proposed that would provide turning capabilities for a 4x4 vehicle towing a 6m long trailer (to be used for the transportation of livestock).

4.4 The application has been amended since originally submitted at the request of Officers which has resulted in the size of one of the proposed stores being reduced, a reduction in the proposed area of hardstanding and the reorientation of the proposed stores in relation to 68 Marsh Lane so that the closest store is side facing the boundary.

5. SITE HISTORY

5.1 Whilst there is a planning history relating to the associated dwelling, the open field to which the application has a longstanding agricultural use and no planning history.

6. REPRESENTATIONS

6.1 One letter of objection has been received from a neighbouring residential property. A summary of the points raised follows:

Policy

- ☐ No 'very special circumstances' presented to warrant the development in the Green Belt

Character and Design

- ☐ Detrimental impact the proposed development would have on the character and appearance of the area

Drainage Issues

- ☐ Potential for the proposed development to result in increased flooding of stream at the rear of 68 Marsh Lane

Other Issues

- ☐ No need for the proposed development
- ☐ Proposal could be the precursor for further development
- ☐ Amendments could be made that would result in a better scheme

7. CONSULTATION REPLIES

7.1 None

8. MATERIAL CONSIDERATIONS

Policy Considerations

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- e) limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or*
- f) 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.”*

8.2.2 As the building is to be used in connection with the existing agricultural enterprise, the development falls within criterion a) and is an acceptable form of development in the Green Belt negating the need for ‘very special circumstances’ to be presented.

8.2.3 A condition can be imposed on any given permission requiring the removal of the stores and hardstanding, together with the site being returned to its current state, should the stores no longer be used for their stated purpose.

8.3 Character and Design

8.3.1 The proposed stores, whilst being of steel construction, would be clad in timber therefore giving the appearance of timber built structures. The visual appearance of the stores are not considered to be out of character in a semi-rural area where there is a significant variety of outbuilding styles present. The stores have been sited close to the southern boundary of the field therefore minimising the visual impact of the proposal. The size and siting of the proposal is not considered to have a detrimental impact on the openness of the Green Belt.

8.3.2 A swept path analysis has been provided to demonstrate that the proposed area of hardstanding is required to provide turning capabilities for a 4x4 vehicle towing a 6m long trailer (to be used for the transportation of livestock). Whilst the extent of the hardstanding is not disputed by Officers there is concern that the proposed use of tarmac would result in an unnecessary urbanising effect on the Green Belt. A condition is therefore considered necessary to secure the surfacing of this area in loose road planings which would be more in keeping with the surroundings. With the imposition of such a condition the proposed development is not considered to have a detrimental impact on the character and appearance of the area.

8.3 Relationship to Neighbours

8.3.1 A minimum distance of 31m would be present from the main rear elevation of the nearest neighbouring residential property (68 Marsh Lane) to the side elevation of the nearest proposed store, with intervening tree planting and a 1.8m high boundary fence/wall. This distance is considered to be sufficient to prevent the proposal from unduly impacting on the amenities of neighbouring properties in terms of overlooking / loss of privacy and overshadowing / overdominance. The proposal therefore complies with the requirements of Policy G17 of the Local Plan.

8.4 Highway Issues

8.4.1 The proposed stores would be accessed from an existing field gate from the domestic curtilage of 72 Marsh Lane. No new accesses would need to be created onto the adopted highway and the proposed development would not materially alter traffic to and from the site.

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8.5.1 The application site is not within Flood Zones 2 or 3 and therefore is considered by the Environmental Agency as having a low risk of flooding. The imposition of the condition previously referred in relation to the use of loose road planings would ensure a porous surface through which water can drain.

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8.6.1 An objector has questioned the need for the proposed development. Whilst the open field may not have been farmed in recent times its lawful use has clearly remained as for 'agriculture' The application has provided a justified reason for the proposal and this can be controlled by a suitably worded condition that would require the site is returned to its current form should the stated use cease.

8.6.2 Concerns have also been raised that the proposal could be a precursor for further development and there are amendments that could be made that would result in a better scheme. Each application however has to be judged on its own merits, as would any subsequent applications. The application therefore needs to be determined as presented.

9. CONCLUSION

9.1 The proposal is considered to be acceptable in principle and, given its siting, will not have an adverse impact on the character and appearance of the area or the openness of the Green Belt. A sufficient distance would be present to neighbours to prevent the proposal from having an undue impact on the amenities of residential properties. The proposed development complies with Policy 17 of the Core Strategy and Policies G1 and G17 of the Local Plan and is therefore recommended for approval, subject to the imposition of conditions.

RECOMMENDATION:

Approval with Conditions.

RECOMMENDED CONDITIONS:

1. That the development must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: Required to be imposed pursuant to section 91 of the Town and Country Planning Act 1990.

2. Should the stores cease to be used for agricultural purposes the stores and manoeuvring area hereby permitted shall be removed and the land restored to its former condition within 3 months.

REASON: To enable the Local Planning Authority to retain control over the use of the land

3. The manoeuvring area hereby permitted, as identified as 'New Yard Area' on submitted site layout plan ref. SK/00/01E, shall surfaced only in loose road planings, details of which shall be agreed in writing with the Local Planning Authority.

REASON: In the interests of the amenity of the area in accordance with Policy 17 in the Central Lancashire Core Strategy.

4. The development, hereby permitted, shall be carried out in accordance with the submitted approved plan ref. SK/00/01E.

REASON: To ensure a satisfactory standard of development in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026.

RELEVANT POLICY

17 Design of New Buildings (Core Strategy Policy)

POLG1 Green Belt

POLG17 Design Criteria for New Development

Note:
