

Application Number 07/2020/00705/FUL

Address Oakland Farm
Hollins Lane
Leyland
Preston
Lancashire
PR26 8LJ

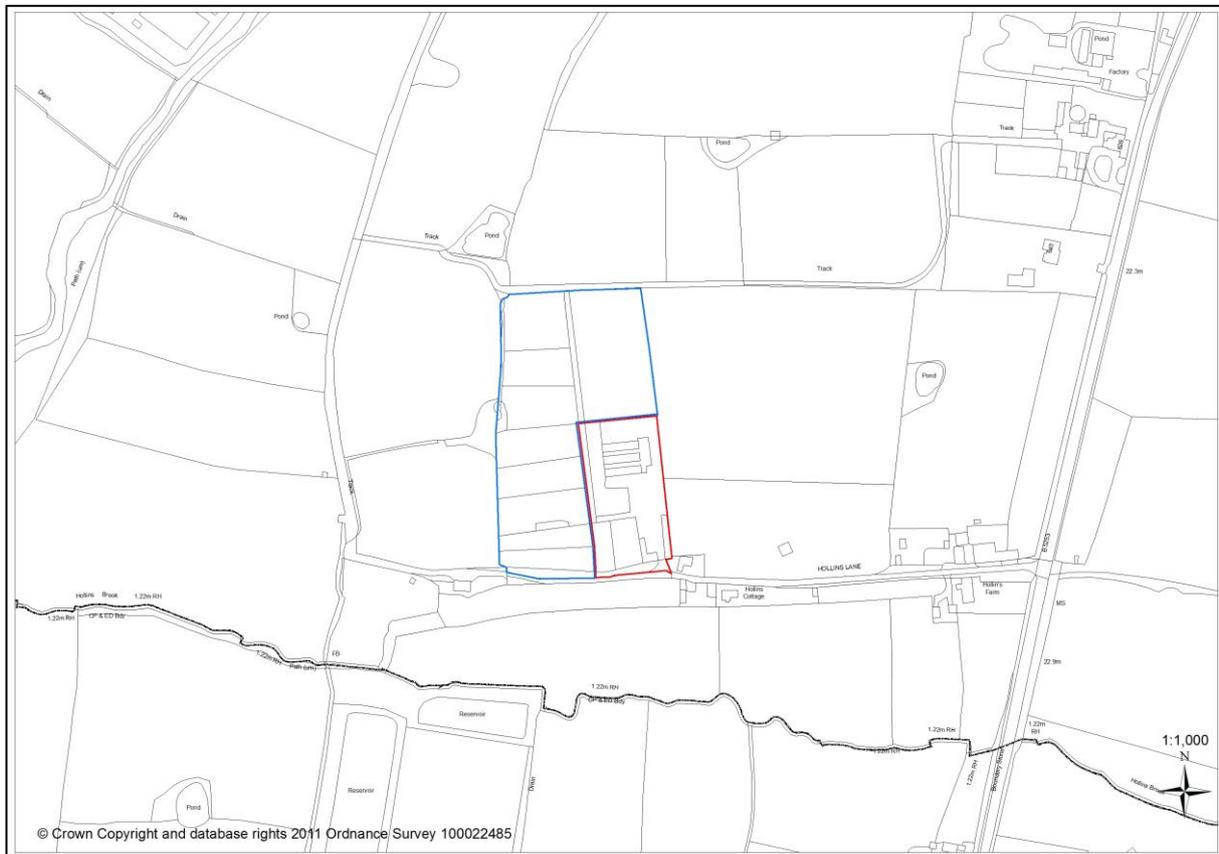
Applicant Mr Lewis Buller

Agent Mr Andrew Cowley
1086 Estates Ltd
50 Merlin Grove
Leyland

Development Erection of 4 no: dwellings

Officer Recommendation Refusal
Officer Name Mrs Debbie Roberts

Date application valid 24.08.2020
Target Determination Date 19.10.2020
Extension of Time Refused



1. Introduction

1.1. This application has been brought to Committee as the applicant is related to an officer of the Council.

2. Report Summary

2.1. The applicant seeks full permission for erection of 4 no: dwellings with associated works. This proposal seeks to address concerns raised by both this Council and the Planning Inspectorate relating to prior, but larger schemes. The site is an area of previously developed land in a secluded rural location which currently accommodates a number of structures in storage, horticultural and equine use. Bounding on all sides are mature trees and hedgerows although these are predominantly along the eastern side.

2.2. Proposed access into the site would be from Hollins Lane into a typical cul-de-sac courtyard with a mix of detached and semi-detached properties. Hedgerow and trees would be removed to accommodate access and sightlines but would be subject to relevant replacement if approved.

2.3. Whilst the application site is acknowledged as previously developed land, and as such satisfies criterion G, Para 145 of the National Planning Policy Framework 2019 (mirrored by Criterion F of Local Plan Policy G1), the proposal would introduce development which is inconsistent with adjacent patterns of development, on a badly maintained, single track road that currently serves only two dwellings.

2.4. LCC have not objected on highways access and parking grounds, and whilst traffic along the lane would increase loss of amenity as a result is considered limited.

2.5. Sustainable and public transport options are however also limited, and access to community, retail and education facilities would not be possible without transport or a considerable walk; particularly as pavements are 250m from the site entrance and the closest settlement is some distance again from the first available pavement. The sites sustainability appraisal which was formally assessed as sound during the Local Plan examination process concurs with this stance as detailed in full at Para 8.5 of this report.

2.5. In response to publicity two letters of objection have been received. Comments raised by statutory consultees have been dealt with either by amendments to the scheme or by condition should permission be granted

2.6. It is acknowledged that significant changes have been made with former comments in mind, but the fact remains that at this time the sites location cannot be made sustainable, and on balance the proposal is not considered to be sustainable development, in a sustainable location within easy access of community and retail facilities. The appeal decision relating to an earlier scheme echoes this conclusion and is detailed in full below – this appeal must be given considerable weight in the planning balance. The proposal does not conform to the requirements of the NPPF, Local Plan Chapter F or Core Strategy Policy 3 which attach great importance to highways and pedestrian safety, and seek to improve opportunities for sustainable transport and for development in sustainable locations.

2.7. In design terms it has been demonstrated that a development of four properties in a relatively traditional design can be accommodated, but these are in a form more likely to be found within an urban environment and in Officers opinion would not respect the open, rural character and appearance of the area; again the appeal comments relating to design are available at Para 9.3 below and must be given serious consideration. Despite extant permissions and existing development, the proposal would result in an incongruous, stand-alone scheme with little access to existing infrastructure or services. The site has not been allocated for housing by the South Ribble Local Plan and is not needed to ensure the

Councils five-year housing supply. For these reasons the proposal is recommended for refusal on the following grounds:

- ☐ It has not been demonstrated that a development of 4 dwellings would not be an incongruous addition to the rural location which fails to make a positive contribution to the quality of the environment. In relation to this the proposal has the potential to conflict with and not respect or enhance the established character and appearance of the area. It would therefore be contrary to Policy G17(a) of the South Ribble Local Plan
- ☐ The application site is considered to be in an unsustainable location due to the distance from the nearest shops and services, the absence of nearby public transport and the lack of connection to nearby settlements. Proposed development therefore does not represent sustainable development and does not comply with Chapter 9 (Promoting sustainable transport)- particularly paragraphs 102c, 103, 105 and 108 of the National Planning Policy Framework, Central Lancashire Core Strategy Policy 3 (Travel) and Local Plan Chapter F (Catering for sustainable travel)

3. Application Site and Surrounding Area

3.1. The application refers to a relatively flat piece of land accessed from, and to the northern side of Hollins Lane, Leyland. The 0.5ha rectangular site is bound on its southern and eastern sides by mature trees and hedgerow. Hollins Cottage sits 19m south-east of the access whilst Hollins Farm straddles the lane at around 200m away. Otherwise the site is surrounded on all sides by wide tracts of open land.

3.2. Within the contained site are a stable block, sand paddock, 3 no: polytunnels and a number of dishevelled storage containers, although parts remain open.

3.3. Hollins Lane runs along the southern boundary, Leyland Lane lies 250m east and the boundary with Chorley Borough sits 90m to the south. Public Right of Way 7-1-FP52 runs in a westerly direction from the access, and there is street lighting on Leyland Lane but not Hollins Lane. There are no pavements on Hollins Lane which is single track and generally in bad condition

3.4. The site is designated as Green Belt by Policy G1 of the South Ribble Local Plan.

4. Site Context / Planning History

4.1. There is a detailed planning history for this site, the most relevant of which is:

- ☐ 07/1994/0423 – building for keeping of horses. Approved September 1994
- ☐ 07/2000/0507 – Erection of 2 no: polytunnels and 3 no: storage buildings. Approved October 2000
- ☐ 07/2002/0732 – temporary siting of static caravan for use as agricultural dwelling. Approved 2002 (as extended October 2004 – 07/2004/0929)
- ☐ 07/2007/0659/FUL – erection of horse shelter. Approved September 2007
- ☐ 07/2008/0863/CLU – Certificate of lawfulness to use static caravan as permanent dwelling. Refused Jan 2009 and dismissed at appeal
- ☐ 07/2011/0591/FUL - Erection of 12 stables, single storey tack/store room, horse shower/hay store, horse exercise area and extension of existing sand paddock. Erection of office building change of existing polytunnels to storage of machinery and plant, haylage, shavings and straw and breeding process. Erection of floodlighting to sand paddock. Approved January 2012

- ❑ 07/2016/0248/FUL - Erection of two storey, detached dwelling with glazed link to stables/workshop building for Blacksmiths/Equestrian use, and erection of detached, single storey cattery building following demolition of existing structures. Refused August 2016
- ❑ 07/2017/0019 - Lawful development certificate for existing use - livery stables/ mixed use of polytunnels for storage, repair of vehicles, and general workshop. Certificate not granted May 2017
- ❑ 07/2017/2505/FUL - Retrospective 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). Approved October 2017 as varied 07/2018/2742/VAR
- ❑ 07/2018/0844/FUL - Erection of 1no. Two-storey dwelling with detached garage, domestic stable block and single storey cattery building following demolition of existing buildings. Approved April 2018 at appeal
- ❑ 07/2019/0092/OUT – Outline permission for 9 dwellings (access and siting applied for). Withdrawn Feb 2019 to allow the applicant to seek additional advice.
- ❑ 07/2019/2257/OUT - Outline application for the erection of 9no dwellings and associated work with access and siting applied for (resubmission of 07/2019/0092/OUT). Refused by Committee 30.5.19 and dismissed at appeal 10 June 2020 (APP/F2360/W/19/3232010) for the following reasons
 - o That the proposal would have a greater impact on the Green Belt than the existing
 - o That the proposal would create a poor contrast with the surrounding rural area
 - o that the proposed development would not be in a suitable location having regard to accessibility of services,
 - o That the substantial weight to be given to Green Belt harm is not clearly outweighed by the other considerations sufficient to demonstrate very special circumstances.
- ❑ 07/2019/6653/OUT - Outline application for the erection of up to 8 no. dwellings with access only applied for was refused in Sept 2019 before the appeal decision for 2019/2257/OUT was issued

5. Proposal

5.1. The application seeks full permission for erection of 4 no: dwellings (two detached and pair of semi-detached) with associated works.

5.2. The proposal site would be accessed via the existing entrance into a courtyard turning area towards which the four properties would face. Plots 1 and 2 would be on the western side (plot 1 immediately adjacent Hollins Lane) whilst plots 3 and 4 would sit along the northern boundary. Existing shrubbery and trees would be retained along the eastern and southern boundaries, and a 1.8m boundary fence installed to denote the northern and western sides. The new internal access would be 5m wide with a short stretch of 2m pavement from Hollins Lane to the courtyards eastern side

5.3. Properties are two storey – plots 1 and 2 to be four bed roomed and plots 3 and 4 to have three bedrooms. Adequate amenity space is proposed, and parking provision identified in line with adopted standards. Waste storage is possible to the rear and in spatial separation terms the scheme is compliant

6. Summary of Supporting Documents

6.1. The application is accompanied by the following:

- ❑ Arboricultural Impact Assessment (Treestyle 15.1.19) including
 - o Cellweb installation guide and method statement

- o Tree numbering and categorisation plan (Drawing 1)
- o Tree removal, root protection and fencing plan (Drawing 2)
- o Tree Schedule (Appendix 1)
- o Tree assessment (Appendix D)
- o Tree protection statement (Appendix E)
- o Safety within proximity of utility infrastructure guideline
- ☑ Community Infrastructure Forms
- ☑ Ecological Appraisal update (Erap 2018-374: November 18)
- ☑ Supporting statement (1086 Estates Ltd)
- ☑ Planning statement (1086 Estates: August 2020)
- ☑ Design & Access statement (1086 Estates: August 2020)
- ☑ Location Plan (1545-EX03A: MM Architectural Design)
- ☑ Existing Site Plan (1545-EX01)
- ☑ Proposed site plan (PL/32/01; Bramley Pate)
- ☑ Proposed elevations & floor plans (PL/00/01, 02 & 03 Bramley Pate)

7. Representations

7.1. Summary of Publicity

7.1.1. A site notice has been posted, and two neighbouring properties consulted. Ward Councillors Bell and Donohue have also been notified

7.2. Letters of Objection or Support

7.2.1. Two letters of objection from the occupants of Hollins Cottage (19m south-east) and Hollins Farm (200m east) has been received. Comments are summarised as:

Green Belt/Rural Development

- ☑ Proposal does not comply with Green Belt or other planning policies
- ☑ Loss of rural visual appearance

Highways/Traffic

- ☑ Increased noise, pollution and lack of privacy on a single-track road
- ☑ Increased traffic will exit onto Leyland Lane where traffic often exceeds the speed limit
- ☑ Access on this narrow, single track lane is not suitable for construction vehicles or increased numbers of cars.

Miscellaneous

- ☑ Lack of services on the lane (gas, mains sewerage, poor water pressure).
- ☑ Combined impact of developments on Leyland Lane, Test Track and Croston Road

Residential Amenity

- ☑ Loss of privacy to and disruption of existing residents

8. Summary of Responses

8.1. **South Ribble Arborist** recommends tree protection measures to be secured by conditions, and submission of a landscape plan to provide for replacement trees on a 2:1 equivalent basis.

8.2. The Council's **Ecology Consultant's** notes that the ecology report is now nearly 2 years old and by the time of determination will be past the 2-year mark. However, given the site has been surveyed twice, is primarily low value habitat, the development footprint would be reduced, and surveys under 3 years of age may if necessary be reviewed the ecologist is satisfied that survey updates are not required. It is therefore recommended that prior to

determination, the previous ecological reports are reviewed and surveys only updated if required. The Councils Ecologist has considered the re-assessment and is now satisfied

8.3. Environmental Health have assessed the site and request conditions regarding construction management, pre-commencement contaminated land and electric vehicle charging points. Comments made during the 2018 withdrawn application also sought to condition importation of material and asbestos removal. For consistency, and having regard to the nature of existing buildings, these would be carried forward if approved.

8.4. Lancashire County Council Highways note that the site will be accessed via Hollins Lane, an unclassified adopted road up to the site. Hollins Lane changes to a private road halfway across the proposed sites access point. The internal layout as shown is acceptable, however the applicant should be aware that the road would remain private due to the internal road not having a full width connection to the adopted highway. The applicant should check with their solicitor that they have rights over this road and rights to make alterations to the section of the private road that adjoins the sites access point. The new site access (which connects to the adopted highway) will need to be constructed under separate legal agreements – S278 for the adopted section with LCC and a S106 to provide for the unadopted private section. The S106 would need to be signed by all parties including other owners of the private road. LCC reserves the right to provide the highway works within the highway including design, procurement and supervision of work. The LCC five-year injury data base indicates one slight incident at the junction of Hollins Lane and Leyland Lane but this is of a nature that would not be worsened by the proposals.

As part of a previous application LCC raised concerns regarding intervisibility along Hollins lane. The applicant has since proposed some localised widening which is now acceptable to LCC. The applicant must also fund improvements to the bus stop located to the south of Hollins lane, including upgrading the surfacing adjacent to the pole and flag. This would also be secured by S106 legal agreement

Taking all of the above into consideration LCC Highways has no objections to the proposed development subject to conditions, and is of the opinion that the proposals should have a negligible impact on highway safety and capacity within the immediate vicinity of the site.

8.5. The Councils Policy Planning team confirms that her previous comments relating to the sites Site Allocation DPD sustainability appraisal remain valid. These are:

‘The applicant previously referred in his Planning Statement, to the fact that the Sustainability Appraisal of the Site Allocations DPD scored the site well under the sustainability appraisal. I do not agree with these findings whatsoever.

In terms of Objectives S1 and S2, the site scores very poorly, with over half of the indicators falling in the worst band, and only 3 indicators scoring in the top 2 bands. These are the objectives that relate specifically to distance to services and other services which residents of the site would require.

The site does score better in relation to the environmental indicators, however, these relate to issues such as heritage, biodiversity and contaminated land.

In terms of sustainability of the site in relation to services, the site scores extremely poorly. The site appraisal sheet, which was publicly available at the time, indicates that the site does not perform well in the Sustainability Appraisal. This was not challenged at the time.

The Sustainability Appraisal Methodology went through the Local Plan Examination and was found to be sound by the Examiner. It is therefore a reasonable assessment of the

sustainability of sites, especially as ALL of the allocations in the Local Plan went through the same process’.

8.6. United Utilities request that conditions are imposed with regards to foul and surface water drainage, drainage management

8.7. Strategic Housing has no comment to make

9. Material Considerations

9.1. The National Planning Policy Framework notes at Para 11 that plans and decisions should apply a presumption in favour of sustainable development. For decision making this means approving proposals which accord to an up to date development plan, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF if taken as a whole.

9.2. Sustainability takes two forms – firstly the ability to provide for the development needs of the local area whilst protecting the wider environment. Separately, users of the development should be able to easily access existing services and infrastructure without the need for significant works which in their own right would have an undue environmental impact, or the need for excessive travel to reach such services.

9.3. Whilst assessing the proposal against adopted policy, consideration must also be given to comments made by the Planning Inspector (APP/F2360/W/19/3232010), and any changes made to address those comments

9.4. Site Allocation Policy / Green Belt Development

9.4.1. The site is designated as Green Belt by Policy G1 of the South Ribble Local Plan

9.1.2. In line with the National Planning Policy Framework, planning permission will not be given for the construction of new buildings in the Green Belt which are considered inappropriate unless the proposal sits within a clearly defined range of exceptions, or the applicant can demonstrate that there are very special circumstances which clearly outweigh the harm caused to the fundamentally open nature of the area. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances; when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

9.1.3. A number of exceptions however are prescribed by both the NPPF and G1; the most relevant of which in this case is NPPF Para 145, Point G (mirrored by Policy G1 Point F). Exceptions are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

9.1.4. In line with G1(F), the NPPF allows for development of previously developed land where proposals will not impact upon the area's openness more than existing buildings. Despite previous refusal on the grounds that the proposal was inappropriate development in the Green Belt, previous and extant permissions have established that this site does in fact constitute previously developed land, development is not inappropriate and as such is compliant with the principle of Policy G1 subject to the caveat underlined above.

9.1.5. The appeal decision does place great weight on the footprint and volume of the previous scheme which exceeded that of the existing buildings but is taken in the context of 9 dwellings not 4. The Inspector notes that *'given the low heights and volumes of the existing buildings, it is not at all clear to me from the evidence that the volume of the existing buildings would not be exceeded by the volume of the proposed buildings, within the footprints proposed, even if the dwellings were single storey. As such, I am not persuaded that the proposal would not have a greater impact on the openness of the Green Belt than the existing development, in spatial terms'*.

9.1.6. He goes on to say however that *'even were the spatial aspect to have a neutral effect, the visual aspect forms part of the concept of openness of the Green Belt, and the visual dimension of the Green Belt is an important part of the purpose of designating land as Green Belt. The existing buildings occupy a relatively small area of the overall site and, whilst the proposed dwellings would occupy a similar locus to the existing buildings, even single storey dwellings would be more prominent, with adverse visual effects. Furthermore, the remaining dwellings are located in open parts of the site, and the visual intrusion resulting from the very presence of dwellings sited in otherwise open locations, would have a negative effect on the openness of the Green Belt. I therefore find that in both spatial and visual terms the proposal would have a greater impact on the openness of the Green Belt than the existing development, and in doing so the scheme also fails to check the unrestricted sprawl of large built-up areas in the countryside, one of the five purposes of the Green Belt. I therefore conclude that the proposal is inappropriate development in the Green Belt and, as such, conflicts with policy G1 of the LP, and the Framework'*.

9.1.7. In order to address the Inspector's concerns the proposal has been reduced in dwelling numbers, and the cumulative footprints of existing and proposed structures are similar. Development would be around the site edges with an open centre as currently exists, and existing landscaping would be augmented by private gardens. Previous, extant proposals however have been agreed at an overall volume of 2115m³ whilst existing structures account for 2412m³ (now claimed at 2557m³). Having regard to the Rural Development SPD which accepts residential development of up to 30% additional volume, any development proposal approved would be expected to remain within an overall figure of around 3300m³ (2557 + 30%). The proposed scheme accounts for 2950m³ in volume terms – an acceptable increase in on-site volume which is in accordance with adopted guidance subject to all other material considerations being acceptable.

9.1.8. Properties are however not single storey and would therefore be more visible from outside of the site than the current situation. Domestic style fencing and general paraphernalia would be present, and overall there would be an increase in urban sprawl to the detriment of the Green Belt allocation, but there is no arguing the fact that the site is previously developed land and, in that respect alone development complies with Green Belt

policy. Notwithstanding this current status, the site is not a naturally logical housing site. It is not an infill site and would not have built development surrounding in the manner normally expected of estate style residential development. Concerns also remain with regards to the schemes impact upon the character and appearance of the wider rural area and being mindful of the aforementioned 'in principle' compliance, members may decide that proposed dwellings would impact more on the areas openness than the existing collection of structures.

9.2. Site Sustainability

9.2.1. Having regard to the NPPF Para 11 presumption in favour of sustainable development as described above, the site has been assessed on the basis of the range of services that the occupants of four family sized homes would require, and which should be easily accessible. It is acknowledged that extant permission remains for one dwelling on site.

9.2.2. *Access to services-* The NPPF is clear that new development should support, and be supported by opportunities for sustainable transport modes including walking, cycling and public transport, and that development should be focussed on locations which are or could be made sustainable. This reflects the sentiments of Core Strategy Policy 3 which seeks to improve opportunities for cycling, public transport and pedestrian facilities, and attaches great importance to highways and pedestrian safety.

9.2.3. The applicants statement refers to approved development at Earnshaw Business Park and notes that during determination there was no mention of sustainability or access to services. Consistency of approach is now, and has previously been questioned. Notwithstanding that this scheme is to be determined on its own merits, for fairness and to offer clarity to Members such a comparison of sites is provided.

9.2.4. Earnshaw Business Park is 0.5miles (0.8km) from Earnshaw Bridge retail centre and 1.4miles form Leyland railway station. Lostock Hall and Bamber Bridge station are 2 and 3miles away respectively. There are 8 primary and 3 secondary schools within 1.5miles, and 6 doctors/6 dentists within the same distance. Hugh Lane is similar in construction to Hollins Lane. Whilst the number of services within reach of the site are similar, the Earnshaw site is closer to retail and public transport options than Hollins Lane, and as such occupants would be less dependant on the car for transport.

9.2.5. In contrast the proposal site is approximately 1.2 miles from the Seven Stars retail area (north), 2.5 miles from Eccleston (south) and just under 3 miles from retail facilities in Euxton (east). Euxton, Croston and Leyland railway stations are roughly 2.5 miles away. 5 primary and 2 secondary schools are within 1.5 miles and 4 doctors/2 dentists lie at a similar distance. The site is 250m along a single-track road without pavements from the Hollins Lane/Leyland Lane junction. Bus stops are present on Leyland Lane near to the entrance of Hollins Lane and there are pavements along the western side of Leyland Lane

9.2.6. Council Officers also offer their own comparison in the form of appeal decision 3238704 - Winston, Drumacre Lane, Longton for 9 dwellings as replacement for agricultural buildings, which was dismissed in December 2019. Whilst there are differences in the proposal itself, locationally the site is a similar distance to services and accessed via unpaved roads leading to classified paved highway. Refusal was on similar grounds including sustainability and on that point the Inspector stated that *'Taking into account the characteristics of the site location and the surrounding area, I consider that walking or cycling would be unlikely to be attractive options for most people making their day-to-day journeys, especially in darkness or inclement weather. I consider therefore that there would be a high dependency upon private motor vehicle usage amongst the occupiers of this development to gain access to retail, education and community facilities. While the relatively short journeys involved may be well suited to electric cars, there would nevertheless be a dependency on private vehicles.'*

9.2.7. *I conclude that the location would fail to provide acceptable access to retail, education and community facilities by a range of transport modes. The proposal would therefore conflict with Policy 3 of the 2012 Central Lancashire Core Strategy, as well as the requirements of Chapter 9 of the Framework’.*

9.2.8. A number of other appeals have been dismissed by the Inspectorate on the grounds of unsustainable location. Two such examples are Appeal 3156246 (Old Stables, Thurston) which noted the limited relationship to very few other dwellings such that it was not considered that the appeal site forms part of a cohesive group. It was also felt distant from a range of services, and the Inspector quotes road speed, lack of footways or lighting, narrow verges and limited natural surveillance which would combine to deter regular walking or cycling. It is realistic and reasonable to assume that occupants of proposed dwellings would be reliant on the private car to access day to day services including public transport. Appeal 2221992 (Knotts Lane, Skipton) at 2.2 miles outside the settlement was similarly described; both being contrary to NPPF Para 55 which seeks to prevent isolated homes in the countryside. There are notable similarities between these examples and the proposal site

9.2.9. The Planning Inspector involved in the Hollins Lane appeal noted that whilst there was a range of proximate services, and that these would be accessible via footpath along Leyland Lane, *‘this walk would take in the region of 20 minutes or more, on a footpath that is narrow in places and runs alongside an arterial 50 mph road. Given the length of time, the distance involved, and the character of the route, I find that residents of the proposed development are likely to be discouraged from walking to Seven Stars, where most local facilities are concentrated, regardless of suitable crossing points. Having regard to the Institute of Highways and Transportation guidelines which suggest maximum walking distance of 2 km to schools, I accept that a daily commute to the schools would potentially be within acceptable distances. However, the IHT also advises 0.8 km for town centres and 1.2 km for elsewhere, supporting my findings that the walk to Seven Stars would be beyond a reasonable maximum, regardless of whether Seven Stars is considered a town centre or elsewhere. Rather it is more likely that residents would be encouraged to use the car. There is no cycle lane in the vicinity of the appeal site that would offer an alternative sustainable option for this journey, and the speed limit along Leyland Lane would disincentivise cycling, despite the existence of cycle infrastructure further afield. In terms of rail travel, the appeal site is too peripheral from the station, at some 4.5 km, to reasonably represent a convenient transport choice without use of the car to reach it, despite the wide availability of services. The bus stop located close to the end of Hollins Lane would offer an option for sustainable transport to larger centres. However, the hourly service is not likely to encourage sustainable transport for shorter journeys such as to Seven Stars, given probable return journey times. Overall, although there are some limited opportunities for sustainable transport, this is insufficient in itself to offer a genuine choice of transport modes. I conclude that the proposed development would not be in a suitable location having regard to accessibility of services, such that there would be conflict with paragraphs 102c, 103 and 108 of the Framework, which require development to reduce car dependency and encourage opportunities for walking, cycling and public transport’*

9.2.10. The Councils Policy team separately assessed the site and the original LDF scoring appraisal and strongly dispute the applicant’s assertions of sustainability.

9.2.11. *Sustainable housing* - Paragraph 77 of the NPPF (2019) states that in rural areas planning should support housing development which reflects local needs, and opportunities to bring forward rural exception sites *‘that provide affordable housing to meet identified local need... some market housing on these sites would help to facilitate this’*. Para78 goes on to say that *‘in rural areas, housing should be located where it will enhance or maintain the vitality of a rural community; especially where this supports local services’* whilst Para 79 states that *‘planning decisions should avoid the development of isolated homes in the*

countryside unless the development would re-use redundant or disused buildings and enhance its immediate setting'

9.2.12. The proposed development does not include, but is not required to offer any affordable housing. It is not an allocated housing site, has not been identified as one which reflects local needs and does not support or enhance the vitality of a rural community. Similarly, it does not re-use existing buildings and in terms of rural development, sustainable transport or access to services is particularly lacking. The scheme however would replace built development which has been approved and remains extant. On balance, and having regard to the comments made by the Planning Inspectorate and the Councils Policy team, and the fact that regardless of amendments to the proposal the location of the site at this time cannot be made more sustainable in proximity terms, the site is considered to be unsustainable and contrary to the NPPF and adopted policy

9.3. Five Year Housing Supply

9.3.1. The NPPF (Para 11) states that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the most important determining policies are out-of-date, granting permission unless application of NPPF policies provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole (tilted balance).

9.3.2. 'Out of date' includes, for housing applications situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with buffer), or where the Housing Delivery Test indicates that the housing delivery was substantially below the housing requirement over the previous three years. Para 213 of the NPPF however is clear that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF, and that due weight should be given to them, according to their degree of consistency with that framework (the closer policies align the greater the weight that may be given).

Having regard to the Councils housing supply calculations, and housing delivery expectations, in terms of the tilted balance Officers are confident that housing delivery in this case affords little weight as using the standard method of calculation the Council can justify a five-year supply of housing land, and as the site in question is not allocated specifically for housing or included in those calculations it is not needed to support that supply need. There is no reasonable justification therefore for approval of this site but it is for members to decide whether the benefits seen from speculative housing development on an unallocated site in an unsustainable location would significantly and demonstrably outweigh the harm caused by that development. NPPF Para 11 which forms the basis of sustainable development should therefore be given considerable weight in the decision-making process, but it is Officers opinion that the harm is not outweighed by the benefits in this case.

9.4. Character and Appearance

9.4.1. The site layout plan demonstrates that 4 dwellings can be accommodated on the site. The question then is whether the development is likely to impact upon the character and appearance of the area by virtue of the urbanising effect it would have on a particularly rural locale.

9.4.2. The Inspectors comments on the earlier but bigger scheme note that '*existing buildings read visually as being related to rural activities associated with the open countryside, and the two other dwellings along Hollins Lane are physically separated from each other by that open countryside. However, the proposed layout and access demonstrate*

a suburban character of development, and the proximity of the proposed detached dwellings to each other would not be in keeping with the wide separation between existing properties. Even though the existing building heights are low, they are still clearly visible from the Hollins Lane public footpath through the intermittent gaps in landscaping. It therefore follows that even single storey dwellings would be more elevated in the landscape than the existing buildings. Overall, the proposal would create a poor contrast with the surrounding rural area... The proposed cul-de-sac layout would result in a more domesticated character and appearance than is currently the case and would appear incongruous and unrelated to the locality. The proposal would have a significant adverse effect on the character and appearance of the surrounding area, contrary to policy G17(a) which states that development should not have a detrimental impact on its surroundings'

9.4.3. Although reduced in number, properties remain two storey and in a cul-de-sac arrangement. Proposed dwellings would replace a number of untidy structures, but these are of a form and height generally expected in a rural area unlike estate style development, and although drawings suggest landscape screening where possible to retain some 'green' to the area the potential of the proposal to be visually incongruous is considered to outweigh any benefits seen to the upgrade of the area.

9.5. Relationship to Neighbouring Properties

9.6.1. Hollins Cottage sits 19m south-east of the access whilst Hollins Farm straddles the lane at around 200m away. Otherwise the site is surrounded on all sides by wide tracts of open land. Although the site is contained and there are unlikely to be any issues from overlooking or loss of privacy to existing residents, there would undoubtedly be an increase in traffic generation on the lane which runs past both properties

9.6.2. LCC have not objected on highways access and parking grounds. Similarly, the Inspectorate was not persuaded that movements from nine dwellings would generate significantly greater noise and disturbance than the fallback position, notwithstanding the proximity of these properties to the road or its status as public or private road. As the scheme has been reduced and as such would generate fewer traffic movements loss of amenity to occupants of adjacent properties is considered limited

9.7. Environmental Protection

9.7.1. Policies G13 (Trees, Woodland & Development) and G16 (Biodiversity/Nature Conservation) both seek to conserve and enhance the natural environment and protect site biodiversity. G13 states that development will not be permitted where it affects trees and woodland, but where loss of non-protected trees is unavoidable suitable mitigation may be offered to mitigate against any harm.

9.7.2. *Trees* – The applicants Tree Survey notes that there are 13 trees, 1 hedgerow and 5 tree groups, on and surrounding the site edges. Of these 4 nos: category C tree groups and 2 no: unclassified tree would be removed to accommodate access along the southern edge. and for tree health reasons. All other trees and hedgerow on site would be retained and protected during development by condition if approved. In light of the Councils Arborists comments however proposed tree works are considered acceptable.

9.7.3. *Site Ecology* – the accompanying site survey considers that the site offers negligible bat roosting or amphibian habitat potential, and that the proposal would not introduce any adverse effect on statutory or non-statutory designations. Reasonable avoidance conditions in line with Section 5 of the applicant's survey have therefore been confirmed as adequate by the Councils ecologist

9.8. Planning Obligations

9.8.1. Community Infrastructure Levy – CIL is payable on any approved property at the current rate of £65x1.427 (subject to annual change) – liability has been assumed. The site is below the threshold for affordable housing and public open space provision

10. Conclusion

10.1. This proposal must be viewed from two perspectives. On the one hand the scheme has been reduced and would re-use an existing, untidy, previously developed site at a low density of 8 dwellings per hectare. Planning permission already exists for development of the site and there has been no objection from the Councils consultees, yet the Inspectorate offered limited weight to either of these points. Proposals however indicate both appropriate screening and landscaping. Although traffic generation is to increase it is not considered to be sufficient to be detrimental to the amenity of neighbouring residents who would also be protected from loss of privacy.

10.2. Conversely the proposal would introduce urban style development which is not consistent with adjacent patterns of development and would not respect the character and appearance of the area. Options for sustainable and public transport are extremely limited, and access to community, retail and education facilities would not be possible without a vehicle or considerable walk; particularly as the first available pavement is in itself 250m from the site entrance. Development in the Green Belt and any potential harm caused to that land designation should also be offered weight in the planning balance, although the sites previously developed status holds considerable weight of its own.

10.3. On balance and having regard to the above commentary, Officers do not consider the proposal to be sustainable development, in a sustainable location within easy access of community and retail facilities. It does not conform to the requirements of Core Strategy Policy 3 which attaches great importance to highways and pedestrian safety and seeks to improve opportunities for sustainable transport.

10.4. In design terms it is not considered that an 'estate' development of large scale properties more likely to be found within an urban environment would respect the open, rural character and appearance of the area, and despite extant permissions and existing development, the proposal would result in an incongruous, stand-alone scheme with little access to existing infrastructure or services, and which would be more visible from outside of the site than the current structures. The applicants own Design and Access statement further highlights this potential for an independent development by stating that one of their aims for the site is '*To deliver a high quality "place" which is sustainable, safe and attractive*'. The site has not been allocated for housing by the South Ribble Local Plan, is not needed to ensure the Councils five-year housing supply and it is felt that the benefits of the proposal do not outweigh the harm caused to the openness of the Green Belt despite its partial exemption by Policy G1(g). For these reasons the proposal is recommended for refusal

10.5. Should Members however feel that the proposal should be approved with conditions, it is recommended that the decision is delegated to the Chairman, Vice Chairman and Director of Planning and Property until successful completion of a S106 legal agreement to secure bus stop improvements and access onto private land from Hollins Lane.

RECOMMENDATION:

Refusal.

REASONS FOR REFUSAL:

1. It has not been demonstrated that a development of 4 dwellings would not be an incongruous addition to the rural location which fails to make a positive contribution to the quality of the environment. In relation to this the proposal has the potential to conflict with and not respect or enhance the established character and appearance of the area. It would therefore be contrary to Policy G17(a) of the South Ribble Local Plan
2. The application site is considered to be in an unsustainable location due to the distance from the nearest shops and services, the absence of nearby public transport and the lack of connection to nearby settlements. Proposed development therefore does not represent sustainable development and does not comply with Chapter 9 (Promoting sustainable transport)- particularly paragraphs 102c, 103, 105 and 108 of the National Planning Policy Framework, Central Lancashire Core Strategy Policy 3 (Travel) and Local Plan Chapter F (Catering for sustainable travel)

RELEVANT POLICY

NPPF National Planning Policy Framework

South Ribble Local Plan

- F1 Car Parking
- G1 Green Belt
- G13 Trees, Woodlands and Development
- G16 Biodiversity and Nature Conservation
- G17 Design Criteria for New Development

Central Lancashire Core Strategy

- 1 Locating Growth
- 4 Housing Delivery
- 5 Housing Density