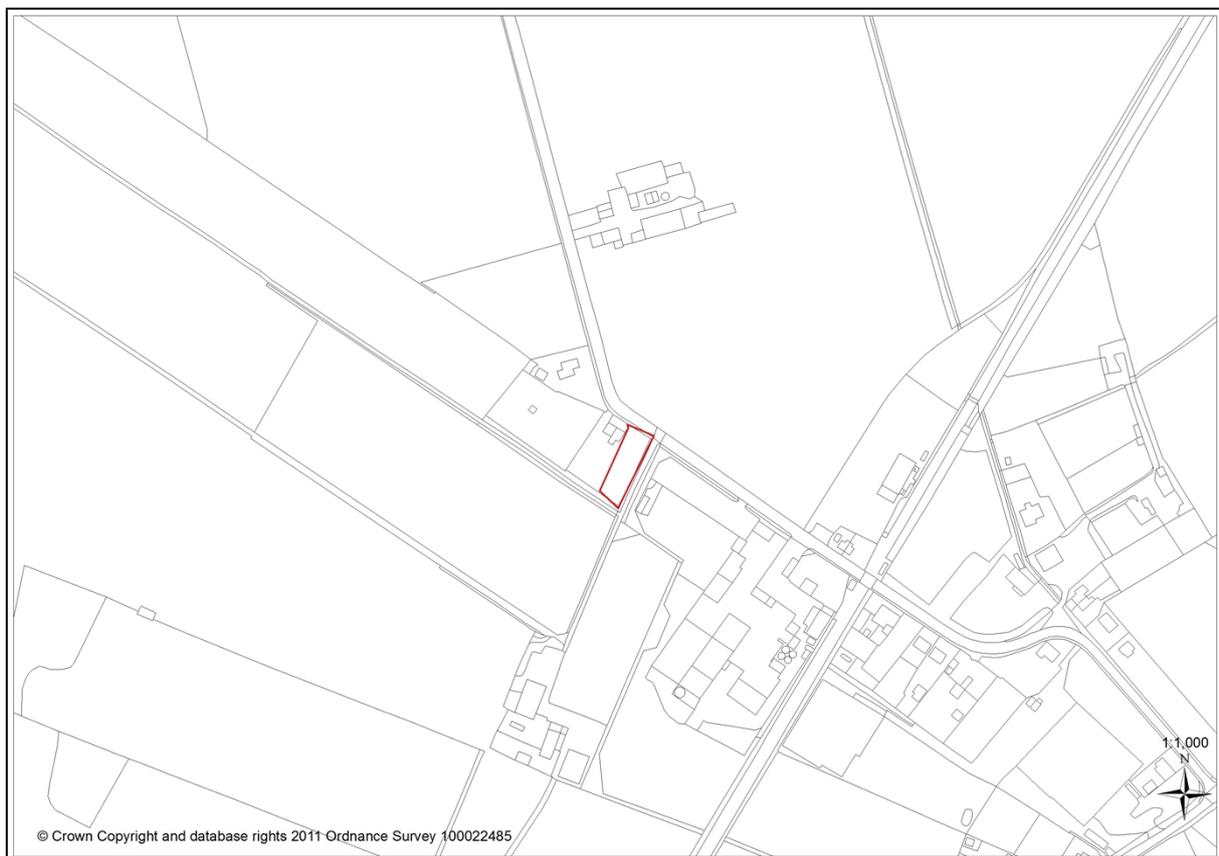


Application Number	07/2018/8493/PIP
Address	25 Midge Hall Lane Midge Hall Leyland
Applicant	Mrs Susan Snape
Agent	Mrs Louise Leyland PWA Planning
Development	Application for Permission In Principle for erection of one dwelling.
Officer Recommendation	Refusal
Date application valid	16.11.2018
Target Determination Date	21.12.2018
Extension of Time	None



1. Introduction

1.1. The application is brought before Committee as the applicant is an Elected Council Member.

2. Application Site and Surrounding Area

2.1. This application refers to no: 25 Midge Hall Lane, Leyland; a large detached dwelling with wide front elevation and detached garage to the rear. Deep rear gardens screened by mature hedgerow and trees sit to the south, whilst in the east is similarly screened, side garden space. This side garden is the subject of the application to be determined.

2.2. Immediately east of the proposal site is a track leading to Midge Hall Farm and Moss Farm paintballing facility (160m south and 700m south-west respectively), and 61m in the north-west is 'Arden House'. Station Farm lies 146m in the north, and 95m east is Bamfords Mill; properties are separated by the mills, large open car park. The small village/hamlet of Midge Hall Lane sits beyond Bamfords Mill.

2.3. Facing across Midge Hall Lane, and at the rear and west of the proposal site are deep tracts of agricultural land. The area is open and rural in nature, and designated by Policy G1 of the South Ribble Local Plan as Green Belt.

3. Site Context / Planning History

3.1. There is one planning application on the history of this site. Permission was granted in 1998 (07/1998/0164) for alterations to dwellinghouse, and erection of double garage following demolition of existing.

4. Proposal

4.1. *Background:* Planning in Principle (PIP) applications are a new type of application which came into force on 1st June 2018. PIP's are an alternative way of obtaining planning permission for housing led development, and separate the consideration of matters of principle for proposed development, from the technical detail. The permission in principle consent route has 2 stages: the first stage (or 'permission in principle' stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed.

4.2. As set down in the Town & Country Planning (Permission in Principle) Order 2017 and Town & Country Planning (Brownfield Land Register) Regulations 2017, the scope of PIP (stage 1 of the process) is restricted to consideration of location, development size and land use. All other matters are 'reserved' for consideration by the stage 2 technical details application which may only be made if PIP is granted.

4.3. Granting of technical details consent has the effect of granting full planning permission for development; construction cannot proceed on the basis of consent for stage 1 alone.

4.4. Conditions can NOT be imposed on approvals for planning in principle

4.5. *Proposal:* This application seeks planning permission in principle for the erection of one dwelling, and in line with the above regulations only a location plan has been provided. Details of the design, layout and access into the site are not available.

5. Representations

5.1. Summary of Publicity

5.1.1. PIP consultation is restricted to a period of 14 days only. An extension of time to allow decision by this Committee has been requested on several occasions but that agreement has not been granted

5.1.2. A site notice has been posted and two neighbouring properties have been consulted. Consultation with statutory bodies at this stage is not appropriate considering the lack of proposed detail and restricted timescales allowed.

5.2. Letters of Objection or Support

5.3. One letter of support has been received from the occupant of 27 Midge Hall Lane who refers to the proposals design, availability of bungalows in the area and the applicant's health needs. Issues of design cannot however be taken into account until the Technical Details stage of the proposal. Comments specifically referring to the principles of location, development size and land use have not been made.

6. Material Considerations

6.1. The scope of Planning in Principle is restricted to location, development size and land use.

6.2. *Location:* In terms of location, the proposal site is not especially sustainable and cannot be accessed by public transport, but it is within reasonable reach of community facilities in Longton and at Midge Hall; although only a very limited offer lies within easy walking distance.

6.3. *Development Size:* Local Plan Policy G17 (Design for New Development) states that proposals for development should not have a detrimental impact on the existing building, neighbouring buildings or on the street scene by virtue of its design, height, scale, orientation, plot density, massing, proximity, or use of materials (G17a).

6.4. The proposal seeks permission to erect one dwelling following subdivision of existing curtilage of no: 25 Midge Hall Lane. The current property is a large dwelling, traditionally designed but with a very wide front elevation. Whilst the proposed site is capable of accommodating one dwelling, it is questionable as to whether one of appropriate size is possible.

6.5. Backland development in this very linear, rural street scene would be out of character with the wider area and in such areas where 'ribbon' development is prevalent is not generally considered acceptable. As such any proposed dwelling could only realistically face Midge Hall Lane to the east of the applicant's property. It would also need to respect and complement both the street scene and existing property. Arguably to avoid any disproportion between neighbouring properties, any new dwelling which sits alongside no: 25 would need to have a similar wide frontage, which when taking into account mature tree and hedgerows which this Councils would seek to retain could not be accommodated. A dwelling of less width is therefore likely to appear 'shoe horned' into the site, and on this basis alone the site is not considered of appropriate size to accommodate the proposed development without detriment to the street scene, and discords with Policy G17 (Design)

6.6. *Land Use:* The site and extended surroundings are allocated as Green Belt by Policy G1 of the South Ribble Local Plan; 'Green Belt' being a land use designation. Para 2 of the NPPF (2018) requires that applications for planning permission are determined in accordance with the development plan, unless material considerations indicate otherwise.

6.7. Both the NPPF and Policy G1 define inappropriate development - including construction of new buildings - as harmful to the Green Belt, which should not be approved

except in very special circumstances. When considering any planning application, 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. There are however exceptions to this as detailed in the current NPPF, and these are:

- a) buildings for agriculture and forestry;
- b) provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages
- f) limited affordable housing for local community needs under policies set out in the development plan; and
- g) limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would a) not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development and b) not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

6.8. The most salient of these are points (e) and (g).

6.9. South Ribble contains a whole range of villages – some with substantially built up frontages where an infill plot would seamlessly complement surrounding development patterns, and others which are more loose and organic in character. This property is part of a small community with some community facilities which could loosely be termed a village. It is however very much edge of settlement, and new development would contribute to unacceptably extending the 'village' away from its albeit limited, natural centre. As a result because of the very wide, open nature of Bamfords car park the proposal would be less likely to constitute 'infill' and more likely to add to a small grouping which is detached from the settlement itself.

6.10. Whilst acknowledged that there is no NPPF definition of infill development, the Planning Portal – a Government website established in 2002, does offer some clarity by stating that '*Infill development is the development of a relatively small gap between existing buildings*'. As this plot is neither a small gap, nor between existing buildings, – the closest to the east across open car park being 95m away, and does not complete an established row of earlier development, this proposal does not conform to infill development in the truest sense, and for the reasons stated in Para's 6.8 and 6.9, caveat (e) is not considered to apply.

6.11. With regards to point (g), the 2017 Court of Appeal decision (Dartford v SOS EWCA Civ 141) found that private residential gardens which are not in a built-up area will constitute previously developed land (i.e. Brownfield land) within the NPPF. Thus, development of such land within the Green Belt will be excluded from general, restrictive Green Belt Policy provided such development would not have a greater impact on the openness of Green Belt than the existing development.

6.12. Officers are comfortable that in light of this decision, the proposal site does constitute previously developed land. Introduction however of a structure where none has previously been would undoubtedly, visually urbanise the site and its surroundings, resulting in a loss of openness to the area. This would be further exacerbated by domestic fencing and paraphernalia, and loss of views through the site, and as such it is considered that the

proposal would not satisfy the exemption allowed by point (g) of the NPPF (as mirrored by exception (f) of Local Plan Policy G1)..

6.13. A number of uses bound the site – the car park in the east, paintballing facility in the south and agricultural lands beyond the main property in the west, south and facing, but these are relatively low key in nature, preserve openness in visual terms, and in the case of the paintballing and agricultural uses these are examples of appropriate Green Belt development.

6.14. As the proposal does not benefit from any of the exemptions above, the applicant is required then to demonstrate that there are very special circumstances which outweigh any harm to the Green Belt and its openness. This justification has not been supplied

6.15. Representation has been received from a neighbour which states that *'the proposed property will meet all her (Mrs. Snape's) needs with regard to health issues'* and that *'there are no available bungalows in the area and she should not have to move out of the area as she grows older'*. This is not justification enough however for development of an open, Green Belt site; particularly as the site is within easy reach of a number of urban areas where such alternative properties exist, and notwithstanding that the applicant herself has not supplied this comment in defense of the proposal.

6.16. It is considered that the harm to the Green Belt and its openness caused by proposed erection of a dwelling and ancillary works would clearly outweigh any benefits seen from the development, and as such the proposal is contrary to Policy G1 (Green Belt) of the South Ribble Local Plan. This clear harm should be given significant weight when assessing the 'land use' element of this proposal.

7. Conclusion

7.1. This application seeks Permission in Principle for erection of one dwelling within the garden of no: 25 Midge Hall Lane. The scope for determination is limited to development size, location and land use as detailed above.

7.2. Whilst the sites location is not considered inappropriate, development size and land use for the reasons stated above are not considered to be policy compliant. Development of an appropriate size could not be suitably accommodated within the site, and the proposal would result in unacceptable levels of harm to the Green Belt and its openness. It would also set a precedent whereby development of other, similar Green Belt sites would be difficult to refuse. In addition, the very special circumstances of Green Belt development have not been demonstrated.

7.3. For the aforementioned reasons this application should be refused for the following reasons:

- The proposal constitutes inappropriate land use in the Green Belt. It is not considered that the applicant has demonstrated very special circumstances to justify the proposal which would harm the character and openness of the Green Belt contrary to Green Belt policy. The benefits of the scheme insufficiently outweigh the harm to that landscape. As such, the proposed development is contrary to the National Planning Policy Framework (2018) and Policy G1 of the South Ribble Local Plan 2012-2026
- The proposed development would result in an incongruous feature which if appropriately placed would result in overdevelopment of the site, and would be out of keeping with the immediate street scene to the detriment of to the character and appearance of the area.

As such the proposal is considered to be contrary to Policy G17 of the South Ribble Local Plan 2012-2026 and Central Lancashire Core Strategy Policy 17

RECOMMENDATION:

Refusal.

RELEVANT POLICY

National Planning Policy Framework

South Ribble Local Plan

G1 Green Belt

G17 Design

REASONS FOR REFUSAL:

1. The proposal constitutes inappropriate land use in the Green Belt. It is not considered that the applicant has demonstrated very special circumstances to justify the proposal which would harm the character and openness of the Green Belt contrary to Green Belt policy. The benefits of the scheme insufficiently outweigh the harm to that landscape and as such, the proposed development is contrary to the National Planning Policy Framework (2018) and Policy G1 of the South Ribble Local Plan 2012-2026
2. The proposed development would result in an incongruous feature which if appropriately placed would result in overdevelopment of the site, and would be out of keeping with the immediate street scene to the detriment of to the character and appearance of the area. As such the proposal is considered to be contrary to Policy G17 of the South Ribble Local Plan 2012-2026 and Central Lancashire Core Strategy Policy 17