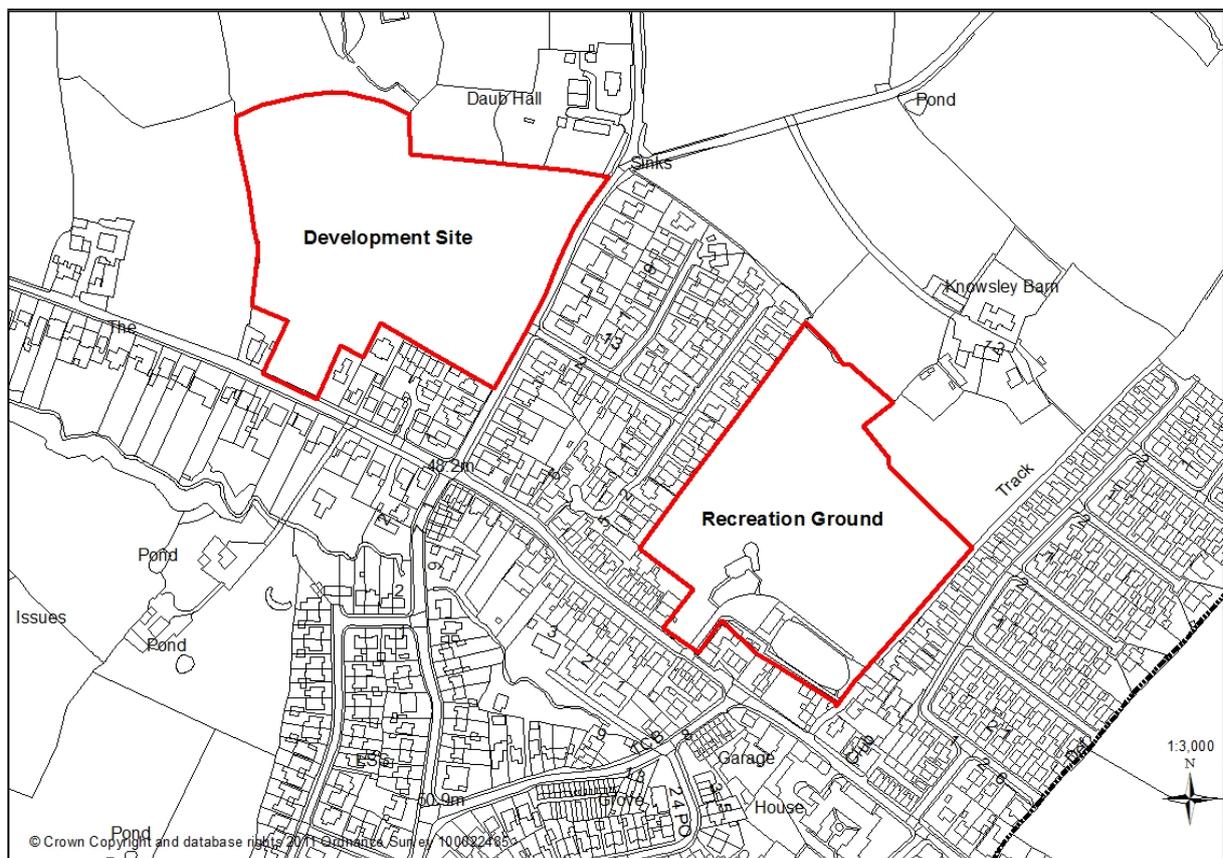


| | |
|----------------------------------|---|
| Application Number | 07/2018/6475/OUT |
| Address | Daub Hall Lane / Gregson Lane Hoghton |
| Applicant | Gregson Green Community Initiative |
| Agent | Mr Alban Cassidy 7 East Cliff Preston PR1 3JE |
| Development | Residential and community development - Erection of 75 dwellings (including 17 affordable units) on land to the west of Daub Hall Lane together with the erection of two storey replacement community centre and associated works following demolition of existing facility at Gregson Lane community centre |
| Officer Recommendation | Refusal. |
| Date application valid | 26.09.2018 |
| Target Determination Date | 26.12.2018 |
| Extension of Time | 14.02.2018 |



1. Report Summary

1.1. The application refers to two areas of land within approximately 300m of each other. On Daub Hall Lane is a 3.8ha piece of agricultural land (Grade 3B) allocated by Policy G4 of the South Ribble Local Plan as Protected Open Land. To the east beyond existing residential development are Gregson Lane Recreation Ground and Community Centre; a similarly sized plot designated by Policy G7 of the Local Plan as Green Infrastructure. The community centre site is Council owned land; the centres Trustees being party to an extended lease agreement.

1.2. The application proposes development which takes two parts. On the Daub Hall Lane site a residential development of 75 properties with ancillary work is proposed, and affordable housing identified which amounts to 23%. Affordable housing in the main forms the frontage of Daub Hall Lane, although some is located within the site. The residential scheme would be enabling development to provide necessary funding to deliver the replacement community centre (second part of the proposal).

1.3. In design, layout, spatial separation and density terms, the residential element of the proposal subject to conditions is considered acceptable. Parking on site was initially substandard but has since been amended and is now also considered appropriate.

1.4. The Daub Hall Lane site however is allocated as Protected Open Land by Policy G4 of the South Ribble Local Plan, the remit of which is to protect areas from development, other than for the purposes of agriculture, uses which are appropriate in a rural area or where development involves the re-use of an existing building. G4 is a restrictive policy which allows for natural breaks between built up areas and settlements, and seeks to retain openness.

1.5. Whilst every application is to be judged on its own merits, members should be mindful that there are only five areas of G4 land within the Borough, and redevelopment of one of these sites could set a precedent to allow development of the others. The proposed residential part of this application does not fall within the exemptions listed in Policy G4 it is not policy compliant, and as such when considered in isolation should be refused. Notwithstanding this protectionist policy, on the basis of affordable housing policy alone, the proposed housing development with reduced affordable provision would not be policy compliant and as again if considered in isolation would also warrant refusal.

1.6. The second part of the proposal is for erection of a new community centre following demolition of the existing building, with the residential part of the proposal acting as enabling development. Parking provision, drainage works and landscaping on this site are also indicated, and appropriate access to the Councils play area is maintained. Playing pitch provision remains unchanged, and having reference to the character and appearance of the area the proposed centres design is considered to be acceptable.

1.7. The existing Community Centre is a small single storey unit which the applicant contests is not fit for either purpose or refurbishment, and community fundraising has been ongoing for some time – the latest reported total amounting to somewhere in the region of £300k. This proposal is a more significant building, with first floor storage facilities and which the applicant states would be available for private hire as well as its usual community function. A comprehensive business plan for the future maintenance and management of the property has also been provided.

1.8. The application as previously submitted (07/2017/4115/FUL) included market housing only at Daub Hall Lane, on the pretext that a contribution of £1.2m made from the residential development would be used to cross fund the community centre element. This application was withdrawn prior to determination. The current proposal is for 58 market homes and 17 affordable units – again with the assumption that this reduction in affordable housing provision would be compensated by the benefits received from construction of an upgraded community facility. This raises two conflicting questions. Should the sum of money offered to the

landowner or towards the community centre be reduced to fund an increase in affordable housing provision to a policy compliant level; particularly as the community centre is not an evidenced policy requirement? Conversely there is an argument that reduction in cross funding if permission is granted for what is effectively enabling housing development would result in such a lack of funding that the community centre could not be completed – this being a central reason for development in the first place. A full discussion with regards to affordable housing requirements is available at Para 8.12 of this report

1.9. The Council is comfortable that it can identify a five year supply of deliverable housing sites.

1.10. Having regard to this issue, the Council's viability assessor (Keppie Massie) has assessed the scheme and offers two calculations for consideration. Although discussed in detail at Para 8.15 of the report, as enabling development KM are of the opinion that a full affordable housing requirement of 35%, in addition to other planning obligations, landowner and developer profit and relevant costs is possible.

1.11. Whilst independent legal opinion confirmed that it is appropriate to consider the proposals in tandem, any approval must still meet the evidenced requirements of adopted policy. The Community Centre despite assertions of community need is not an evidenced Local Plan policy requirement, and is not included on the Community Infrastructure Levy Regulation 123 list of infrastructure requirements for the borough.

1.12. It is not disputed that there are community benefits to be seen from delivery of the community centre, and also potentially from the proposed affordable housing provision, although any decision must balance these issues against the harm caused by loss of protected open land. For ease of reference, a list of matters weighing in favour and against the proposal, and to allow evaluation of the scheme against the statutory development plan has been detailed at Para's 9.3 and 9.4 of this report.

1.13. Very specific comments raised both in support and objecting to the proposal from the Councils statutory consultees are noted at Paragraph 7 below. Similarly representation made by members of the public is summarised at Paragraph 6.

1.14. Members should afford varying degrees of weight to the material points for and against the proposals contained within this report. The proposed replacement community centre, if delivered, would bring benefits to a proportion of the local community. The development of an open field designated by Policy G4 (Protected Open Land) would clearly be contrary to the plans requirements and would have a detrimental impact on the character, appearance and openness of the Protected Open Land. Furthermore the proposal also fails to meet the policy ask in terms of affordable housing provision which is contrary to Core Strategy Policy 7.

1.15. Whilst the matter is finely balanced, having regard to the development plan and all material considerations officers are of the opinion that the harm caused by the proposal outweighs the benefits it will deliver, and accordingly the application is recommended for refusal for the following reasons:

2. Application Site and Surrounding Area

2.1. Gregson Lane is a fairly linear, predominantly residential area, dissected by the crossroad of Gregson, Bank Head and Daub Hall Lanes; the settlement being well contained by deep tracts of open land. To the west and south is Bamber Bridge, in the east beyond the borough boundary with Chorley (160m) is the eastern part of Hoghton, and to the north is Coupe Green. Gregson Lane includes properties of a wide variety of style and age, with small areas of dense residential development. It also has a small local retail centre – a scattering of units abutting, and within 100m of the community centre site.

2.2. The application itself refers to two portions of land; namely

2.3. *Proposed Residential Development Site* – This roughly ‘L’ shaped, 3.8ha piece of Grade 3 agricultural land (arable) lies to the north of, and is accessed from both Gregson and Daub Hall Lanes. The north-eastern corner of the site sits at the junction of Daub Hall and Bells Lanes.

2.4. To the west of the Gregson Lane access is a pair of Victorian Villas (no’s 189 and 191), beyond which is a tract of Green Belt land, whilst to the east and running along the southern site edge are residential properties 205-209 (odds) Gregson Lane, and Conway Court.

2.5. Facing along the eastern boundary are dwellings addressed onto Daub Hall Lane with housing behind. A similar situation exists along the southern boundary with no’s 240-246 Gregson Lane which directly face the Gregson Lane access at a slightly lower land level, although these back partially onto open space. In the north east is a small complex of new and converted farm dwellings separated by deep tracts of Green Belt land.

2.6. The site is bound on all sides by mature hedgerow and trees, and to the front of the proposed access (central to Daub Hall Lane) are two telegraph poles which would need to be relocated. Pavement is not present along the Daub Hall Lane site frontage, but does run along the Gregson Lane edge.

2.7. *Community Centre Site* – A rectangular area of approximately 3.4ha to the north of Gregson Lane and east of the Daub Hall Lane site. This area is bound on the northern, eastern and partially on the western side by mature trees and hedgerow, and has a watercourse which runs along the northern site edge. Between this site and the proposed residential site is residential development; similar is present along this sites eastern side, facing in the south and astride the main access. To the north are Knowsley Barn and Farm which sit within large areas of open, agricultural land.

2.8. The south-western section houses a community centre, car parking and a children’s play area; the site being subject to a long term lease between South Ribble Council and the Gregson Green charity. A number of detached storage units sit between the centre and the access, as does a bus stop. The site however is dominated by sports playing fields. Public Right of Way 7337/FP121 runs the entire eastern length of the site.

2.9. Notwithstanding the above, there are also four buildings included on the Historic England list of heritage assets which should be given consideration. Cooper House Farm and barn are structures 90m to the west of the proposed residential site, whilst Blackbrook Hall – a large property with parterre gardens, sits at a similar distance from the northern site boundary; the gardens to Blackbrook form the common boundary to the site. Both properties are Grade II listed and date from the C18th. Immediately abutting the south-eastern corner of the community centre site is Arrowsmith House – one of only 9 Grade II* listed structures in South Ribble, and dating from the C16th.

2.10. The proposed residential site is designated as Protected Open Land by Policy G4 of the South Ribble Local Plan. Policy G7 of the same document allocates the community centre site as existing green infrastructure.

3. Site Context / Planning History

3.1. *Proposed Residential Development Site* - The site of the proposed residential development on Daub Hall Lane had been allocated as Local Needs in Villages (Policy D9) of the Local Plan 2000. It was also initially allocated in the draft Local Plan for Village Development needs under Policy B2 - a policy which supports certain types of development depending on the particular needs of a village

3.2. Prior to the Preferred Options Stage of Local Plan adoption, briefings were carried out with all Councillors, with the Daub Hall Lane site still being proposed for Local Needs in Villages development. Following representations from both residents and local ward members, extensive consultation and advertisement of the proposals for the Borough, the allocation was changed to G4 – Protected Open Land (a development restrictive policy).

3.3. The site appraisal identified the site as being '*situated on the edge of the settlement of Gregson Lane, and not well located in terms of access to local services. It does not score particularly well in the sustainability appraisal*'.

3.4. There is no other planning history for the Daub Hall Lane site, which has historically been in agricultural use.

3.5. *Community Centre Site* – With regards to the Gregson Lane site, there are 4 applications which pre-date 1985 and are not relevant to this proposal. Permission was also granted in 2013 (07/2013/0168/FUL) for erection of 6 metre high protective netting surrounding the playing field.

3.6. In May 2018, an application for a similar scheme was withdrawn to allow the applicant to re-consider the proposal, and respond to late information.

4. **Proposal**

4.1. The application takes two parts to be considered as one. Permission is sought for erection of 75 dwellings (including 17 affordable units) on land to the west of Daub Hall Lane. The application also seeks permission for erection of a two storey, replacement community centre and associated works, following demolition of the existing centre on land approximately 300m to the east of the Daub Hall Land site access.

4.2. *Community Centre* - The existing centre is a single storey building in full use, but which requires refurbishment. Upgrade of the building has been considered, but the applicant suggests this is not a viable option and the decision has been made to rebuild on the same site; offering the opportunity to upgrade and extend facilities in line with modern needs. Fundraising is ongoing, but has not been successful enough to finance the entire project – an estimated £300k has been reportedly raised to date . As such the applicant, who feels that '*the centre is central to the application due to the great benefits it will bring to the community and local area*' (Para 3.3 Design & Access Statement) proposes enabling residential development to fund the shortfall. £1.2m would thereafter be allocated from this residential development to pay for the proposed community centre.

4.3. The new centre would sit 39m from the existing access, to the west of the play area, but orientated at an angle with the front elevation facing the access from Gregson Lane; currently the side elevation runs parallel with the main highway but is screened by storage containers and neighbouring properties. It would be 15m from the closest property on Gregson Lane, and approximately 65m from Arrowsmith House and properties along Arrowsmith Drive. Properties present along the western site edge would be 55m away and separated by playing fields.

4.4. The centre would be 39m wide, 26m deep and would have connecting gabled sections to both front and rear central elevations. Its roof would measure a maximum of between 8m (main roof) and 9m (gable), with eaves to 3.7m. The existing facility amounts to 187m² whilst the proposed would be in the region of 457m² floor area. A number of storage containers – one of which does not have planning consent, are also present on the site and would be

removed; a condition to this effect within 3 months of completion of the centre is felt prudent if permission is granted.

4.5. Internally the unit would accommodate a main hall, smaller meeting rooms, kitchen, WC and disabled facilities, and a small store room on the second floor. It would be constructed using a palette of red brick, with blue-grey cladding decorative sections, cement roof tiles, white windows, fascia and rainwater goods and an oak effect main entrance door.

4.6. 40 parking spaces have been identified (of which 7 would be mobility access) between the play area and adjacent property, and straddling the access way. Currently there are a similar number of spaces in roughly the same location. An underground, surface water attenuation tank to the front of the property measuring 5m x 8m would also be installed.

4.7. *Proposed Residential Development* – Full planning permission is sought for erection of 75 dwellings with associated works and landscaping. It is suggested that this part of the development is necessary to allow cross-funding of the replacement Community Centre.

4.8. Field access into the site is currently from both Gregson and Daub Hall Lanes, but the proposal introduces a new main access, from the sites centre off Daub Hall Lane. Hedgerow to the Daub Hall Lane frontage would be removed, but replaced with both indigenous trees and substantial native hedging as detailed in landscaping plans P931.17.03 Rev D (Ascerta). Pavement would also be included for the length of the site frontage. Additional boundary planting and landscaping throughout the site is proposed, and an area of public open space with sustainable drainage provision identified to the east of the site. A pair of 2m high entrance pillars would sit astride the main access - set back from the highway by 7m, and a field gate proposed into the northern boundary allowing access from land owned by the applicant into proposed public open space. A foul pumping station would be located in the south-eastern corner to the rear of no's 189 & 191 Gregson Lane. Four properties (Plots 72-75) would also be accessed directly off Gregson Lane

4.9. With regards to proposed housing, the site would comprise 75 dwellings, of which 17 would be affordable two and three bedroomed dwellings – 8 affordable rental and 9 shared ownership properties. Four of the affordable units would be semi-detached bungalows and four are semi-detached, two storey dwellings. Shared ownership properties comprise 2 no: detached bungalows and 7 no: detached two storey properties. Market housing on site would comprise 3 and 4 bedroomed, detached two storey properties, either with integral or detached garages. Proposed parking provision on site has been assessed by LCC Highways and is considered acceptable.

4.10. The proposal includes 15 house types; traditionally styled, but modern properties constructed in a mix of rustic red facing brick, with soldier course detail, chalk white render and stone window/door heads and cills. Ridge heights would vary between 7.6m and 8.2m for two storey properties and 5.5m – 6.2m for bungalows. All dwellings would have black garage and entrance doors, and rainwater goods, white windows, fascias & soffits Brantwood, Leighton and Belgrave house types include black Tudor style boarding with chalk white render pediments. Design differs between house types, but each complements the others; incorporating features such as gabled front sections, bays and other decorative elements across the range. A specific materials palette has also been supplied

4.11. The proposed site layout indicates five main blocks of development; each including sections of 1.8m decorative screen wall. 1.8m and 0.9m timber fencing would denote property boundaries and 0.5m 'knee rail' fence installed to the front (western side) of the proposed public open space. In the main properties along the Daub Hall Lane frontage are bungalows facing existing bungalow properties.

4.12. Density proposed is approximately 20 dwellings per hectare (dph); much reduced in comparison with other recent planning applications such as Olive Farm, Bellway Brindle Road and Persimmon Brindle Road which averaged at 29.5 dph, 30dph and 27dph respectively.

5. Summary of Supporting Documents

5.1. The application has been assessed against the following:

- Agricultural Land Classification Report (Cassidy Ashton: June 2018)
- Arboricultural Impact Assessment (Ascerta: Dec 17 Rev A, plan P931/01B and 931.17.02 Rev C)
- Bat Survey (Bowland Ecology: BOW017-843 Sept 2017)
- Bird box provision detail/plan: Envirotech Ref 4257 (letter 15.11.18 Jon Gould/Andrew Gardener).
- Construction Management Plan (Rowland: 10.8.18 Rev A)
- Cycle Store Detail (Apex)
- Design & Access Statement (Cassidy Ashton: Sept 18)
- Ecological Appraisal (Envirotech 4257: Dec 2017)
- Employment Skills Statement (Rowland: February 2018)
- Flood Risk Assessment & Drainage Strategy (Ironsides Farrar 30296/SRB: October 2017)
- Location Plan (Cassidy Ashton: 8046/LO2 Rev P1)
- Resubmission Planning Statement (Cassidy Ashton)
- Sustainable Drainage Calculations (EPG 8857: 21.5.18)
- Utilities Statement (Rowland: 10.8.18)
- Viability Assessment (Cushman & Wakefield 170VD600: Dec 17, addendum Sept 17 and Executive Summary October 18)

Drawings: Residential Development

- Fencing Layout (Rowland R091/4)
- Landscape Schedule (Ascerta: P931.17.03 Rev D)
- Land classification drawing (Cassidy Ashton: P16/2)
- Materials Schedule (Rowland R091/3)
- Planning Layout (Rowland R091/1 Rev E)
- Planting Plan (Ascerta P931.17.03 Rev D)
- Post and Rail Fence/Wall Details (Rowland SD.177, SD.1 Rev A, SD.46 Rev A, SD.21, SD.23)
- Proposed Development & Drainage Layout (Ironsides Farrar: 30296/App H Rev D)
- Site Sections Sheet 1 (Rowland R091-6)
- Site Sections Sheet 2 (Rowland: R091-7)
- Soil Survey Plan (Cassidy Ashton P16/1)
- House Type Drawings (Rowland)
 - HT169/P/205 & 206 (Aroncroft)
 - HT146/P/116 (Belgrave)
 - HT147/P/112-12 & 110-11 (Bonington)
 - HT194/P/11 (Bowes)
 - HT167/P/103-1 (Brantwood (bay))
 - HT105A/P/118 (Burlington (affordable))
 - HT166/P/115 (Charleston)
 - HT172/P/1 (Emmott)
 - HT139/P/117, 114-3, 115 & 116 (Hatton)
 - HT/173/P/1 (Heskin)
 - HT162/P/115 (Holbrook)
 - HT171/P/1 (Leighton)
 - HT107/P/114 & 110 (Marlborough)

- HT130/P/114 & 110 (Reynold)
- HT132/P/114 (Victoria)
- P/DG/1 (Double detached garage)
- P/SG/1 (Single detached garage)

Drawings: Community Centre

- Foul & Surface Water Drainage/Schematic Layout (Sleater Watson 217/0053/001 Rev P3)
- Location Plan Cassidy Ashton L01 Rev P1)
- Proposed Elevations (Cassidy Ashton SK20 Rev P1)
- Proposed Floor Plan (Cassidy Ashton SK17 Rev P1)
- Proposed Site Plans (Cassidy Ashton SK18/A and SK19/A)
- Proposed Bike Shelter (Cassidy Ashton LO1 Rev A)
- Proposed Bin Store (Cassidy Ashton LO1 Rev A)

6. Representations

6.1. Summary of Publicity

6.1.□.1. Eight site notices and a newspaper advertisement have been posted, and 605 neighbouring properties consulted. Ward Councillors Bennett and Marsh have also been notified.

6.1.□.2. Community consultation was undertaken by the applicant prior to submission of both this, and previous applications as follows:

- Engagement with Council officers, residents and Councillors between July and September 2017
- Questionnaire to approximately 2500 local households to which 399 responses were made. The applicant advises that 289 of these agreed that the community centre was needed, and that the enabling residential development should go ahead to fund, but copies of these responses – either for or against the development - have not been provided to this Council.
- Gala event and 2 days of public consultation in September 2017 to which ‘*several hundred people attended*’ (applicant’s planning statement)

6.2. Letters of Representation

6.2.□.1. At the time of writing this report 305 respondents have objected to the proposal whilst 79 support the scheme and one offers comments neither for, nor against the proposal. Late representation will be reported verbally at Planning Committee

6.2.2. One respondent requests that a petition launched on the Governments ‘change.org’ website in objection to the proposal is taken into account. A check of this site however finds two petitions – ‘*Supporting Gregson Green*’ which at the 6th December 2018 had 237 supporters of development, and ‘*Keep Gregson Green*’ in opposition which had 1104 petitioners.

6.2.3. 723 people have also responded to a letter circulated by the Keep Gregson Green group which asked ‘*do you think that a housing estate should be built in the Daub Hall/Gregson Lane area of the village*’. For practicality purposes a single copy of the letter and petition in objection have been uploaded onto the public access system. Your Officer can confirm however that objection letters do exist, are independently signed and identical. The content of these letters has been included in the summary below. Copies of responses in support of the question asked by Keep Gregson Green however have not been provided.

6.2.4. It must be assumed that many of the respondents both for and against the proposal are party to more than one of the above documents.

In Opposition

Character and Amenity of the Area

- The residential site acts as a green buffer to avoid urbanisation of the area, and separate neighbouring settlements
- Loss of character should residential development be approved
- Residents want their village to remain a village, with facilities to suit a small settlement

Impact upon Neighbouring Properties

- General disruption during construction
- Loss of privacy and light to residents of Conway Court
- Impact of proposed pumping station on residents (noise, smell and vibration)
- Issues of security around site boundaries
- Impact upon the four listed buildings in the immediate vicinity

Traffic/Highways Impact

- Areas around Gregson Lane, Four Lane Ends (Bank Head/Daub Hall and Gregson Lane junction), the Hospital Inn junction and near the two schools are already congested and would be worsened by the proposed development/s
- Excessive traffic generation within a small village resulting in reduced highways and pedestrian safety - roads in the area are narrow 'lanes' not wide roads and cannot cope with additional traffic
- Parking problems in the village would be exacerbated
- Residential development access onto Daub Hall Lane is not fit for purpose
- Bells Lane (top end of Daub Hall Lane) is already a rat run. Similarly Gregson Lane is a shortcut to Coupe Green – both would get worse because of increased traffic

Proposed Community Centre

- Community centre is not a policy requirement, but is a private and voluntary agreement which shouldn't be used as a viability device.
- Respondent questions legality of cross funding arrangements and ability to ensure community centre is built once permission for housing is in place
- Proposed centre is disproportionate to the needs of a village – a smaller one as originally promised would be more than adequate; particularly as most of the charity reserves come from 3 annual outdoor events.
- £300k has already been raised by the community, and is more than enough to replace the existing community centre without redevelopment of Daub Hall Lane. Any additional money should support community initiatives not fund a commercial venture
- There are already a number of venues in the area – why is another one needed which will disrupt the village (additional cars, noise, movement etc.)?
- Financial and other associated risk without evidence of need for the centre or a viable business plan – rebuild costs alone would be more than current revenue, and if the community centre fails rate payers will be expected to pick up the cost
- Who will fund, manage and maintain the centre if developed – the existing centre and its extended site are untidy and badly maintained. Why should the new one be any different?
- Only 2% of the community use the existing centre; respondent quotes 100 users out of a population of 3500. Other respondents cite cricketers as the only beneficiary
- South Ribble Borough Council promised a new community centre in 2010. £30k committed by SRBC in 2013 should be used towards centre rather than profits from residential development – this funding has not been drawn down.
- If centre is to be used as suggested, where will additional users of the facility park?
- Noise issues related to increased use of the centre
- Loss of business to adjacent café if community centre offers the same service
- Flooding issues when trees and protective bund are removed have not been addressed

- A centre of this nature cannot be run by volunteers
- Respondent questions why an assessment of the proposed community centre build costs has not been undertaken.
- Lack of clarity re: funding, delivery and future maintenance of community centre
- *'Off the shelf design looks like an urban doctors surgery'*

Officer Comment: Many of the objectors do not object to redevelopment of the community centre per se, but do object to the development at the expense of Daub Hall Lane

Proposed Residential Development

- Village needs more bungalows and terraced properties – why are all bungalows allocated for affordable housing not general sale?
- The proposal is a *'moneymaking scheme disguised as a philanthropic gesture'*
- Why can brownfield sites in the area not be used instead?
- If approved, what would stop the developer from re-applying for a denser, more profitable site?
- Housing development is not driven by, and does not evidence need for homes in the area, especially when considering the Councils 5.1 year housing supply
- Development wanted only by a *'small faction foisting housing on the community to achieve their own ends'*
- Sufficient housebuilding / existing housing already in the area - there are already lots for sale in this price range
- Oversized, unacceptable urbanisation of protected land
- Affordable housing percentage proposed is not policy compliant, and does not suggest balanced community - community centre is proposed at the expense of affordable housing
- *'Being labelled affordable doesn't always mean it is affordable'* – registered providers should be expected to let affordable properties at much less than the maximum 80% to maintain local affordability
- Owners of accommodation for elderly (Conway Court) bought their homes and were promised that the land was Green belt and would not be developed. The site is not, and has never been Green Belt land
- Resident of Conway Court notes that she moved to the area for a peaceful retirement, not to be surrounded by *'families, kids and pets'*
- *'If there are to be more affordable homes then crime will increase so policing needs to be increased also'*
- Inappropriate link to community centre to satisfy planning policy issues/deficiency
- Flooding issues associated with western area of site have not been addressed – site is clay and attenuation facility won't work
- *'Elected representatives have already established that this site must be protected, and that there will be a presumption against development'*
- Why is this site so exceptional that it warrants a reduction of affordable housing denied to any other development scheme?
- Development is not sustainable in terms of access
- Proposals don't reflect Office for National Statistics housing supply projections
- Entry level exception sites should not exceed 1ha in size or 5% of the existing settlement

Land Allocation

- The residential site is allocated in the local plan as Protected Open Land by Policy G4 – this development must be determined in line with the Local Plan, and would therefore not be policy compliant. Seven respondents who objected on these grounds live in close proximity to G4 land in Longton, New Longton and Penwortham
- Residential site is allocated as Grade 3A agricultural land and should be protected as such – see *discussion at Para 7.1*

- Housing Land Position Statement of March 2018 states that *'it is unnecessary to release any green belt or safeguarded land at this point in time'* – the site is neither Green Belt nor safeguarded (to which Policies G1 and G3 refer) but does benefit from protected status
- *'Why trade in protected land to satisfy a minority'*
- Respondent refers to High Court case (*Boot v Elmbridge*) which concludes that *'development cannot preserve openness'*

Infrastructure & Landscaping

- Inadequate infrastructure to accommodate the residential development – drainage, utilities, road surfaces etc.
- Lack of school places in the area yet no mention of a new school - see Para 7.10 re schools provision
- Insufficient access to doctors and dentists
- Public transport in the area has recently been reduced, is inadequate for a small village and will not be able to cope with such a large population increase

Environmental Impact

- Air and noise pollution resulting from additional vehicles in a fairly enclosed area
- Loss of environmental biodiversity and habitat – *respondents mention various species seen within the site*
- Ecology report is more than 12 months old and should be revisited – *environmental reports are considered valid for up to two years.*
- Proposal does not benefit from Flood Risk Assessment – *a FRA was supplied with the original application and has been assessed accordingly*
- Impact upon the potential of the Minerals Safeguarding Areas (50m north west of development site and 200m south-east of the community centre site)
- Light pollution and loss of 'dark skies'
- Inadequate drainage, SUDS and flood information
- No Environmental Impact Assessment or renewable energy statement
- So many trees planted together is *'a liability'*

Pre-Application Consultation

- Pre-application consultation process was based upon unrealistic questions and is flawed. It was not extensive and the summary as compiled by the applicant is biased
- Only one option was available for consultation and bears no resemblance to the community centre offered
- Centre has been designed by users of the site and none residents – non-user residents only told at the latest stages about the development, and have not been privy to funding arrangement details
- Consultation sessions were on the same time on two consecutive days – not good enough to obtain a balanced response.
- Feedback forms were not available at the sessions, and a summary of all responses has not been provided

Miscellaneous/Other

- There is no relationship between the community centre and residential developments. The centre constitutes a bribe, and Councillors approving the permission are both *'guilty of criminal activity'* and *'committing political suicide'*.
- Allowing cross funding in this way will 'weaponise' other charities in the future for planning gain.
- The cumulative impact of this development with ones at Brindle Road and Olive Farm will *'devastate the village and surrounding highways'*

- Both this and the previous application prove overwhelming community objection to the proposal. Support has been significantly overstated with over two thirds of the community objecting to development. Those in support don't live in the village
- Councils legal opinion is only advisory and not legally binding
- With the '*uncertainty of Brexit and climate change we should protect land as a resource*'
- 12% volume increase in a village this size is unacceptable
- If CIL and POS contributions are payable will the community have a say in how they are spent? – CIL and S106 regulations detail specifically what can be asked for and how funds can be spent. Monies raised are not in the gift of the local community, but must be fairly related to the development and immediate area
- '*Why has the applicant not responded to statutory consultee comments from the previous application*'
- Community need should be evidenced not subjective and it is '*dangerous to overturn policy on these grounds*'
- The legal authority to demolish the community centre needs 75% community agreement. At the current time consent is unlikely to be given – will this result in only housing being developed?
- If the applicant has been allowed time to consider changes to the scheme, why have the community not been offered the same courtesy? – notwithstanding the full round of lawful public consultation, any representation at least until the date of agenda closure (10 weeks) has been accepted and accounted for. Any late representation will be reported verbally at committee. Residents are contacted again only where amendments are so significant that they constitute material changes.
- Respondent asks why a number of supporting documents have not been supplied – all mentioned were made available from receipt of the application, and have been assessed accordingly.
- A number of concerns have been raised with regards to the legality of any potential S106 agreements. These have been addressed by the Councils lawyers and are detailed separately.
- A site specific sustainability appraisal has not been supplied – respondent supplies one for information
- Unclear relationship between the Gregson Green charity/trustees and Willowgrove Developments
- Potential for damage to other properties during construction, site clearance and de-watering of land
- Unacceptable risks being taken with community funds

- One respondent also suggests that the validation and determination of the application is unlawful, and provides case law and Trust Deeds to confirm this stance. Legal opinion has been taken, and the issue raised is not a material planning consideration. Any breach (or not) of the provisions of a Trust Deed is of no relevance to any decision made by this Council.

In Support

Impact upon Neighbouring Properties

- Increased amenity value following replacement of derelict building (community centre)

Land Use

- Arguments regarding loss of agricultural land are irrelevant – this field hasn't been in agricultural use for many years and is not needed now that all farm buildings have been converted to luxury dwellings

Miscellaneous/Other

- Economic and employment benefits to local residents and businesses
- Objectors are '*arrogant in assuming everyone is against the build*'
- The benefits of the development outweigh the negatives

Proposed Community Centre

- The proposed centre is a '*great chance to support and help develop young cricketers*'. Several supporters reference the need for additional sports facilities
- If not approved all users of the facility will suffer
- £300k is not as useful as £1.2m with £300k on top
- There are no other fully accessible function/community spaces in the village
- Relocation of the centre would allow for open views – and as a result increased security – to the children's play area
- Respondent '*applauds legacy donation*'

Proposed Residential Development

- Affordable housing is needed in the area for younger people, and those on lower incomes
- Housing of all types needed for young families as Gregson Lane has become a '*stagnant village of old people*'
- Residential development will encourage more professional people to move to the village
- Development is much lower density than other large scale housebuilders and is to be applauded
- The site is a screened, flat piece of land with no community access or benefit
- Why is Gregson Lane too good for houses when other areas are required to develop?
- The site was previously designated for housing development – what has changed?
- Development is small enough to be in keeping with the rural area
- Chronic need for housing in the area
- Sympathetic residential design with generous gardens

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

- Accusation of '*backhanders*' to allow this development to happen
- Respondent requests that grant/lottery funding is explored
- Community centre fundraising has been '*quashed by greedy committee members*' to highlight need for residential development
- If housing is needed then extend Buckshaw Village. Separate respondent suggests using the Ikea site at Cuerden for residential development
- The application is dividing a community
- Unrelated comments with regards to Bamber Bridge regeneration
- Development will devalue property – property prices are not a planning consideration
- Respondent references Catterall Parish Councils funding arrangements
- Suggestion that a local builder has offered to build a community centre for £400k

6.3. Town/Parish Council Response

6.4. Houghton Parish Council whose remit is the eastern end of the village was offered the chance to comment, but has not responded.

7. Summary of Responses

7.1. **The Councils Agricultural Advisor (ADAS)** has made a full assessment of the residential development site and whilst there are a number of anomalies identified within the applicants land classification report, ADAS agrees that because of the fields make up and

limited drainage capability, it is in fact categorised as Grade 3B agricultural land, not Grade 3A (Best and most versatile) with policy protection as originally thought.

7.2. South Ribble's Arborist's comments take two parts:

- *Community Centre* - no objection to removal of trees given new planting proposed. Tree protection measures are required for remaining trees – in particular the Beech Tree located to the east of car parking space no: 10 (community centre).
- *Daub Hall Lane Site* – following initial comments, proposed landscaping and planting schedules have been amended to increase tree planting along the western site boundary, and to substitute pine trees within individual plots with a suitable fastigate variety. The Councils Arborist is now comfortable with proposed landscaping, but requests that tree protection is erected around all trees to be retained, and permission into root protection areas agreed in writing prior to entry. Conditions to require pre-application detail of tree type and protection is considered necessary should permission be granted.

7.3. Campaign Protection Rural England's reiterates its earlier objection to loss of quality agricultural land, lack of affordable housing (which was at that time a zero offer) and non-compliance with policy

7.4. The Councils Ecology Consultant has assessed the applicants ecology studies as follows:

- *Residential Site* – this site has limited ecological value, and there is no reason to refuse the development on ecological grounds. A number of trees may be viable for bat roosting, and a condition is recommended should tree lopping or pruning be necessary. A condition is also necessary to prevent loss of trees identified for retention. Changes to originally proposed landscaping plans now deal with mitigatory ecological planting and are considered appropriate. Bird boxes to be installed throughout the site have been detailed since the ecologist's response and a condition to require installation prior to first occupation would suffice.
- *Community Centre Site* – Accompanying bat surveys and subsequent dawn to dusk survey finds that this site has a moderate potential for bat roost, but that during survey no bats were recorded as roosting. If demolition has not occurred by March 2019, then an updated survey including 2 activity surveys (May to August inclusive only) should be undertaken – a condition to that effect would be imposed if permission is granted A precautionary nesting bird condition is also recommended.

7.5. Economic Development confirm that the Employment Skills Assessment meets the Councils requirements, but that a little more detail is required. At this stage developer contracts have not been awarded, and as such this detail is unavailable. A condition to require pre-commencement submission once contracts are finalised is therefore appropriate.

7.6. Environment Agency has no objections

7.7. Environmental Health request conditions are imposed with regards to dust suppression and wheel washing, hours of construction and operation, contaminated land, importation of material, electric vehicle recharge points, cycle storage and noise relating to the community centre. They also request a travel plan, but as traffic assessments have already been made and assessed by the Highways Authority, this is not felt necessary. Similarly dust suppression and wheel washing are detailed in the accompanying Construction Management Plan.

7.8. **Historic England** did not wish to offer comments with regards to impact upon designated heritage assets, but suggest that the views of the Councils own conservation advisor is sought.

7.9. **Lancashire Constabulary** – Para 8 of the applicants Resubmission Planning Statement notes that crime in this semi-rural area is relatively low. A number of security, design and natural surveillance options have been identified which Lancashire Constabulary have assessed, and an informative note at the request of Lancs Constabulary is recommended should permission be granted.

7.10. **Lancashire County Education** are responsible for provision of school places across the county. Following assessment of the proposal and available school spaces in the immediate area, LCCE seek a financial contribution of £362,326.13 in respect of 23 no: primary school places on the back of this development.

7.11. Community Infrastructure Levy is a charge on some forms of development to help deliver infrastructure improvements relating to matters such as transport, education, health and leisure as identified by the Regulation 123 list (Community Infrastructure Regulations 2010 (as amended)). Regulation 123 restricts the use of planning obligations for infrastructure that will be funded in whole or part by CIL, to ensure no duplication (double-dipping) between the two types of financial contribution. As the 123 list already includes provision for contribution towards schools in the borough which would be funded by combined CIL 123 payments, this education obligation would constitute double dipping. As such LCCE's request cannot be imposed. Arguably however, had the contribution been required the proposal would have been less viable and consequently more likely to have included a reduced affordable housing allocation

7.12. **Lancashire County Council Highways** has reviewed the five year database of personal injury and notes that six slight incidents within the vicinity of the proposed sites are recorded. None however follow any pattern in terms of time or location and appear to be of a nature which would not be worsened by the proposed development

7.13. With regards to internal access and arrangement, the proposed development and access sight lines are acceptable in principle. Integral garages shown on plan however fall below the 3m x 6m internal dimensions required, which reduces parking provision on 35 plots. To offset this shortfall, driveways to plots mentioned have been widened to 7.2m from 7m, to allow three off road parking spaces rather than the two identified. Parking provision for both proposed residential and proposed community centre is now considered acceptable.

7.14. The applicants transport assessment is deemed acceptable, and LCC are of the opinion that proposed development should not have a severe impact on any of the surrounding junctions. Trip distribution based on movements from Lydric Avenue are also considered acceptable. LCC note that the previous bus service (no: 113) which ran half hourly now runs only on the hour, and that there is no bus service beyond 6.30pm or on Sundays. Bamber Bridge railway station is 4km away, and not served by a bus service to the development. To enable increased sustainability of location, LCC request a Section 106 financial contribution of £1650 per dwelling in line with other sites locally (£123,750) to support daytime bus services. This would be payable on occupation of the 30th dwelling, and would be secured by legal agreement.

7.15. New pavements along Daub Hall and Gregson Lane frontages require changes to existing street lighting and telegraph poles at the developer's expense, and must be constructed under Section 278 legal agreement with LCC.

7.16. **Lancashire County Council Local Lead Flood Authority** note that a flooding incident involving a surface water culvert running from the north of Daub Hall Lane to Black Brook occurred in 2015 which affected the highway at the junction of Daub Hall and Bells

Lanes, and the property known as 'The Shippon'. The proposal for the residential development is to discharge surface water at a restricted rate from an attenuation pond to the open watercourse – a tributary of Black Brook to the west of the culvert. No objection is raised subject to inclusion of a number of conditions in consultation with the Lead Local Flood Authority regarding surface and sustainable drainage options, surface water management and maintenance. Two informative notes referring to connection to watercourses and sewers are also requested

7.17. Planning Policy notes that Policy G4 is a restrictive policy which protects land from development, and that the development of land on Daub Hall Lane is contrary to policy. The applicant argues that the construction of the community centre is an exceptional circumstance for allowing residential development with some affordable housing provision on a site allocated as Protected Open Land. There is however a distinct lack of evidence to demonstrate that a new centre of this size is needed, and whilst accepted that the current centre is coming to the end of its life, the evidence to provide need for a substantially larger centre is not available. Neither has the applicant demonstrated why a smaller facility would not meet local demand or need. The Policy Team has significant concerns that allowing this application would create a precedent in the Borough for development on wholly unsuitable sites, with offers of community funding without any clear evidence of need. As such the scheme is not policy compliant, and it is Planning Policies opinion that the application should be refused.

7.18. Preston Ramblers have not commented but this is not unusual.

7.19. South Ribble Parks Department state that access for periodical maintenance of the children's play area at the rear of the community centre must be maintained, but that the proposed buildings location removes existing access. New paved areas therefore must ensure clearance for vehicle access and be constructed with sufficient strength. Maintenance access areas would also benefit from lockable bollards to ensure pedestrian safety when in use.

7.20. The proposed site plan shows existing access paths from the south western side of the play area being removed and replaced with landscaping around the car park perimeter. This may further restrict works within the play area. A 3m high fence to the ball court perimeter has also been proposed. Both should be discussed prior to installation with the Neighbourhood Services Department.

7.21. Cycle parking provision has been identified and a condition to this effect is prudent should permission be granted.

7.22. South Ribble Strategic Housing highlights that although affordable housing provision within the South Ribble Local Plan is 35% in rural areas on sites in and adjoining settlements, the application only proposes 23% on site provision. The Central Lancashire Affordable Housing SPD requires pepper potting of properties and a tenure mix of affordable housing of which at least 70% should be social or affordable rent unless the requirement for an alternative mix is evidenced. Accompanying this is the Strategic Housing Market Assessment 2017 which recommends a reasonable tenure mix of 1-15% intermediate and 85-90% social and affordable rented housing.

7.23. Whilst Strategic Housing supports affordable provision on site – a priority identified in the South Ribble Housing Framework - there were concerns over the applications initial proposal to deliver intermediate units as discounted open market value properties (DOMV). These are properties which are sold at a discount of at least 20% below local market value, but as eligibility is determined with regard to local incomes and local house prices, and given average house prices in the locality, even with a discount in place many first time buyers would still struggle to afford these properties. A revised offer of affordable rented and shared ownership properties (affordable route to ownership) has now been made, and whilst substandard in terms of numbers does offer a more appropriate mix. It also enables three dormer bungalows to be offered for market rather than affordable housing which creates more market choice on

site. Subject to a registered provider being engaged as early as possible, strategic housing are now comfortable with the housing offer.

7.24. In terms of location affordable housing is not pepper potted, but in the main clusters towards the entrance of the site. As lower height properties along the Daub Hall frontage are more desirable in order to protect residential amenity to existing residents, and in the main these are affordable properties, the situation in this case is considered acceptable. The applicant's statement notes that 18 units are suitable for, or adaptable to the needs of older people or those with restricted mobility.

7.25. Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of all or part of a playing field, unless one or more of the five exceptions in its policy apply. The proposed community centre development includes new changing facilities, but is considered to have a direct impact on part of the wider playing field. Sport England previously discussed the scheme with the English Cricket Board who are supportive of, but have not been consulted by the applicant with regards to design, and note the risk of ball strike. ECB recommended assessment of a full ball strike assessment prior to determination of the application but Sport England note that this has still not been submitted.

7.26. Recent sports case law is cited (East Meon Forge v East Hampshire Council) which found that the occupants and visitors of buildings adjacent to cricket facilities were at considerable risk of injury, and that permanent ball stop fencing and ball strike assessments must be in place. Given this stance Sport England recommend an independent risk assessment to gauge the impact of the community centre and associated, sports field development on users of the new facility, and recommend a condition to require permanent ball stop netting up to 25m in height. As this has nationally been found to be an issue for local planning authorities, Sport England require netting to be resolved prior to permission for redevelopment being granted, and for this reason they offer a precautionary holding objection. Sport England are of the opinion that without proper assessment, the development would prevent the full use of the cricket pitch, but should the aforementioned ball strike assessment and mitigating development meet their policy standards, they would reconsider withdrawing their objection.

7.27. **United Utilities** have reviewed the submitted drainage strategy and confirm that in principle proposals are acceptable subject to a number of conditions regarding flow rates, management and maintenance

8. Material Considerations

8.1. Site Allocation Policy

8.1.1. The community centre site is within an area of land designated under Policy G7 of the Local Plan 2012-2026 as Existing Green Infrastructure, whilst the proposed residential site is allocated by Policy G4 of the same document as Protected Open Land

8.1.2. **Policy G4** - The Central Lancashire Core Strategy states that there will be no strategic Green Belt review during the Plan period. The Council, however, wishes to protect valuable open areas of land (as identified by the Policies Map) to ensure natural breaks in the built-up areas and settlements, to retain the openness and natural character of local areas and to protect the land from development.

8.1.3. These sites fulfil a key role in maintaining the character, appearance and openness of these settlements and are worthy of protection in their own right. They will be protected from development which does not re-use an existing building, where it is not required for the purposes of agriculture or where the use is not appropriate to a rural area.

8.1.□.4. **Policy G7** - development proposals should seek to protect and enhance the existing green infrastructure. Proposals will only be permitted on lands designated by this policy unless alternative provision of similar and/or better facilities for the community will be implemented on another site or within the locality; or it can be demonstrated that retention of the site is not required to satisfy a recreational need in the local area, and where the development would not detrimentally affect the amenity or nature conservation value of the site.

8.2. Policy Background

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

- *National Planning Policy Framework (2018)*

8.2.□.1. The NPPF at Para 11: provides a presumption in favour of sustainable development, supporting sustainable economic growth to deliver, amongst other things, homes. In particular, the following chapters of the NPPF are relevant:

8.2.□.2. **Chapter 5: Delivering a Sufficient Supply of Homes** in line with Governments objective to boost the supply of homes, in a sustainable and appropriate way, and in relevant locations.

8.2.□.3. **Chapter 11: Making efficient use of land** – *‘Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Policies should set out a clear strategy ... in a way that makes as much use as possible of previously-developed or ‘brownfield’ land’*

8.2.□.4. **Chapter 12: Achieving Well Designed Places** attaches great importance to the design of the built environment.

8.2.□.5. **Chapter 15: Conserving and Enhancing the Natural Environment** – when determining planning applications, Local Planning Authorities should aim to conserve and enhance biodiversity as reflected by Core Strategy Policy 22. Para 170 states that planning should *‘protect and enhance valued landscapes, ... and soils (in a manner commensurate with their ... identified quality in the development plan)’* and *‘recognise the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land (Grades 1-3A)’*

8.2.□.6. **Chapter 16: Conserving and Enhancing the Historic Environment** - Protect and seek opportunities to enhance the historic environment, heritage assets and their settings by amongst other things safeguarding heritage assets from inappropriate development that would cause harm to their significance or setting.

- *Central Lancashire Core Strategy*

8.2.□.7. The Core Strategy was adopted at full Council on 18th July 2012, and is therefore a material consideration in the determination of this planning application.

8.2.□.8. **Policy MP** states that the Council will take a positive approach reflecting the NPPF presumption in favour of sustainable development, and in accordance with the Local Plan unless material considerations indicate otherwise.

8.2.□.9. **Policy 1: Locating Growth** aims to concentrate growth and investment on well-located, brownfield sites within key service and urban areas of the Borough.

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

8.2.□.11. **Policies 4 - 5: Housing Delivery & Density** provide for, and manage the delivery of new housing, with development densities in keeping with local areas, and which will have no detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of the area. For South Ribble this amounts to 417 dwellings per year.

8.2.□.12. **Policies 6: Housing Quality** and **27: Sustainable Resources and New Development** both aim to improve the quality of housing by facilitating higher standards of construction, greater accessibility and ensuring that sustainable resources are incorporated into new development.

8.2.□.13. **Policy 7: Affordable Housing** confirms a target of 35% affordable housing for housing developments of 15 dwellings or more, in rural areas on sites in, or adjoining villages which have, or will have, a suitable range of services.

8.2.□.14. **Policy 12: Cultural and Entertainment Facilities** protects existing cultural and entertainment assets with a view to adapting to new challenges.

8.2.□.15. **Policy 16: Heritage Assets** - protects and seeks opportunities to enhance the historic environment, heritage assets and their settings by amongst other things safeguarding heritage assets from inappropriate development that would cause harm to their significance.

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

8.2.□.17. **Policy 22: Biodiversity & Geodiversity** aims to conserve, protect and seek opportunities to enhance and manage the biological and geological assets of the area

8.2.□.18. **Policy 24: Sport & Recreation** aims to protect existing sport and recreation facilities, and identify new facilities where there is evidence of need.

8.2.□.19. **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.□.20. **Policy 29: Water Management** improves water quality and flood management by appraising, managing and reducing flood risk and drainage in all new development.

8.2.□.21. **Policy 31: Agricultural Land** – the aim of this policy is to protect the best and most versatile agricultural lands (Grades 1, 2 and 3a) which occur in Central Lancashire to avoid irreversible damage to, and achieve the full potential of the soil.

- *South Ribble Local Plan*

8.2.□.22. In addition to site allocation policies G7 and G4 (above), the following are also pertinent:

8.2.□.23. **Policy A1: Developer Contributions** – new development is expected to contribute towards mitigation of impact upon infrastructure, services and the environment, by way of Section 106 agreement and/or CIL contribution

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

8.2.□.25. **Policy G10: Green Infrastructure Provision In New Developments:** states that all new residential development resulting in a net gain of 5 dwellings must provide sufficient green infrastructure to meet the recreational needs of the development, in accordance with specific but flexible standards; effectively mirroring a number of paragraphs within the NPPF

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

8.2.□.27. **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.

8.2.□.28. **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.

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

8.2.□.30. *South Ribble Residential Design SPD* echoes Policy G17 in considering design, but in a more prescribed manner.

8.2.□.31. *Central Lancashire Open Space and Playing Pitch SPD* sets out the standards for provision of on and off site public open space and playing pitch provision

8.2.□.32. *Central Lancashire Affordable Housing SPD* guides on a range of approaches to deliver affordable housing which meets local needs.

8.2.□.33. *Central Lancashire Rural Development SPD* –offers guidance on development of all types in rural and semi-rural locations.

8.3. Site Allocation

8.3.□.1. *Proposed Residential Development* - Policy G4 of the South Ribble Local Plan is a restrictive policy which allocates the proposed residential development site on Daub Hall Lane as Protected Open Land.

8.3.□.2. Consideration of the Protected Open Land designation is not limited to visual impact but also to ‘openness’, which could be described as the absence of man-made development on, above or below ground and regardless of whether it can be seen or not. Local Plan justification of Policy G4 confirms that Protected Open Land sites are present on the edge of five South Ribble settlements, and fulfil a key role in the character, appearance and openness of these settlements. By virtue of their limited number and protectionist allocation, they are worthy of safeguarding in their own right. The proposed residential element, whilst including a green buffer along the western boundary, would result in significant encroachment into the Protected Open Land and a significant loss of openness. The fundamental aim of Protected Open Land policy is to prevent urban sprawl, yet the proposed residential development would result in the near total loss of this Protected Open Land whilst extending the settlement boundary beyond its current line. In real terms the proposal does not accord to the remit of Policy G4, and in the planning balance, substantial weight should be given to the identified adverse harm to openness of Protected Open Land, and its reason for allocation as such.

8.3.□.3. In addition, Core Strategy Policy 1 (Locating Growth) aims to focus growth on well located brownfield sites, and in the key service centres of the Borough; one of the fundamental objectives of the Core Strategy being to concentrate the bulk of sustainable development

within urban areas in order to restrict encroachment into the open countryside (Rural Development SPD: Para 9). An appropriate level of growth and investment may be encouraged in identified Local Centres, but this must be in keeping with the local character of the area. As the proposed residential development would be more than 350m from the designated Gregson Lane local centre, and would be disproportionate on this edge of settlement site, it is considered in discord with both Policy 1 and the Rural Development SPD

8.3.□.4. Paragraph 5.53 of the Central Lancashire Core Strategy is also clear that *'outside of the main urban area and service centres, there are many smaller settlements. In the interests of sustainable development, growth and investment should be confined here to small scale infill and the change of use or conversion of existing buildings, in accordance with Policy 13 – Rural Economy'*.

8.3.□.5. The residential development part of the proposal is clearly contrary to both the adopted Local Plan and Core Strategy, both of whose intention it is that the land should be protected from development to protect the character and visual amenity of the extended area, and to offer a natural break between settlements - unless material considerations that outweigh the harm can be demonstrated.

8.3.□.6. With this in mind legal advice was sought during the previous application as to the validity of reasons put forward by the applicant to justify departure from the adopted development plan. The advice received from Counsel (see Appendix A) was that the justification of a financial payment towards the cost of a new community centre is a material consideration that the Local Planning Authority needs to have regard to in deciding the planning application. The applicant was asked to seek independent advice from leading Counsel to provide the Council with the comfort that it would not leave itself open to challenge by approving the proposal, and this advice concurred with the legal opinion provided to the Council. This revised scheme differs slightly in that it now includes an element of affordable housing, not previously offered.

8.3.□.7. The applicant's advice from leading Counsel and the advice provided by Counsel to the Local Planning Authority in relation to the proposed development are contained as an addendum to this report (Appendix 1)

8.3.□.8. *Community Centre* - In relation to the Community Centre site, this is allocated as G7 - Green Infrastructure by the Local Plan. The proposal would replace an existing community building, with one which is larger, better equipped and which would offer - in visual terms – considerable betterment. The centre is also not currently subject to any planning conditions restricting hours of use and opening; something which would be recommended should permission be granted. The facility would provide additional parking which could be used by visitors to the local retail centre, and changing facilities to support the use of the adjoining playing pitches.

8.3.□.9. In policy terms whilst the principle of the community centre element of the proposal would be broadly policy compliant, the release of the land on Daub Hall Lane for the residential development of 75 dwellings is clearly contrary to planning policy. To justify this non-compliance the applicants propose to use £1.2m generated from the land sale for the residential development as a donation towards providing a new community centre. In addition affordable housing on site has been shown on proposal drawings, but at a level which in itself does not fully achieve policy compliance.

8.3.□.10. As legal opinion supports the applicant's stance that the two sites are suitably connected and form a composite application, the financial contribution towards the new community centre is a material consideration which needs to be weighed in the balance of making a decision on the proposal. Effectively, without the residential development the replacement community centre may not be constructed as the necessary funds may not exist to pay for it, and assuming this argument is accepted the mechanism for securing full and

timely delivery of the community centre would be by way of a S.106 agreement compiled in line with independent legal advice. The planning balance however must carefully consider whether the harm caused to the protected open land on Daub Hall Lane is outweighed by the benefits to all of the proposed community centre and ancillary works. A summary of this balance is made at Para's 9.3 and 9.4

8.4. Impact of Development on Neighbouring Properties

8.4.□.1. *Community Centre* – The proposed community centre would sit 50m from residential properties in the west and between 65m and 70m from the same in the east; playing fields and boundary hedging separating both areas from the main development site. Knowsley Farm and Barn enjoys approximately 200m spatial separation across playing fields

8.4.□.2. In the south are properties addressed onto Gregson Lane which face the proposed new building at approximately 43m away. The rear elevations of no: 305B Gregson Lane which sits astride the main entrance would be 15m from the proposed side/front elevation, but when taking into account existing tree and fence screening and window placement, the proposed community centre is unlikely to impact in terms of loss of privacy or overlooking to these residents.

8.4.□.3. Noise and traffic generation associated with extended daytime and evening use of the much larger scale community centre will however inevitably increase.

8.4.□.4. *Proposed Residential Development* – The South Ribble Residential Design SPD at Pars DG03 states that habitable room windows shall not face any blank gable or wall at less than 13m, and that directly facing habitable room windows facing the same in another dwelling shall have a minimum of 21m spatial separation.

8.4.□.5. Proposed drawings show properties fronting Daub Hall Lane as being between 29m and 38m from existing bungalows across the road. In the main proposed dwellings along this frontage are also bungalows, and as such loss of amenity to facing properties other than as a result of increased traffic generation would be limited.

8.4.□.6. The Shippon, Summerwind Cottage, Daub Hall Barn and Farm are between 39m and 56m from the north-east of the closest proposed property (Plot 71) which sits 10m from the sites boundary.

8.4.□.7. A number of properties are present along the Gregson Lane frontage. No's 181 and 191 back 25m away from the proposed pumping station. Side/rear windows of no: 191 would face the side/rear of Plot 24 at 22m, and the side blank elevation of Plot 75 at 8m. Given the existing hedgerow screening, and the presence of only a landing window in no: 191's gable wall, loss of privacy or overlooking to these dwellings is considered negligible.

8.4.□.8. No: 205 Gregson Lane faces the rear elevations of Plots 22 and 21 at 30m and 22m respectively, and the blank side elevation of Plot 72 at 10m. Again existing screening and window placement are such that loss of amenity to existing or proposed residents is unlikely.

8.4.□.9. Side and rear elevations to no's 8-21 Conway Court enjoy between 20m (rear to blank gable) and 29m spatial separation; more than adequate for a proposal of this nature.

8.4.□.10. Plots 72-75 face properties across Gregson Lane at between 21m and 26m distance.

8.4.□.11. No: 13 Daub Hall Lane faces the main road, but has a principle/entrance elevation which faces the residential development site. A discussion with the homeowner finds that first floor windows on this elevation are secondary bedroom and landing windows. At ground floor there is a large entrance porch and what appears to be a secondary lounge window although

these are screened to some extent by the occupants own fencing. The blank gable proposed to Plot 9 would face this elevation at 18m distance.

8.4.□.12. Arrowsmith House lies 65m to the south-east of the community centre site, whilst Blackbrook Hall and Cooper House Farm lie 90m west and 100m north respectively of the residential site boundaries. Each has been separately assessed in accordance with their historic status at Para 8.10

8.4.□.13. Although as with the proposed community centre, traffic generation and noise from the increased general use of the site is to be expected, inter-relationships between existing and future residents of the residential site are considered acceptable when assessed against adopted guidance and policy.

8.5. Design, Character & Appearance

8.5.□.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.

8.5.□.2. In consideration of the above, local distinctiveness and character of the area have been assessed. This part of Gregson Lane is a relatively traditional area comprising a mix of detached, semi-detached and terraced properties. There is no particular vernacular, and in design terms although modern, proposed house types do take into account their surroundings, with styling which nods towards the traditional. On the whole however, large scale, standardised residential development of this nature is not typical of the semi-rural, organically achieved Daub Hall Lane location, is disproportionate to the size of the settlement and is considered to result in excessive urbanisation on the edge of the settlement to the detriment of the character and appearance of the area. Landscaping would to some extent soften the site, but ultimately loss of the field would be visually impactful and landscaping cannot truly compensate for that loss.

8.5.□.3. That being said, proposed density is only 20 dwellings per hectare – less than typical modern developments such as Olive Farm, Bellway Brindle Road and Persimmon Brindle Road (29.5 dph, 30dph and 27dph respectively) and allows for adequate public and private space in line with gardens found in all but the largest properties in the vicinity.

8.5.□.4. With regards to the community centre, in design terms the proposal would upgrade, rather than be of detriment to the immediate area. The applicant argues that existing unit is not fit for purpose, and needs considerable investment to make it so. Conversely however, in order for this bigger building to remain sustainable in the long term, the applicant proposes a range of uses which would introduce additional traffic generation, movement and noise associated with that increased use, and which have the potential to be detrimental to the character, visual and general amenity of the area. Gregson Lane is essentially a village environment, and arguably such a large building would be an incongruous addition into a relatively confined plot.

8.5.□.5. The existing community centre has no restrictions on times of use, and holds an alcohol licence. It is currently in full time but not heavily used, and should permission be granted for redevelopment, members may wish to control future use and opening times of the site by condition. Parking on site is considered acceptable

8.6. Five Year Supply

8.6.□.1. Consideration must also be given to the Councils five year housing supply, and to whether Policy G4 of the Local Plan is considered up to date. The NPPF (Para 11) states that applications shall be approved without delay where there are no relevant development plan policies, or where policies are out of date; unless the application of the NPPF provides clear reason for refusing development, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole. 'Out of date' includes, for applications involving the provision of housing, where the local planning authority cannot demonstrate a five year supply of deliverable housing sites, or where the Housing Delivery Test indicates that the housing delivery was substantially below (less than 75% of) the housing requirement over the previous three years)

8.6.□.2. Having regard to the Councils five year housing supply the most recent position is that documented by the recent Brindle Road appeal decision (APP/F260/W/18/3198822). The Inspector was not satisfied that the Councils local housing need requirement (209 dwellings per annum) truly reflected the Boroughs housing requirement which was significantly lower than the 'plan based' Core Strategy requirement of 785 pa; despite endorsement by the three Central Lancashire Authorities in (Sept 2017). The Inspector felt in this case that the reduced figure would neither reflect Government housing supply objectives nor fulfil the Councils City Deal obligations. At the time of the decision Government guidance indicated that new housing need assessment methodology was incomplete, and that it would have been premature to make and rely on such an assessment.

8.6.□.3. In the absence of any alternative figure, the Inspector accepted the housing requirement as being 785 dwellings per annum; an indicated 5.01 year supply of deliverable housing sites. The Inspector surmised that any 'slippage' in delivery could take the Councils calculated supply below five years, but the situation is fluid in the extreme and any increase in delivery would similarly affect the calculation. Having regard to the Councils housing supply calculations, and housing delivery expectations, your officers are comfortable that the Councils can justify a five year supply.

8.6.□.4. It is of course open to members to reach a different conclusion, but NPPF Para 11 should still be borne in mind (see 8.6.1 above). Para 11di confirms the presumption in favour of sustainable development even if there are no relevant plan policies, or policies are out of date, by granting permission unless '*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework as a whole*'. Regardless of the ever changing housing supply within the borough, it is considered that the harm caused to the wider Daub Hall Lane environment would significantly and demonstrably outweigh the public or private benefits gained from proposed development. Paragraph 11 of the NPPF which forms the basis of sustainable development should therefore be given considerable weight in the decision making process.

8.7. Highways Considerations, Suitability of Access and Parking Arrangements

8.7.□.1. The proposal and accompanying documentation have been reviewed by LCC Highways whose comments are noted at Para 7.12 above. Access and sight lines are appropriate.

8.7.□.2. A financial contribution towards provision of a bus service is requested by LCC Highways, but ultimately if made available would be at the behest of the transport provider, and for the short term while funding is available. As a bus route has only recently been reduced in this area, it appears apparent that either need for the service is not there, or that it is not financially viable for the provider to continue. In combination with contributions from other developments in the area however, bus service provision – albeit for a temporary period

– would appear to be possible. Such a payment could however reduce monies available to fund the community centre.

8.8. Sustainability

8.8.□.1. In very general terms sustainable developments are easily accessible, contribute to the social and economic value of the area, and protect or support the environment by constructing using sustainable materials and processes. In line with the NPPF(2018) presumption in favour of sustainable development, Chapter 9 also actively promotes the inclusion of sustainable transport in any new development, so as to '*promote walking, cycling and public transport in locations which are or can be made sustainable*' (Para's 102 & 103).

8.8.□.2. Local Plan site appraisal (Ref SR192) identified the Daub Hall Lane site as being '*situated on the edge of the settlement of Gregson Lane, and not well located in terms of access to local services. It does not score particularly well in the sustainability appraisal, and it is considered that the site should be protected from development*'. As such, this site is not considered particularly sustainable. Also of relevance to sustainability are:

8.8.□.3. *Community Facilities* – There are five primary and one secondary schools within 1.2 miles of the proposed residential land – two primary schools are within 0.2 miles. Two GP surgeries sit within a 1.5 mile radius, and there are 4 dentists within 1.5 miles. Large scale supermarket shopping at four locations lie no more than 2.5 miles away, although local shopping options are available on Gregson Lane itself.

8.8.□.4. *Public Transport* – There are a number of bus stops within easy reach of both parts of the site operating bus routes between Bamber Bridge, Wigan, Preston, Leyland and Chorley (confirmed October 2018). A public right of way runs the length of the eastern community site boundary. Bamber Bridge and Lostock Hall train stations are also close by (1.7m and 2.8m respectively). Cycle routes are not located within the immediate vicinity of the area, and have not been included on proposal drawings for either part of the scheme.

8.8.□.5. Pedestrian access into Gregson Lane local centre would be relatively easy once pavements to Daub Hall Lane are installed, but in overall terms considering the lack of public transport options, the residential development site is not especially accessible without the use of a vehicle.

8.9. Natural Environment, Ecology and Ground Conditions

8.9.□.1. The application is accompanied by Bat Survey (Bowland Ecology: Sept 17/Community Centre), Ecological Appraisal (Envirotech 4257: Dec 2017/Residential Element), Agricultural Land Quality Survey (Stock: June 18). Tree Surveys (Ascerta (Dec 17 Rev A/Residential) and Treescape (Community Centre), and Flood Risk/Drainage Assessment (Ironsides Farrar 30296/SRG: October 2017).

8.9.□.2. *Ecology* – Neither site contains any protected species, or habitats of national or local importance, and apart from peripheral woodland both of only moderate value to wildlife. Although roosting birds are present on the proposed residential area, a precautionary protective condition is considered acceptable.

8.9.□.3. *Agricultural Land Classification* – The applicants agricultural land survey has been assessed by the Councils independent agricultural development advisor who confirms that the site is grade 3B agricultural land, and not the '*best and most versatile agricultural land*' that its official 3A designation implies, and for which there is policy protection. The applicant states that there would be no justification for refusal on loss of agricultural grounds, yet notwithstanding the report's findings, there is an argument that the site in question is valuable simply because of its contribution to the visual amenity of the extended area.

8.9.□.4. *Drainage and Flood Management* - In addition Core Strategy Policy 29(e) (Water Management) seeks to improve water quality and flood management in areas such as Hoghton. Both Gregson Lane sites sit within Flood Zone 1 - areas of low probability flooding, although as the proposed housing development exceeds one hectare, a Flood Risk Assessment has been compiled. This notes that there would be no significant impacts resulting from either development, and that residual flood risks are low.

8.9.□.5. An area of green space incorporating a wild flower meadow is identified along the western site boundary, and incorporates an attenuation basin for sustainable drainage, and a foul pumping station. The proposal at present has limited ecological value, but could be significantly improved to provide an ecological and biodiversity gain.

8.9.□.6. There are concerns amongst some residents with regard to surface water management, damage during de-watering on site and the impact that proposed development would have on an already saturated site and its surroundings. The LLFA and Environment Agency however have assessed the site, and subject to conditions have no objection.

8.9.□.7. Installation of an attenuation tank to the front of the proposed community centre has also been proposed and assessed as acceptable.

8.9.□.8. *Trees* – There are a number of poor trees to be removed on the Community Centre site, but these would be replaced. With regards to the residential development site, 14 trees (one group, one woodland and 6 hedgerows) have been identified, but in the main these denote site boundaries. Only two areas of hedgerow would be removed to enable access visibility, but these can be mitigated by careful, site landscaping; all trees are to remain. A condition to require suitable mitigation for both parcels of land, and protection of all retained trees therefore is appropriate. Arborist comments are detailed above.

8.9.□.9. There are no other features of obvious landscape value, and neither site is above the threshold for Environmental Impact Assessment.

8.10. Heritage Assets

8.10.□.1. The four heritage assets referred to above have been referred to, and assessed by Historic England for consideration.

8.10.□.2. Cooper House Farm/barn and Blackbrook Hall sits to the west and north of the site but are appropriately screened. Although not ideal, development would be similar to other examples in the area – e.g. approved Bellway, and soon to be determined Persimmon development which would surround Newhouse Farm on Brindle Road, Bamber Bridge (Grade II).

8.10.□.3. Although Arrowsmith House appears to inhabit the corner of the community centre site on proposal drawings, in reality the property is separated by an access track, well screened by existing hedgerow, and orientated so as to avoid any detriment to its heritage status or setting

8.10.□.4. Impact on any of the above, or their setting as designated heritage assets is considered unlikely.

8.11. Construction & Flood Risk Standards

8.11.□.1. One of the objectives of modern construction is to reduce energy use and carbon dioxide emissions in new developments; encouraging the use of renewable energy sources whilst improving the quality of housing by facilitating higher standards of construction.

Should permission be granted, conditions to ensure appropriate construction standards are considered appropriate.

8.11.□.2. *Construction* – The applicant has supplied a construction management plan which details measures to ensure appropriate construction and site safety. A site compound and contractor parking area have been identified on the proposed area of public open space (western side) – away from the residential areas on Daub Hall Lane. Whilst general construction times have been detailed – for which a condition is recommended – the applicant acknowledges that contractors will arrive outside of these times, and ‘quiet trades’ e.g. internal painting, may continue outside of these hours. This is standard practice on such development sites

8.11.□.3. *Utilities* – the applicants utility statement (Rowland 10.8.18 Rev A) confirms that there are no gas mains, public water mains or sewers, plant or electricity cables crossing the site. Connections to all utilities are available however on both Daub Hall and Gregson Lanes. The proposed residential site would connect to Daub Hall Lane via a foul pumping station, whilst the Community Centre would utilise existing connections.

8.12. Developer Contributions

8.12.□.1. Local Plan Policy A1 (Developer Contributions) expects most new development to contribute towards mitigation against impact on infrastructure, services and the environment. Contributions would be secured where appropriate through planning obligations (Section 106 agreement) and/or Community Infrastructure Levy.

8.12.□.2. *Community Infrastructure Levy* -. CIL is payable on most approved properties and would be used towards infrastructure needs as identified by the Regulation 123 list. Liability has been assumed for all market housing and at the current rate (£65 x 1.241 per square metre floor space), CIL of £607,049.29 would be payable within 60 days of first commencement on site. An instalment schedule has not at this time been requested.

8.12.□.3. Affordable housing and community facilities are exempt from the charges associated with CIL, and as such 17 residential properties and the proposed community centre would not be liable for the payment.

8.12.□.4. *Affordable Housing* - Core Strategy Policy 7 (Affordable and Special Needs Housing) and the Central Lancashire Affordable Housing SPD requires that sites of 15 dwellings or more in areas adjoining villages that have, or will have a suitable range of services, would provide a minimum of 35% on or off-site affordable housing, or an off-site contribution towards housing elsewhere. Para 64 of the NPPF (2018) also requires that major development involving the provision of housing provides at least 10% of homes to be available for affordable home ownership.

8.12.□.5. In their earlier application the applicant suggested that as a £1.2m cross-funding payment to allow for construction of the community centre would be made, this negated any need for affordable housing on site. The applicant at that stage cited community benefits in lieu of housing provision. With this proposal however, 23% of the proposed housing would in fact be affordable; the type and tenure of which have been agreed with the Councils Housing Team.

8.12.□.6. The provision of a new community centre is not a planning policy requirement, and therefore has not been subject to the same level of scrutiny as affordable housing policy. Neither is it noted as an infrastructure requirement on the Regulation 123 (CIL) list. Whilst it is evident that some members of the community want a new centre, and even many of those who oppose the scheme do so only because of its size and connection with potentially lost protected land, it is questionable as to whether the ‘wish list’ of a few should be approved at the expense of the evidenced need for affordable housing in the area. A new community

centre may be desirable, but it is important to consider the strategic implications along with potential precedent that would be set by allowing the residential element on the basis of it cross subsidising the new community centre without any other evidence in terms of special circumstances to justify a departure from the approved development plan. Were this proposal to be allowed it may lead to other similar schemes which might prove more difficult to resist once the precedent has been set.

8.13. Having regard to the comments of the Councils Strategic Housing team, and the above requirements, proposed affordable housing overall is not considered to be policy compliant, and does not properly reflect either the aspirations of Central Government or this Council to ensure appropriate numbers of new homes at a discounted rate. The decision therefore is whether the community benefits received from redevelopment of the community centre are significant enough to warrant a reduction of affordable housing provision, and loss of an area of land protected by Local Plan policy.

8.13.□.1. Should members be minded to grant approval then the issue of the mechanism for delivering the Community Centre needs to be carefully considered. One option is for a sum of £1.2m to be paid by the developer (Rowland Homes) directly to the Council who will then release funds as the community centre build progresses. If Members were minded to grant permission then agreement would be required on the wording of any section 106 agreement to ensure that the delivery the community centre would be as likely as possible.

8.13.□.2. The applicants statement also notes that *'development will contribute to the local economy through council tax generation'* (Para 7.51; Resubmission Planning Statement) but this is not a material planning consideration, and should not be basis for approval of any part of the scheme.

8.13.□.3. *Public Open Space* - The NPPF states that *'access to high quality open space makes an important contribution to the health and wellbeing of communities'*. The Central Lancashire Open Space & Playing Pitch Strategy (2012) also provides an assessment of the quantity, quality and accessibility of open space in Central Lancashire. As such, all new residential development resulting in a net gain of 5 dwellings must provide sufficient green infrastructure to meet the recreational needs of the development in accordance with specific but flexible standards. In addition to on-site open space provision, an off-site financial contribution based on calculations from the Council's Open Space and Playing Pitch SPD of £113,025 was identified to contribute towards the upkeep of playing pitches at Gregson Lane. A relevant schedule of works has been compiled which amounts to a slightly reduced requirement of £112,130.61 which would be secured by S106 Agreement should members be minded to approve the application.

8.13.□.4. A condition to require details of laying out, landscaping, maintenance and retention of any formal or informal public open space is also considered necessary.

8.14. Other Issues Relating to Replacement Community Centre

8.14.□.1. Some thought must be given to Sports England's comments with regards to cricket ball strike and the potential for injury to users of the proposed facility. Any decision however must be taken with regard to replacement of the centre and any benefits or detriment resulting from that, and not from any ancillary existing use. The cricket club has a duty of care regardless of development or not, and it is not the remit of the planning process to use a new development to fix an existing problem. The Secretary of State may call in any proposal approved contrary to Sport England's objection but only where the proposal would result in a deficiency or complete loss of sports land. Your officers do not consider this to be an issue in this case.

8.15. Financial Viability Appraisal

8.15.□.1. A financial viability report has been submitted in support of the application, and has been assessed by Keppie Massie (KM); an independent viability consultant appointed by the Council. The report was commissioned to demonstrate that the scheme could not afford to meet all of the planning policy asks of the development plan, if it was to fund the community centre i.e. full affordable housing and financial obligations as defined by policy, versus the community centre's funding needs.

8.15.□.2. KM are of the opinion that based on the tenure and mix of affordable housing proposed, the development in normal market circumstances would be sufficiently viable to support playing pitch and bus service contributions, community infrastructure levy and a contribution towards the community centre. Their report also states that *'the costs of undertaking development including a developers profit leaves a residual land value of £1,187,432 – the equivalent of 18 times the existing agricultural land use value of £65,800 (9.4 acres @ £7k per acre). This based on normal planning principles is considered sufficient to incentivise the owner to sell'*

8.15.□.3. Notwithstanding that summary however, KM's assessor has concerns as to the 'enabling development' relationship between the Daub Hall Lane and community centre sites. Enabling development is generally reserved for cases where the proposals wider benefits outweigh any disbenefits associated with that proposal. In this case the proposed residential scheme would enable delivery of the community centre. Enabling development guidance states that appraisals should detail works to the enabled part of the scheme (community centre) to demonstrate that there is a deficit i.e. where existing value plus any development cost exceeds value after development. If there is a deficit (shortfall to deliver the enabled element) then a case can be made for enabling development (residential). Having regard to these basic principles it is likely that if the 35% affordable housing requirement were to be removed then the community centre could be delivered with fewer than the 75 dwelling proposed.

8.15.□.4. Enabling development aims to achieve the minimum level of development necessary to fund the deficit – and in this case delivery of the community centre. The applicants have been clear from the outset that they wish the scheme to be considered as a whole on its planning merits, and that the funding of the community centre from the landowner profit should be a material planning consideration in the decision making process. As previously outlined Counsel for both the applicants and the Local Planning Authority have advised that this is a reasonable approach to take given the proximity of the sites and the financial interdependency in terms of determining the proposal, and as such KM feel that the proposal should also be assessed against enabling development standards.

8.15.□.5. Having regard to the principles of enabling development, KM provide a second assessment, which finds that overall profit is calculated to be 16.07% based on the current scheme. This alternative appraisal generates a residual land value of £685,905 – not normally enough to incentivise a landowner to sell, and hence the scheme would not be sufficiently viable to support 35% affordable housing provision. Under enabling circumstances however this uplift is assumed to be sufficient, and as such residential proposals would be able to support 35% affordable provision in addition to the £1.2m proposed community centre contribution.

8.15.□.6. In terms of community centre build costs, the applicants Viability Assessment does not provide a calculation to demonstrate how the figure of £1.2m has been arrived at or that a deficit exists. Information is not available with regards to property values before or after works are undertaken or about the sum of money that enabling works have to fund. During assessment of the initial withdrawn application however, consideration was given to the costs

of developing the new facility, and based on cost estimates KM felt that the £1.2m suggested would not be enough to fund the entire project. If remaining funds were not raised then ultimately the new centre might not be delivered and the financial contribution recovered through S106 agreement may be paid back to the developer. Legal advice taken by the Council (see Appendix A: Paras 15-17) details measures to enable delivery of the community centre via S106 legal agreement should members be minded to approve.

8.15.□.7. In summary, if the proposal were to be considered on a simple market basis then it is likely to be able to support the proposed but reduced affordable housing requirement with any relevant planning obligations. It would not however be able to support any additional affordable housing requirement. As enabling development however, where the aim is to deliver the minimum required to fund the enabled part of the scheme, KM are of the opinion that a full affordable housing requirement of 35%, in addition to other planning obligations, landowner and developer profit and relevant costs is possible.

8.15.□.8. Clearly, it is accepted that for land to be released for development it needs to be financially advantageous to the current landowner, however given this is protected open land with limited hope value as a result, this represents a significant uplift in the return on the site even allowing for the donation to the community centre project. A recent court case¹ held that inflated land values were not a reason for not meeting planning policy requirements in relation to affordable housing, and that policy asks should be considered when buying and selling land. If a developer overpays for a site then it should not be at the expense of planning policy requirements. In this case therefore, and taking into account the apparent philanthropic nature of the land offer, there is a case for forfeit of profit by the landowner to allow funding of a policy compliant affordable housing offer. Similarly a reduced offer to the community centre site could allow for policy compliance in terms of affordable housing and financial obligations, although great care must be taken to avoid such a reduced offer that enabling housing development is approved but provision of the centre is not in the end financially possible.

8.15.□.9. It should be noted that CIL rates change annually and forecasts anticipate only minor changes. If however the BCIS rate change is significant and the proposal is approved, the scheme may need to be re-assessed.

9. Conclusion

9.1. Planning Balance

9.2. Due to the detailed and complex arguments associated with this application, both harm and benefits are summarised below. Due weight can then be applied by the members to the pros and cons in the decision making process, to determine whether material considerations have been demonstrated in order to depart from the policy designation of the Daub Hall Lane site.

9.3. Material Considerations In Favour of Development Include:

- Financial contribution will help to deliver a modern community centre - improved community facilities
- Delivery of 17 affordable housing units including bungalows and dormer bungalows
- Provision of at least some affordable housing in an area of need - high property value in area restricts property purchase
- CIL contribution of £607,049.29
- Public open space contribution of £112,130.61
- Contribution towards 5 year housing land supply
- Low residential development density with appropriate spatial separation and access

¹ *Parkhurst Road Ltd v Secretary of State for Communities And Local Government & LB of Islington*

9.4. Material Considerations Against Development include:

- Detrimental impact loss of 'Protected Open Land' would have on the character and appearance of the area, and excessive urbanisation of an edge of settlement, tract of open land
- Precedent set for release of protected land to development, and for ancillary benefits in return for permission to be seen as acceptable practice
- Affordable housing provision (23%) of a lower percentage than the policy requirement of 35%
- Loss of agricultural land – albeit of lesser quality than originally thought
- No evidence provided for need of such a large community centre and there are no guarantees with regards to future management, maintenance or funding
- Increased noise and traffic generation at both sites, to the detriment of neighbouring residents

10. RECOMMENDATION

10.1. Having regard to the development plan allocation, the proposal is clearly contrary to the provisions of adopted policy. Therefore there is a need to consider if other material considerations are relevant, and whether their merits outweigh those of the statutory development plan. Whilst new and improved community facilities may be desirable in its own right, we need to weigh this against the harm of allowing 75 new houses on protected open land.

10.2. Issues are very finely balanced, with strong feelings being expressed on both sides of the argument, in relation to the planning merits of the scheme. It is felt that on balance the harm of providing 75 dwellings on protected open countryside is not offset by the benefits that may be realised by a new community centre. It is therefore considered having regard to the development plan and all other material planning considerations that the provision of a financial contribution towards a new community facility does not outweigh the harm that would be caused by allowing the proposal. Therefore having regard to the adopted development plan, officers consider that on balance the planning policy considerations outweigh any other material considerations in this particular instance, and in light of this conclusion it is considered that the proposal should be resisted and the application is therefore recommended for **refusal** for the following reasons.

- The proposed residential element of the proposal constitutes inappropriate development in an area of Protected Open Land. As such the proposal is contrary to Policy G4 of the South Ribble Local Plan 2012-2026.
- The proposed residential element of the proposal would introduce development into open grass fields and would result in unacceptable urbanisation of the area as detrimental to the character, appearance and openness of the Protected Open Land and extended area. As such the proposal is contrary to Policy G4 of the South Ribble Local Plan 2012-2026.
- The proposal fails to make adequate provision for affordable housing. This is contrary to Policy 7 of the Central Lancashire Core Strategy, which aims to provide a balanced, mixed and inclusive housing offer that caters for all housing needs. The provision of funding for a community centre at the expense of affordable housing provision has not been justified.
- The material benefits associated with the proposed community centre do not outweigh the harms identified in Reasons 1, 2, 3 and 4 and do not outweigh the development plan policies identified in those reasons.

RELEVANT POLICY

NPPF National Planning Policy Framework

Central Lancashire Core Strategy

- 1 Locating Growth
- 3 Travel
- 4 Housing Delivery
- 5 Housing Density
- 6 Housing Quality
- 7 Affordable and Special Needs Housing
- 12 Culture and Entertainment Facilities
- 16 Heritage Assets
- 17 Design of New Buildings
- 22 Biodiversity and Geodiversity
- 24 Sport and Recreation
- 26 Crime and Community Safety
- 27 Sustainable Resources and New Developments
- 29 Water Management

South Ribble Local Plan 2012-2026

- A1 Developer Contributions
- F1 Car Parking
- G1 Green Belt
- G4 Protected Open Land
- G7 Green Infrastructure Existing Provision
- G10 Green Infrastructure Provision in Residential Developments
- G13 Trees, Woodlands and Development
- G16 Biodiversity and Nature Conservation
- G17 Design Criteria for New Development

Supplementary Planning Documents

- South Ribble Residential Extensions
- Central Lancashire Open Space and Playing Pitch
- Central Lancashire Affordable Housing
- Central Lancashire Rural Development
- Central Lancashire Employment Skills
