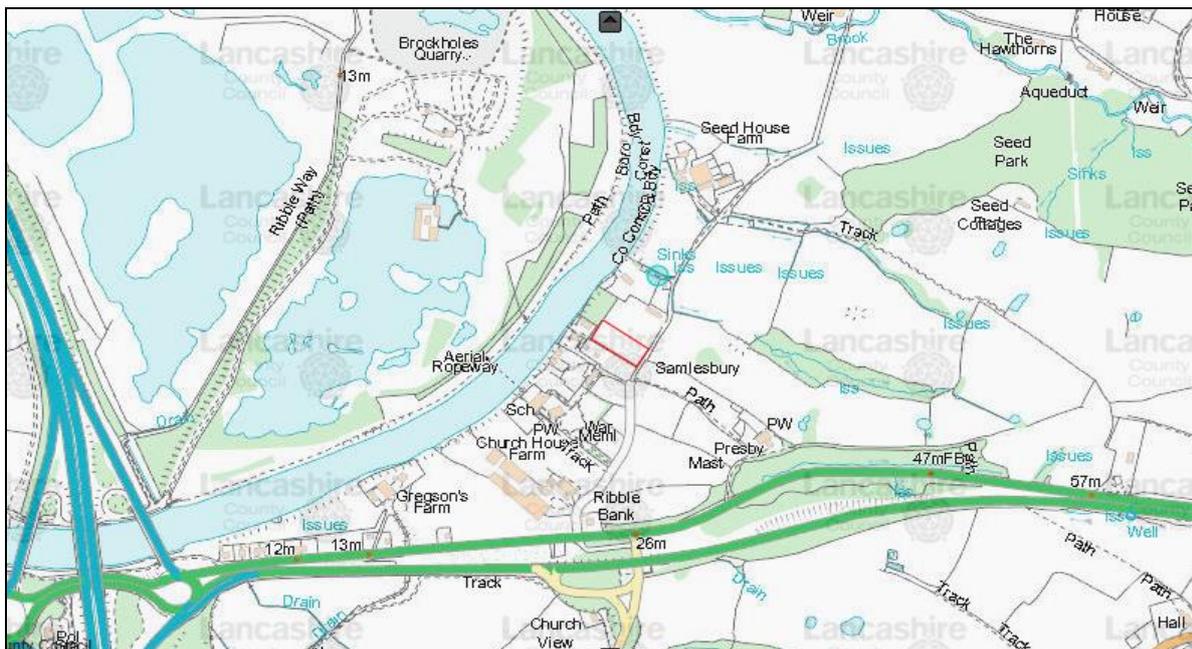


Application Number	07/2020/00549/OUT
Address	Land adjacent to the Oaks Potter Lane Samlesbury Preston Lancashire
Applicant	Mr and Mrs Darbyshire
Agent	The Artistry 16 Winkley Square Preston PR1 3JJ
Development	Erection of two storey plus basement level family eco-home with associated landscaping and sublevel car parking and proposed new access
Officer Recommendation Officer Name	Refusal Mrs Catherine Lewis
Date application valid	08.07.2020
Target Determination Date	02.09.2020
Extension of Time	13.12.2020



1.0 Report Summary

1.1 The application site consists of part of the grassed field area of the property known as The Oaks at Samlesbury. The application seeks full planning permission for a large modern eco dwelling and new access off Potter Lane. The application details include a long a 60m drive way and gabion retaining wall. The site is designated as Green Belt under Policy G1 of the South Ribble Local Plan.

1.2 The applicant considers that the proposal should be classed as infill development as it would be located adjacent to existing dwellings, and as such would constitute one of the exceptions of Green Belt policy.

1.3 A recent appeal decision acknowledges that it may be helpful to consider infill development as being that which fills a gap in an otherwise developed frontage. Whether the site is classed as limited infilling in a village is a matter of planning judgement and it is considered that the application due to its size, scale and location is not infill development. Due to the relationship of the existing properties, the plot does not infill a gap in an otherwise developed frontage. Therefore, the proposal constitutes inappropriate development in the Green Belt contrary to policy G1 of the South Ribble Local Plan and the Framework.

1.4 The proposal would also conflict with one of the purposes of the Green Belt which is to assist in safeguarding the countryside from encroachment. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight is given to any harm to the Green Belt and 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.

1.5 On balance, limited weight can be attached to the construction of an Eco dwelling to accommodate intergenerational family members which does not outweigh the harm that the proposed development would cause. 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. The substantial weight to be given to Green Belt harm is not clearly outweighed by other considerations to demonstrate very special circumstances.

1.6 Although residents have raised concerns about several aspects as set out in the report, no objections are raised by the other statutory consultees. Conditions could be imposed to address aspects of drainage, ecology, trees and construction work should planning permission be granted.

1.7 Therefore, the application is recommended for refusal for the following reasons:

1. The application site is allocated as Green Belt in Policy G1 of the South Ribble Local Plan. The proposed development would be contrary to the Green Belt designation and is not classed as limited infilling in villages. Therefore, the proposal would not meet the exception (e) of paragraph 145 of the NPPF or exception (e) of Policy G1 of the South Ribble Local Plan.
2. The proposal would introduce residential development into an open, green area which would be contrary to Policy 134 of the NPPF which seeks to safeguard the countryside in the Green Belt from encroachment.

2.0 Site and Surrounding Area

2.1 The Oaks, a former converted piggery has a domestic curtilage with an open green area beyond. The application site approximately 3736 square metres relates to part of this large open field area and is located off Potter Lane which is accessed off the A59 Preston New Road.. Within the application site there are trees to the western, southern and eastern boundaries.

2.2 The dwelling known as Westray forms the southern boundary and there is a tract of green space approximately 1m in depth that separates the western boundary from the dwelling known as Waters Edge with the River Ribble beyond. There are other residential properties within this low-density rural area. St. Leonards Church is Grade I Listed and there are some artefacts within the Church Grounds namely a sundial and outside font which are Grade II Listed. Samesbury Church of England is Grade II listed.

2.3 Potter lane is a single-track unclassified road and the application site is within the adopted highway. Beyond this point Potter Lane is privately maintained.

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

3.0 Planning History

3.1 PREAPP/17/0120 was sought for the erection of a detached dwelling to the land of The Oaks.

3.2 The Oaks which is land in the ownership of the applicant has the following planning history.

- 07/20008/0205/FUL-Single storey side extension together with dormer and 2 No solar panels to front. Allowed at appeal.
- 07/2007/1178/FULL Removal of planning conditions Nos 3 and 5 attached to planning permission 07/2002/0902-Appeal allowed
- 07/2006/0485/FUL Installation of roof lights into rear Withdrawn
- 07/2006/0977/FUL Installation of 2 No. dormers to front Approved
- 07/2006/0156/FUL Single storey side extension together with formation of chimney stack Refused
- 07/2004/0971 Retention of circular window into north eastern elevation of garage. Approved
- 07/2004/0045- Amendment to planning permission 07/2002/0902 to include re-location of detached double garage and retention of stable block (Re-submission) Approved
- 07/2003/546/Amendment to Planning Permission 07/2002/0902 to include relocation of detached double garage and retention of stable block. Refused
- 07/2003/0545 Single storey side extension (amended dwelling type). Refused
- 07/2003/0207 Revised proposal to planning permission 07/2002/0902 incorporating amendments to window and door detail including re-location of porch. Approved
- 07/2002/0902 Variation of planning consent 07/2000/0608 to allow continued conversion of former piggery including partial rebuilding and repair works. Approved
- 07/2002/0180. Conversion of former piggery into dwelling house. Single storey side extension. Erection of detached double garage. Withdrawn
- 07/2001/0320 Conversion of piggery into 1 no. dwelling (Amended Scheme) Refused.

- 07/2000/0608 Conversion of piggery into 1 no. dwelling. Erection of detached double garage Approved.

4.0 Proposal

4.1 Planning permission is sought for the erection of a 5/6 bedroomed detached 2 storeys dwelling with a subterranean level. The dwelling has been designed to consist of three masses each containing living spaces and sleeping spaces joined in the centre by a glass link for circulation.

4.2 The dwelling would measure from the ground floor 7.2 metres to ridge height with an eave's height of approximately 5metres. The ground floor would provide for dining, lounge, kitchen, study and open plan infinity pool. The first floor would include five bedrooms and associated ensuites.

4.3 The subterranean level would extend to 2.6metres below ground level to house the four garage spaces, cinema, open plan games room, bedroom and storage.

4.4 Materials would include off white render, larch timber cladding and tecu copper cladding to be used as a feature detailing some of the facades. A sedum green roof and modern aluminium profile sheeting are proposed. Doorways and windows would be triple glazed and a feature screened balcony to one of the gables would be constructed using copper so that views would be framed.

4.5. A long driveway some 60 metres in length would be constructed from Potter Lane to the low-level parking/basement of the dwelling. A fountain feature would be constructed in the turning circle and a pedestrian walkway bridge at ground level would be constructed over the subterranean driveway. A stone gabion retaining wall would be used for the construction of the sloped driveway.

5.0 Summary of Supporting Documents

5.1 The following documents have been submitted to support the application:

- Planning Statement Supporting Statement (Inc. D and A).
- Design and Access Statement
- Tree Report
- Topographical Survey

6.0 Summary of Publicity

6.1 A site notice has been displayed and neighbouring properties notified of the development. Eighteen letters of representation have been received which are summarised below:

Objections (12)

Green Belt

- Contrary to Green Belt Policy as it would impact upon open ness and would cause urban sprawl. The area would be adversely affected and there would be a negative effect on the open ness of the Green Belt due to size, massing and appearance.
- The applicant's statement is confusing and contradictory -there are no very special circumstances to warrant the development.

- Samlesbury is a green lung creeping urbanisation and development on garden areas means this land is lost forever.
- The development is a stand-alone dwelling and not an infill as there is an expanse of land between it and the Oaks

Residential Amenity

- Neighbouring properties would suffer from loss of privacy, noise and light pollution.

Flooding

- Neighbouring properties have been impacted by floods and evacuated in 2015 and 2020 concerns about flooding as the water table is high and the impact of this on the proposed basement.
- The development would cause more localised flooding.

Highways

- Potter name is a single-track private road bridle way and an LCC Safe Cycle. More vehicles would increase Health and Safety Issues, a5/6 bedroomed house would generate a significant increase in traffic movements on Potter Lane.
- The development proposes a new vehicular access on to Potter Lane which would require permission from the Trustees of Booths Charities. In the absence of the Trustees consent to undertake the work the proposed development is not possible.

Ecology

- The site is considered a Nature Conservation Area and is part of the Ribble Environment scheme.

Design

- Not in keeping with the other properties. How can an Eco house with a swimming pool and numerous car parking facilities be classed as sustainable?
- The proposed development is excessive in scale and contrary to CS Policy 17 and G17 of the South Ribble Local Plan.
- The development would cause light pollution

Other Matters

- Historic Significance -Close to the church and archaeological importance due to the Cuerdale Hoard.
- People who are in support of the application have land that they wish to develop.
- Concern that the property which would also be used to run a business could be expanded commercially in the future and cause more traffic on Potter Lane.

Support (6)

Green Belt

- Not out of keeping with the character of the area as there are large houses
- No impact on the Green Belt as this is garden area
- Hedges and Trees would mean that the design would not be visible from Potter Lane
- Lots of people have put forward their garden areas as part of the Call for sites for land to be development- the impact on the Green Belt of one house would be minimal.

Residential Amenity

- The scheme meets the requirements of the Local Plan policies and the residential separation distances.

Design

- Attractive design
- Water's Edge garage has been extended and converted creating two properties on a modest plot. The garage at Westray is used as an office. Other properties have been demolished and larger buildings created in their place adding to the amount of development on Potter Lane. Therefore, this scheme is supported
- Respect the integrity of the planned build for the planned build that would complement the area of Potter Lane which would not be detrimental to the area.

Highways

- Other forms of access could be considered- if the Trustees restrict development.

7.0 Summary of Consultations

United Utilities: Foul water and surface water drainage to be on separate systems. A condition to control the surface water to be drained in the most sustainable way as per national guidance is recommended. A pre commencement condition would be required to control any backwash/discharge caused by the swimming pool. Early discussion with UU are also advised in terms of water supply.

LCC Waste and Minerals Section: Response not received

LCC Highways Have raised no objection, the proposal would have a negligible effect upon highway safety and highway capacity. The required sightlines from the access are fully achievable. A condition to control the traffic during construction is required.

Environmental Health: Comments to be reported.

Environment Agency: Advise that as the proposed development is not within a Flood Risk Area no formal comment is required. It is noted that the nearby cottages do fall within FZ2, so are flagged as having a higher flood risk than the proposed development site. Ultimately, there is no flood risk indicated under current conditions. The applicant may however want to consider that there are two areas of flood zone 2 to the north and south of their proposed site and that the potential for flood risk could increase in the future. It might be wise to have some regard to that when designing the development, particularly as they are proposing to excavate. Tanking the underground section might help to future proof the development but the design is at the applicant's risk based on current flood mapping.

The Council's Tree Officer requests an Arboricultural Impact Assessment (AIA) and method statement as the build appears to be a way from the trees and which are not protected. The AIA should include a tree survey, removal/retention on a TOPO, 2:1 replacement landscaping plan for trees and a tree protection plan. A tree survey has now been submitted and conditions to control the trees before and during construction are recommended.

Ecology Services The River Ribble is designated as a biological heritage site, the designation restricted to the river and riparian strip either side. Brockholes managed by Lancs Wildlife Trust is located on the other side of the river. The development is however separated and screened by trees and another dwelling from the river, therefore direct

impacts are unlikely. An ecological survey is not required for a single dwelling on restricted amenity grassland. Any potential impacts would be resolvable via condition and or informative.

Samlesbury and Cuerdale Parish Council Parish Council: Wish to object as the site is Green Belt and the proposal would set a precedent

8.0 Policy Background

8.1. National Planning Policy Framework (NPPF) known as The Framework

The overarching theme of the Framework is one of presumption in favour of sustainable development and supports sustainable economic development to deliver, amongst other things, homes. Section 13: Protecting Green Belt Land sets out the Governments intentions for the Green Belt and provides policy guidance making it clear that the Government attaches great importance to Green Belts. Paragraphs 143,144 and 145 are particularly relevant.

- Chapter 2: Achieving Sustainable Development states that 'at the heart of the framework is a presumption in favour of sustainable development'. The NPPF supports sustainable economic growth to deliver, amongst other things, homes. Paragraph 11 states "Plans and decisions should apply a presumption in favour of sustainable development".
- Paragraph 11 Application of the Titled Balance -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.
- Chapter 5: Delivering a sufficient supply of homes – a sufficient amount and variety of land to come forward where it is needed. Land with permission should be developed without unnecessary delay. Where major development involving the provision of housing is proposed, decisions should expect at least 10% of the homes to be available for affordable home ownership (as part of the overall affordable housing contribution from the site). Within this context, the size, type and tenure of housing needed for different community groups - including older people, must be taken into account. Chapter 5 also details its requirements for affordable housing provision.
- Planning decisions should ensure that new development can be integrated effectively within existing businesses and community facilities (paragraph 182).
- Chapter 11: Making effective use of land: Decisions should promote effective use of land and there is a specific section about achieving appropriate densities. Within paragraph 123 criterion (c) encourages a range of densities that reflect the accessibility and potential of different areas rather than one broad density.
- Chapter 12: Achieving well-designed places - Paragraph 124 "*Good design is a key aspect of sustainable development*". Developments should add to the overall quality of the area, establish a strong sense of place, optimise the potential of the site, by creating and sustaining an appropriate mix of uses, and create safe, accessible environments which are visually attractive.

- Chapter 13: Protecting the Green Belt
- Chapter 14: Meeting the challenge of climate change, flooding and coastal change - Paragraph 148 makes clear that the transition to a low carbon future in a changing climate should be supported through the planning system. When determining planning applications local planning authorities should ensure that flood risk is not increased elsewhere.

8.2 Central Lancashire Core Strategy

Policy 1: Locating Growth focuses growth and investment on brownfield sites in the main urban areas, whilst protecting the character of suburban areas. Part (f) of this policy relates to smaller villages, which includes Samlesbury, and states *“development will typically be small scale and limited to appropriate infilling, conversion of buildings and proposals to meet local need, unless there are exceptional reasons for larger scale redevelopment schemes”*.

Policy 5: Housing Density seeks to secure housing densities which are in keeping with the local areas and which will have no detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of an area.

Policy 6: Housing Quality seeks to improve the quality of housing by facilitating the greater provision of accessible housing and neighbourhoods and use of higher standards of construction.

Policy 17: Design of New Buildings expects the design and new buildings to take account of the character and appearance of the local area and effectively mirrors Local Plan policy G17.

Policy 19: Areas of Separation and Major Open Space acknowledges the general presumption against inappropriate development in the Green Belt.

Policy 22: Biodiversity and Geodiversity relates to biodiversity and geodiversity and seeks to conserve, protect, enhance and manage the biological and geological assets of an area.

Policy 27: Sustainable Resources and New Development seeks to ensure sustainable resources are incorporated into new development.

Policy 29: Water Management Aims to improve water quality water management and reduce the risk of flooding. New development is encouraged to adopt Sustainable Drainage Systems.

8.3 South Ribble Local Plan July 2015

Policy G1 Green Belt In line with the NPPF has a presumption against inappropriate development.

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 G13: Trees, Woodlands and Development states that development will not be permitted where it affects protected trees and woodland unless justified. Where loss of the same is unavoidable, this policy accepts suitable mitigation.

Policy G16: Biodiversity and Nature Conservation protects, conserves and enhances the natural environment at a level commensurate with the site's importance and the contribution it makes to wider ecological networks.

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

Chapter J: Tackling Climate Change looks to reduce energy use and carbon dioxide emissions in new developments; encouraging the use of renewable energy sources.

Both the Central Lancashire Core Strategy, which was adopted July 2012, and the South Ribble Local Plan (adopted 2015), were adopted post the National Planning Policy Framework 2012 (NPPF) being issued. Both had to demonstrate at examination compliance with the NPPF and are therefore considered to be fully NPPF compliant.

8.4 Supplementary Documents

Central Lancashire Design Guide SPD provides an overview of the design principles that are employed throughout the three Central Lancashire authorities. It draws on key policy and good-practice guidance in order to raise the level and quality of design of new buildings in the built environment.

Central Lancashire Biodiversity and Nature Conservation SPD provides guidance for developers in relation to improving biodiversity of the Central Lancashire area. Its main goal is to ensure that there is no net loss of nature conservation assets and where appropriate there is an improvement in them. It also explains the Council's approach towards conserving, protecting and enhancing biodiversity and ecological networks.

South Ribble Residential Design SPD discusses design in very specific terms. Whilst more attuned to residential extensions this document is also used to assist with the design of new build residential development and with regards to separation with properties beyond the site bounds.

9.0 Assessment of the Scheme

9.1 The main issues include:

- Whether the proposal constitutes inappropriate development in the Green Belt for the purposes of policy G1 of the South Ribble Local Plan 2015 and the National Planning Policy Framework (the Framework);
- The effect on the openness of the Green Belt;
- The effect on the character and appearance of the area
- If inappropriate development whether there are any other considerations which clearly outweigh the potential harm to the Green Belt by way of inappropriate development, and any other harm, so as to amount to the very special circumstance necessary to justify inappropriate development.

9.2 The application site is within the Green Belt as defined on the Policies Map which accompanies the South Ribble Local Plan (2015).

9.3 Policy G1 of the South Ribble Local Plan 2015 (SRLP) and the National Planning Policy Framework (the Framework) identify that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that inappropriate development

is harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings should be regarded as inappropriate in the Green Belt, subject to several exceptions as set out in Policy G1 and paragraph 145 of the Framework. One of these exceptions is limited infilling.

9.4 Paragraph 143 of the Framework makes clear that inappropriate development is by definition harmful to the Green Belt and Paragraph 145 sets out the limited purposes for which the construction of buildings will not be considered inappropriate development in the Green Belt.

9.5 Paragraph 145 of the NPPF states:

A local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. 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 the facilities preserve 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,
- 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 sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would:

-not have a greater impact on the open ness of the Green Belt than the existing development; or

- not cause substantial harm to the open ness 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. not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

9.6 South Ribble Local Plan Policy G1 mirrors this paragraph and for completeness is set out below.

Policy G1:

“As set out in the NPPF, there is a presumption against inappropriate development within the Green Belt. 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.”*

9.7 The applicant has advised that the proposed development is classed as an exception and falls within point (e) of both policies -limited infilling in villages. Whilst there is no definition of ‘village’ in policy terms Samlesbury does have a primary school and a local church. It is accepted that the application site falls within the village of Samlesbury, and therefore point (e) is satisfied.

9.8 No definition of limited infilling is given in either South Ribble Local Plan or in the Framework. The Planning portal provides the following definition “development of relatively small gaps between existing buildings.” In the recent appeal decision at Land at the east of the Cottage and West of Beech Wood Appeal Ref: 3244797 the inspector advised that – it may be helpful to think of infill development as being that which fills a gap in an otherwise developed frontage (paragraph 6). However, the Inspector concludes that the matter has to be assessed in terms of the context of the site’s location and the form of the development proposed. Whether a site is limited infilling is a question of fact and planning judgment having regard to the nature and size of the proposed development, the location of the site and its relationship to existing development adjoining and adjacent to it.

9.9 On plan form it is acknowledged that the proposed location of the dwelling would provide for four detached dwellings in close proximity to each other. Immediately to the southern boundary is Westray a detached property and some 22m away from the southern boundary of the proposed dwelling. On the western boundary there is a strip of land approximately a metre in depth that separates Waters Edge some 30 metres from the proposed dwelling. The Bungalow some 40 metres away is located to the rear of Waters Edge and to the west of Westray.

9.10 In terms of the nature and size of the development these properties are much smaller than the proposed development. Although the curtilage of The Oaks would be adjacent to the application site, the dwelling would be some 60 metres away and limited weight is given to this property being adjacent or adjoining the existing cluster of dwellings. Therefore, the proposed development would not be of a similar size to the adjoining and adjacent development.

9.11 Potter Lane splits with a spur serving a number of properties including Westray, Waters Edge and the Bungalow to the west. Potter Lane also serves other properties to the north and north east including The Oaks and the proposed application site. The access to the proposed development is in a different location than the access to the existing cluster of dwellings. Further, the access details to the proposed dwelling would require a driveway 60 metres in length from Potter Lane. Therefore, the proposed development would not be classed as infill in terms of “that which fills a gap in an otherwise developed frontage” as there would not be a continued residential frontage.

9.12 Having regard to the scale and location of the site it is considered that the proposal would not be limited in filling in the village and would be contrary to Paragraph 145 of the Framework and Policy G1 of the South Ribble Local Plan.

Openness on the Green Belt

9.13 Paragraph 133 of the Framework states that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open: the essential characteristics of Green Belts are their open ness and their permanence.

9.14 The appeal site is enclosed by trees and hedges along the front, rear, and western boundaries. This limits the views in to the site from Potter Lane. The development would require a new access point on Potter Lane and some of the boundary planting would remain. Whilst the dwelling would be larger than a number of buildings in this cluster the height of the new dwelling would be similar. However, the design, size and massing would be significantly larger than the existing dwellings.

9.15 Further, the appeal site currently contains no buildings or structures and provides an important green gap between The Oaks and other sporadic properties to the northeast of the site. The new access point would open up views in to the site and the large dwelling would be visible from Potter Lane. Therefore, there would be a reduction in the open spatial quality of the site and this part of the Green Belt through encroachment which would cause an excessive adverse impact upon the rural character. The visual intrusion resulting from the very presence of a large dwelling would harm the important contribution that the site makes to the openness of the Green Belt in this part of the village. As a consequence, there would be clear harm to the openness of the Green Belt. Thus, the development would be contrary to Policy G1 of SRBC and NPPF paragraph 133.

Character and Appearance

9.16 The site consists of a relatively flat area of green space associated with The Oaks. A number of trees and hedges are located on the east, west and southern boundaries. The plans provide for a large detached property over three floors, but through the design led approach would not have a dissimilar height to the existing properties. The design is contemporary, and the use of materials provides for a strong, visually interesting dwelling. However, the construction of a fountain feature, a pedestrian walkway bridge at ground level to be constructed over the subterranean driveway some 60 metres in length and the stone gabion retaining wall that would be used for the construction of the sloped driveway are features that are considered to have an urbanising effect in a rural setting. Therefore, it is considered that the proposed development would have a significant adverse effect on the character and appearance of the surrounding area contrary to Policy G17 (a) of the SRLP which states that development should not have a detrimental impact on surroundings.

Very Special Circumstances

9.17 The proposal constitutes inappropriate development in the Green Belt contrary to Policy G1 of the South Ribble Local Plan and the Framework. It would also conflict with one of the purposes of the Green Belt which is to assist in safeguarding the countryside from encroachment. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight is given to any harm to the Green Belt and 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. 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 and it is felt that the benefits of the proposal do not outweigh the harm caused to the openness of the Green Belt.

9.18 The applicant has advised that the home goes above and beyond the standards required for Building Control Code for Sustainable Homes (Level 4+) and a fabric first approach to modern methods of construction would be executed. The applicant has advised that the following methods would be considered -Eco concrete, Durisol Block, and

structurally insulated panels or similar. The scheme would minimise energy bills and reduce the impact on the environment. New technologies would be specified as much as possible and could include Solar PV and ground /airsource heat pumps. Environmentally friendly materials as well as prolonged lifespan specifications have been investigated. It is considered that limited weight is attached to the construction of an Eco friendly home of such standard.

9.19 The applicant has advised that the construction of the property would enable more generations of the family to live together and be in close proximity to family members of the Oaks. This would enable other housing to be released for prospective purchasers. NPPF paragraph 143 indicates that inappropriate development is, harmful to the Green Belt and should not be approved except for in very special circumstances. The proposed development would result in harm to the openness of the green belt. NPPF 144 specifies that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal is clearly outweighed by other considerations.

9.20 In undertaking this balancing exercise, it is considered that limited weight is attached to the benefits of generations living together. Other forms of accommodation in terms of a small annex to the main house could be considered. As such these benefits including the use of Eco friendly materials and construction details together with the increase of one dwelling, do not outweigh the significant harm to the Green Belt and therefore very special circumstances do not exist. The development would not comply with national or local policy which seek to protect the Green Belt from inappropriate development.

9.21 It is therefore considered that the proposal is inappropriate development contrary to Paragraph 143 of the Framework. The development would not be classed as limited infilling in villages and as such would be contrary to Paragraph 145 of the Framework and Policy G1 of the South Ribble Local Plan. Limited weight is given to the very special circumstances of an Eco type dwelling and the intergenerational family requirements.

Other matters:

Access and Parking

9.22 The application site proposes a new access from Potter Lane and LCC Highways advised that the sight lines are fully achievable over the applicant's land and the existing highway. A condition controlling the details for the management of the construction traffic would be required. The drawings demonstrate the required car parking arrangements and therefore this aspect can be controlled by condition and meets the aims of Policy F1 of the South Ribble Local Plan.

9.23 A third-party representation and title plan have been received on behalf of the Trustees of Booths Charities which advised that the length of Potter Lane coextensive with the boundary of the Oaks is owned by the charity. Therefore, no works to Potter Lane can take place without the consent of the Charity. As the applicant details require a new access from Potter Lane the applicant has served notice on the owner of this part of the lane and Certificate B which relates to ownership on the planning application form has been submitted. Whether the owner of the land gives access to the applicant is now a legal matter.

Residential Amenity

9.24 Concern has been raised by third parties about the impact of the development upon privacy noise and light. Immediately to the southern boundary is Westray a detached property and some 22m away from the southern elevation of the proposed dwelling. On the

western boundary there is a strip of land approximately a metre in depth that separates Waters Edge some 30 metres from the proposed dwelling. The Bungalow some 40 metres away is located to the rear of Waters Edge and to the west of Westray. The design of the dwelling has been assessed against the Residential Extension SPD and the proposed development meets the separation distances set out in the document which require 21m from any facing habitable rooms.

Water Management and Drainage

9.25 In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

9.26 The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy and the developer should therefore consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

9.27 United Utilities raised no objection provided that conditions are imposed requiring that foul and surface water be drained on separate systems and that a surface water drainage scheme, based on the hierarchy of drainage options in the NPPG with evidence of an assessment of the site conditions be submitted for approval prior to commencement of any development. These aspects could be controlled via a planning condition and would meet the aims of policies 27 and 29 of the Core Strategy.

9.28 Concerns have been raised by third parties about the impact of the development with regard to flooding. The Environment Agency has been consulted and acknowledged that there has been localised flooding but it is beyond their remit to comment formally as the site is within Flood Zone 1 of the current flood maps. The applicant may want to consider tanking the underground section to future proof the development.

Trees

9.29 The applicant is accompanied by a Tree Survey and a Tree Report dated September 2020. Which advised that a total of 137 trees were surveyed. A small section (approx. 15 metres) of the hawthorn hedge would need to be removed to facilitate the new entrance. T85 and T84 located in between the proposed entrance were given a Category A rating and are the principle trees on Potter Lane highly visible both inside and outside of the site. They provide visible interest and are good examples of their species.

9.30 The report advises that all the trees can be retained with appropriate root protection measures. The Council's Arborist confirms this approach and subject to appropriate conditions the details are acceptable and meet the aims of Policy G13 of the South Ribble Local Plan. Conditions to protect birds during the bird breeding season would be required too.

Other matters.

9.31 Representation has been received about ecological issues and that the site is a Nature Conservation Area. The River Ribble is a Biological Heritage site from London Road Bridge Preston in the west to the County in the East. However, the application site does not fall

within this designation. The Council's Ecological consultant has advised that conditions and informatives would address any concerns.

9.32 The applicant has provided appeal decision notices to support the view that this site is an infill plot. Having carefully considered the Decision Notices in the case of APP/T2350/W/16/3164118 in Ribble Valley, this related to a demolition and rebuild with 'dwellings either side of the appeal site'. In terms of APP/P0240/w/18/3196341 Leyton Buzzard this too described the appeal site as one dwelling between existing properties. The location of the proposed dwelling is not considered to be between existing properties within the context of an infill plot as the existing property The Oak is some 60metres away.

Community Infrastructure Levy

9.33 The proposed development would be subject to the Community Infrastructure Levy (CIL).

Conclusion

9.34 The proposed development would form a quadrangle in relation to the existing three properties. However, the access to the dwelling from Potter Lane means the plot does not infill a gap in an otherwise developed frontage. On balance, there would be a reduction in the open spatial quality of the site and this part of the Green Belt through encroachment which would cause an excessive adverse impact upon the rural character.

9.35 The proposal constitutes inappropriate development in the Green Belt contrary to policy G1 of the South Ribble Local Plan and the Framework. It would also conflict with one of the purposes of the Green Belt which is to assist in safeguarding the countryside from encroachment. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight is given to any harm to the Green Belt and 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.

9.36 Limited weight is attached to the design of an eco-type dwelling providing intergenerational accommodation and which does not outweigh the harm that the proposed development would cause. On balance, the substantial weight to be given to Green Belt harm is not clearly outweighed by other considerations to demonstrate very special circumstances. Therefore, the application is recommended for refusal.

10.0 RECOMMENDATION:

10.1 Refusal.

REASONS FOR REFUSAL:

1. The application site is allocated as Green Belt in Policy G1 of the South Ribble Local Plan. The proposed development with a separate access and frontage from Potter Lane would be contrary to the Green Belt designation and is not classed as limited infilling in villages. Therefore, the proposal would not meet the exception (e) of paragraph 145 of the NPPF or exception (e) of Policy G1 of the South Ribble Local Plan

2. The proposal would introduce residential development into an open, green area which would be contrary to Policy 134 of the NPPF which seeks to safeguard the countryside in the Green Belt from encroachment.

RELEVANT POLICY

NPPF National Planning Policy Framework

Central Lancashire Core Strategy

1. Locating Growth (Core Strategy Policy)
- 4 Housing Delivery (Core Strategy Policy)
- 6 Housing Quality (Core Strategy Policy)
- 17 Design of New Buildings (Core Strategy Policy)
- 22 Biodiversity and Geodiversity (Core Strategy Policy)
- 29 Water Management (Core Strategy Policy)

South Ribble Local Plan

- | | |
|---------------|---|
| POLG1 | Green Belt |
| POLG13 | Trees, Woodlands and Development |
| POLG16 | Biodiversity and Nature Conservation |
| POLG17 | Design Criteria for New Development |