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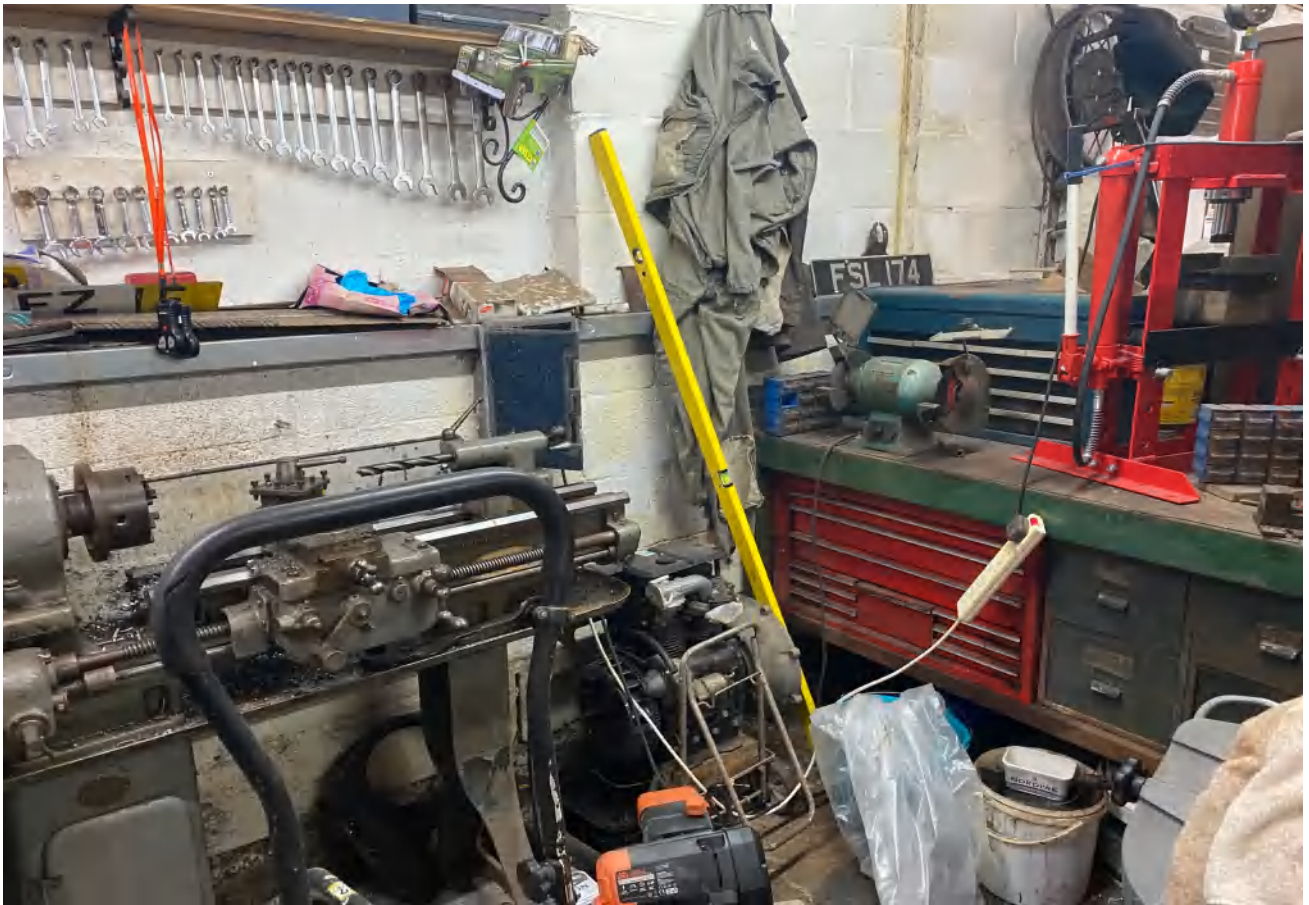
**Planning Statement on behalf of Mr Peter Hilton, for the demolition of existing workshop and storage buildings and the erection of three detached dwellings, Peewit Farm, Moor Road, Anglezarke**

## **Introduction**

This statement should be read in conjunction with the plans and associated documents which together make up this application.

## **Application Site and surrounding Area.**

Peewit Farm, which is not a farm, is a stone dwellinghouse set on the eastern side of Moor Road close to the top of the hill, leading up towards Darwen and Turton, in Anglezarke. The property is part of a small settlement of three dwellings, Jepson's Farmhouse and Jetsons Shippon, all on the same side of the road. On the same side and immediately adjacent to Peewit Farm, is a metal building which is used as a workshop for the repair and maintenance of motor vehicles. In it are a number of pieces of machinery and a spray booth.





The building contains a mezzanine floor and substantive hoists and jacks to enable vehicles to be lifted up and worked upon.

On the other side of the road is an area of land which is a mix of buildings, internal and external storage. The buildings are of different sizes, shapes and materials but are, and have been used in connection with the motor vehicle repair business.



## **Application Proposal**

The proposal is to demolish all the buildings identified and replace with three dwelling houses, one adjacent to Peewit Farm, and the other two on the yard area on the other side of Moor Road. Each would utilise existing access points

## **Planning Policy**

Chorley Local Plan

BNE 1

Design Criteria for New Development

Planning permission will be granted for new development, including extensions, conversions and free-standing structures, provided that, where relevant to the development:

- a) The proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials.
- b) The development would not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or overbearing.
- c) The layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and respect the character of the site and local area.
- d) The residual cumulative highways impact of the development is not severe, and it would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Site Allocations Policy – Parking Standards, unless there are other material considerations which justify the reduction.
- e) The proposal would not adversely affect the character or setting of a listed building and/or the character of a conservation area and/or any heritage asset including locally important areas.
- f) The proposal would not have a detrimental impact on important natural habitats and landscape features such as historic landscapes, mature trees, hedgerows, ponds and watercourses. In some circumstances where on balance it is considered acceptable to remove one or more of these features then mitigation measures to replace the feature/s will be required either on or off-site.
- g) The proposal would not cause an unacceptable degree of noise disturbance to surround land uses.
- h) The proposal includes measures to help to prevent crime and promote community safety.

Policy BNE2: Development in the Area of Other Open Countryside

In the Area of Open Countryside, as shown on the Policies Map, development will be permitted provided the applicant can demonstrate that:

- a) It is needed for the purpose of agriculture or forestry or other uses appropriate to a rural area.

b) It involves the rehabilitation and re-use of existing rural buildings where their form, bulk and general design is appropriate to the character of the surrounding countryside.

#### Policy BNE 5

#### Policy BNE5: Redevelopment of Previously Developed Sites in the Green Belt

The reuse, infilling or redevelopment of previously developed sites in the Green Belt, will be permitted providing the following criteria are met:

In the case of re-use

a) The proposal does not have a materially greater impact than the existing use on the openness of the Green Belt and the purposes of including land in it.

b) The development respects the character of the landscape and has regard to the need to integrate the development with its surroundings and will not be of significant detriment to features of historical or ecological importance.

In the case of infill

c) that the proposal does not lead to an increase in the developed portion of the site resulting in a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

In the case of redevelopment:

d) The appearance of the site is maintained or enhanced and that all proposals, including those for partial redevelopment, are put forward in the context of a comprehensive plan for the site.

#### Policy BNE9: Biodiversity and Nature Conservation

In Chorley, Biodiversity and Ecological Network resources will be protected, conserved, restored and enhanced:

Priority will be given to:

i. Protecting and safeguarding all designated sites of international, national, regional, county and local level importance including all Ramsar sites, Special Protection Areas, Special Areas of Conservation, national nature reserves, sites of special scientific interest and biological heritage sites, geological heritage sites, local nature reserves and wildlife corridors together with any ecological network approved by the Council.

ii. Protecting, safeguarding and enhancing habitats for European, nationally and locally important species.

iii. The ecology of the site and the surrounding area (safeguarding existing habitats / features such as but not exclusive to trees, hedgerows, ponds and streams), unless justified otherwise.

iv. When considering applications for planning permission, protecting, conserving, restoring and enhancing Chorley's ecological network and providing links to the network from and/or through the proposed development site.

In addition, development must adhere to the provisions set out below:

- a) The production of a net gain in biodiversity where possible by designing in wildlife and by ensuring that any adverse impacts are avoided or if unavoidable are reduced or appropriately mitigated and/or compensated.
- b) The provision of opportunities for habitats and species to adapt to climate change.
- c) The support and encouragement of enhancements which contribute to habitat restoration.
- d) Where there is reason to suspect that there may be protected habitats/species on or close to a proposed development site, the developer will be expected to carry out all necessary surveys in the first instance; planning applications must then be accompanied by a survey assessing the presence of such habitats/species and, where appropriate, make provision for their needs.
- e) In exceptional cases where the need for development in that location is considered to significantly outweigh the impact on the natural environment, appropriate and proportionate mitigation measures or as a last resort compensatory habitat creation and/or restoration will be required through planning conditions and/or planning obligations.

The following definition of what constitutes damage to natural environmental assets will be used in assessing applications potentially impacting upon assets:

1. Loss of the undeveloped open character of a part, parts or all the ecological networks.
2. Reducing the width or causing direct or indirect severance of the ecological network or any part of it.
3. Restricting the potential for lateral movement of wildlife.
4. Causing the degradation of the ecological functions of the ecological network or any part of it.
5. Directly or indirectly damaging or severing links between green spaces, wildlife corridors and the open countryside; and
6. Impeding links to ecological networks recognised by neighbouring planning authorities.
7. Significant adverse effect on the interest features of a designated nature conservation site.

### **Assessment**

The proposed development site is not isolated as defined by the Court of Appeal decision in Braintree v Sec of State as the site is in a complex of buildings including other dwellings

### **Previously Developed Land**

The definition of Previously Developed Land (PDL) is to be found in Annexe 2 of the NPPF. It states "Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal

by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.”

The application is supported by a personal statement from the applicant, as to how the land has been used and for how long. In addition, photographs are included which demonstrate the factual use of the premises. These support the case law as identified by Ouseley J in R (Lee Valley Regional Park Authority) v Broxbourne BC.53 Land had previously housed horticultural buildings. The definition of previously developed land in the Glossary excludes “land that is or was last occupied by agricultural or forestry buildings”. The officer report had stated that land was previously developed land. Ouseley J held that the buildings were no longer used for agricultural purposes alone. They could therefore fall within the definition of previously developed land. However, the officer report did err in suggesting that the whole of an area was previously developed land, whereas in fact only part had been developed. Ouseley J held at para. 51 that:

““While I accept... that the flexibility in the NPPF for previously developed land may not require every part of the application site to have been previously developed land, the presence of some previously developed land within an application site does not make the whole site previously developed land either, applying the definition in the NPPF. The NPPF itself draws a limit on whether a site is previously developed land by reference to the curtilage of the buildings.”

To establish the site as previously developed land does not require a Lawful Development Certificate or an Approval of Permission.

Whether inappropriate development or not?

In spatial terms the following applies:

Existing Volumes

Store 1 22m<sup>3</sup>

Store 2 59m<sup>3</sup>

Store 3 92m<sup>3</sup>

Store 4 and 5 394m<sup>3</sup>

Workshop1 747m<sup>3</sup>

Workshop 2 218m<sup>3</sup>

Garages 342m<sup>3</sup>

Total 1894m<sup>3</sup>

Proposed Volumes

House type 1 608.25 x2 = 1216m<sup>3</sup>

House Type 2 387.75m<sup>3</sup>



Total 1604m<sup>3</sup>

Reduction in volume of 5.2%

Although not designated as Green Belt, the site has all the attributes of PDL in the Green belt, and as there is no policy for homes in the countryside then it would be applicable to approach in this way as was the case with application 19/00329/FUL Demolition of part of mixed-use building and erection of one detached dwelling. | Higher White Coppice Farm Coppice Lane Heapey Chorley PR6 9DD

The application site is in two parts. The first part immediately adjacent to the applicant's house, is for one dwelling which he wants for himself. It involves the removal of the workshop and spray booth (located to the rear of the building and the proposal is to build on the same footprint as the existing building the curtilage is limited and fixed by the current rear boundary before the land opens up into fields.

The proposed dwelling is of a similar scale to the existing building, slightly higher but significantly not as long.

Access would be as now.

The second part is the land which houses the storage sheds, garages and open storage on the other side of Moor Road. This has two vehicular access points which allows each replacement dwelling to have their own access.

The current site as the photographs and site visit will testify, is an unregulated storage area which detracts from the landscape. The removal of all the debris and buildings will improve the visual appearance of the site. The proposed development will be well screened from the west by a cluster of significant trees. The land is also lower than Moor Road so will not be readily visible from users of the highway.

Conditions for detailed parking and landscape layout would be appropriate.

All the buildings have been surveyed for protected species and none have been found.

## **Conclusions**

**The proposal accords with Policies BNE1, BNE5 of the Chorley Local Plan and provides for the redevelopment of previously developed land that will enhance the local landscape in this locality.**



**RTPI**

**Chartered Town Planner**