

PLANNING STATEMENT

Redevelopment of land for at Arrochar,
Prescot Road, Melling L31 1AT.

MPD Built
Environment
Consultants Ltd

1. Introduction

This outline application follows on from the refusal of a Permission in Principle application (DC/2022/01070) for the residential development of Previously Developed Land at Arrochar, Prescott Road, Melling L31 1AT, including the commercial area to the rear of this property.

The site is situated within the Green Belt, but forms part of a small settlement incorporating a mixture of commercial and residential uses. There are two existing accesses to the site from Prescott Road at the front as well as an access route from Prescott Road to the commercial area at the rear of the existing dwelling (Arrochar).

2. The Site and Surroundings

The site is accessed directly from Prescott Road (B5197). Currently there are three access/egress points to the road frontage from the site (See below).

Figure 1. – Three Existing Entrance/Exit points to the site.



The site itself consists of a large area of hardstanding to the front with an ornate water feature acting as a centre piece. There is also a gated access to the north which provides vehicular access to the yard area to the rear of the existing dwelling. To the north of the site is a mixture of residential and commercial uses.

To the south of the site is open arable farmland which is separated from the site by a mature hedgerow. The existing dwelling on site is set back a considerable distance from the road frontage and is a large detached bungalow with a steep ridge height. There is also a detached garage situated on the site in front of the bungalow.

Figure 2. – The Storage yard and structures to the rear of Arrochar view from the north.



To the rear of bungalow is a yard area which contains a number of buildings and structures which are used for storage purposes. This is a fairly unattractive area with buildings and structures in various states of disrepair as well as open storage.

Figure 3 – Aerial View of the storage area from the south.



3. The Proposals

The proposed redevelopment of the site will see four new detached dwellings constructed on the site, alongside the existing bungalow which will be extended (this is subject to a separate householder planning application). The design of the dwellings incorporates 4 bedrooms along with an integral garage wide enough to house a vehicle with a further two parking space on each plot in front of the garage. Each plot will have a garden to the front and rear of the dwelling.

Figure 4 – The storage yard immediate to the rear of the existing dwelling will be cleared of structures and new development will be concentrated in front of the existing property.



As part of the proposals the rear storage buildings and existing garage will be removed from site. Which will result in a reduction in the overall footprint and volume of development on the site as a whole. The redevelopment of the site will see development concentrated towards the front of the site with the remainder of the site being cleared and left open which will result in a beneficial impact in terms of increased openness in the Green Belt.

4. Planning History

DC/2022/01070 – Permission in Principle for Residential Development was Refused on the 18th August 2022 for the following reasons:

1) The proposal constitutes inappropriate development in the Green Belt and the proposed development of up to nine dwellings would result in urban sprawl and encroach into the countryside, which would cause a harmful impact on the openness of the Green Belt. There are no very special circumstances, which outweigh the substantial harm to the Green Belt by inappropriateness and the actual harm to the openness of the Green Belt. The proposal is therefore contrary to paragraphs 147, 148 and 149 of the National Planning Policy Framework and Local Plan Policy MN7 'Green Belt'.

2) The site may be functionally linked to the following European Sites, Ribble & Alt Estuaries Special Protection Area (SPA) and Ramsar Site and Martin Mere SPA and Ramsar site, and a Habitats Regulations Assessment would be required to determine that there is no significant harm on the integrity of these sites. Under Section 5B(1)(b) of the Town and Country Planning (Permission in Principle) (Amendments) Order 2017 this proposal is categorised as a 'Habitats Development' as it requires assessment under the Habitats Regulations. It cannot, therefore, be considered by a Permission in Principle application and is contrary to the Town and Country Planning (Permission in Principle) (Amendments) Order 2017.

Following on from the refusal of the Permission in Principle application, pre-application engagement was undertaken with Sefton Council as the local planning authority to ascertain a view in relation to the potential redevelopment of this previously developed site in the Green Belt for residential purposes.

5. Planning Policy

The proposal is not considered to be contrary to the objectives of either national or local planning policy and in the following section we will set out the rationale for this reaching this view.

In the first instance it is necessary to consider the national planning policy context which is the National Planning Policy Framework (NPPF) published in September 2023. The NPPF is clear that Planning Permission should be granted for development where it accords with planning policy. To this end in **paragraph 7** of the NPPF the point is made that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

The NPPF is clear that Planning Permission should be granted for development where it accords with planning policy. The National Planning Policy Framework in **Paragraph 11** makes it clear that a presumption in favour of sustainable development is at the heart of national planning policy and where a proposal accords with planning policy then it should be permitted without delay.

Paragraph 8 sets out the three overarching objectives of sustainable development, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect

current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Paragraph 9 reinforces the point that planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. This is particularly relevant in relation to this proposal.

Further attention is drawn to **Paragraph 38** of the NPPF which encourages local planning authorities to approach decision-taking in a positive way by looking for solutions rather than problems. Decision-takers at every level should seek to approve applications by using the full range of planning tools available to them and working proactively with applicants. **Paragraph 39** encourages early engagement in the form of pre-application discussions and following the refusal of DC/2022/01070 for Permission in Principle for Residential Development, the applicant engaged with the local planning authority through the pre-application process under DC/2022/1830.

Paragraph 53 of the NPPF, identifies local circumstances as a relevant factor to take into account when making decisions. In this case the site is a previously developed site within the Green Belt. **Paragraph 54** states that planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so. **Paragraph 55** states Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. **Paragraph 56** further states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning

and to the development to be permitted, enforceable, precise and reasonable in all other respects.

The Government at **Paragraph 60** places great importance on significantly boosting the supply of homes both in terms of numbers and the variety in order to meet the needs of groups with specific housing requirements are addressed. This proposal will assist in meeting this objective.

Paragraph 69 highlights that *‘Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly’*.

Paragraph 70 states that *‘Neighbourhood planning groups should also give particular consideration to the opportunities for allocating small and medium-sized sites (of a size consistent with paragraph 69(a) suitable for housing in their area.’* This site was originally included in the Melling Neighbourhood Plan, however prior to adoption the decision was taken to exclude land to the North of the M58 motorway. It is considered that this site would have been a prime candidate for consideration under this part of the NPPF if it had remained in the Neighbourhood Plan boundary.

Paragraph 78 states that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. **Paragraph 79** expresses the importance of promoting sustainable development in rural areas where housing will enhance and maintain the vitality of rural communities and assist in supporting services.

Paragraph 80 says that decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;

d) the development would involve the subdivision of an existing residential building; or

e) the design is of exceptional quality, in that it:

- is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and

- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

Paragraph 111 expressly states that development should only be refused on highway grounds where there would be an unacceptable impact on highway safety. This application is supported by relevant traffic counts and speed data, trip generation forecasts and visibility splay plans. It is considered that given the low level of trip generation from the development that the proposals will neither impact highway safety or impact the residual cumulative impacts on the road network to any noticeable degree.

Paragraph 119 promotes the effective use of land in meeting the need for homes and other uses and promotes the use of previously developed or brownfield land.

Paragraph 120 makes clear that planning policies and decisions should promote and support the development of under-utilised buildings, especially if this would help to meet identified needs for housing where land supply is constrained.

Paragraph 123 encourages local planning authorities to take a positive approach to applications for alternative uses on previously developed sites, which are not allocated and would assist in meeting the recognised need for the delivery of additional housing.

Planning policies and decisions should support development that makes efficient use of land according to **paragraph 124** taking into account the identified need for different types of housing having regard to availability and local market conditions. Currently, we are in the midst of a cost-of-living crisis, yet house prices remain at unaffordable levels for many to get on the owner/occupier level, therefore it is important that all sectors of society are

catered for through policies designed to deliver an approximate mix of housing types and tenures to meet the needs of everyone.

Paragraph 126 emphasises the importance of high-quality design in creating better places, whilst **Paragraph 131** highlights the importance that trees make to the quality of the environment along with the role, they can play in mitigating climate change. The clearing of the rear area of the site presents opportunities for tree planting as well as biodiversity enhancements.

Paragraph 137 emphasises the importance of the Green Belt in preventing urban sprawl by keeping land open. However, in this case a building already exists on site and whilst the development proposed will have a slightly greater impact on the openness of the Green Belt than the existing structure, significantly larger additions could be added utilising existing permitted development rights without the local planning authority being able to exercise any control over these.

Paragraph 138 outlines the five purposes of the Green Belt namely a) to check the unrestricted sprawl of large built-up areas; b) to prevent neighbouring towns merging into one another; c) to assist in safeguarding the countryside from encroachment; d) to preserve the setting and special character of historic towns; and e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. As the site is a previously developed site within the Green Belt the proposal will not significantly compromise any of these objectives.

Indeed, by allowing the development and then removing the remaining permitted development the local planning authority will be able to exact more control over the impact of future development than refusing the proposals and forcing the applicant to develop utilising permitted development rights. The proposal therefore offers benefits to both the applicant and the LPA in that by granting planning permission the applicant gets the preferred development solution, whilst at the same time the LPA is in a stronger position going forward to protect the Green Belt from further incursion.

Paragraph 147 advises that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very Special Circumstances' will not exist unless the potential harm to the Green Belt by

reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. In this case, the resulting extension proposed will have significantly less impact than additions which could be undertaken on the site utilising existing permitted development rights and therefore by definition will result in less harm to the open character of the Green Belt than if the applicant was forced to provide the additional accommodation utilising permitted development rights.

As indicated previously the applicant has indicated a willingness to forego existing permitted development rights on the existing property and new development in return for planning permission for this scheme. This could be done either through the imposition of a planning condition on any planning permission granted or by way of a legal agreement through a Unilateral Undertaking.

Paragraph 148 puts substantial weight on any harm to the Green Belt resulting from inappropriate development in the planning balance. In this case whilst residential development may be deemed inappropriate, it will be replacing an existing form of inappropriate development with a significantly reduced volume and footprint of development when compared to the existing situation, which will result in greater openness which is a primary consideration in relation to the Green Belt, therefore it is considered that betterment can be demonstrated in this particular instance and this therefore constitutes 'very special circumstances' which would justify these proposals being granted planning permission.

Paragraph 149 states that new buildings within the Green Belt should be considered inappropriate development, but lists several exceptions to this:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

e) limited infilling in villages;

f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

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

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

- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

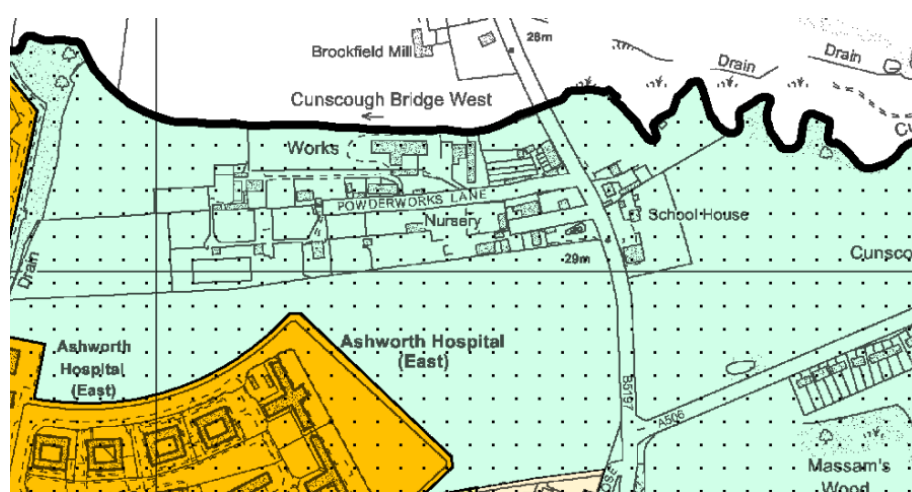
Paragraph 174 identifies that planning decision should contribute to and enhance the natural and local environment. In this case there is an ability to remediate the rear part of the site and enhance its importance to biodiversity through appropriate interventions.

Paragraph 180(d) states '*opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity*'. The removal of existing structures from the rear part of the site presents an opportunity to secure biodiversity enhancements from the scheme.

Local Planning Policy

The development plan for the borough is the Sefton Local Plan which was adopted in April 2017 and covers the period up to 2030. In the latest Annual Monitoring Report (2021/22) produced by Sefton Council the LPA claim to be able to demonstrate an 8.4-year housing land supply on 31st March 2022.

Figure 5 – Extract from Sefton Local Plan – Proposals Map



SD1 PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

1. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved, unless material considerations indicate otherwise.
2. Where there are no policies relevant to the proposed development, or relevant policies are out of date at the time of making the decision, the Council will grant permission unless material considerations indicate otherwise, taking into account whether:
 - a. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the National Planning Policy Framework taken as a whole, or
 - b. Specific policies in the NPPF indicate that development should be restricted.

MN7 GREEN BELT

Extent of the Green Belt

1. The extent of the Green Belt in Sefton is defined on the Policies Map.

Development in the Green Belt

2. The construction of new buildings, some changes of use, and other development is generally regarded as inappropriate development in the Green Belt, subject to the exceptions set out in national planning policy. Inappropriate development in the Green Belt will not be approved except in very special circumstances.

Extensions to buildings and replacement buildings

3. National Green Belt policy requirements relating to the extension or replacement of existing buildings will be interpreted as follows:
 - a. In general, proposals to extend the original building by more than one third (by volume) either individually or cumulatively with other extensions are considered 'disproportionate' and therefore inappropriate in Green Belt; and
 - b. Replacement buildings that are more than 15% larger (by volume) of the existing building(s) are considered inappropriate in Green Belt.

HC1 AFFORDABLE AND SPECIAL NEEDS HOUSING

All of Sefton outside Bootle and Netherton

1. For new developments of 15 dwellings or more (or for residential and other conversions involving 15 or more additional dwellings net) 30% of the total scheme (measured by bedspaces) will be provided as affordable housing.
2. 80% of the affordable housing should be provided as social rented/affordable rented and the remaining 20% provided as intermediate housing.

All Areas

5. Vacant Building Credit - Proposals that involve the re-use of a vacant building or where it is demolished and replaced by a new building, will receive a financial credit equivalent to the existing gross floorspace (of relevant vacant buildings) when calculating any affordable housing contributions.

6. Special needs housing can be substituted for up to 50% of the site affordable housing contribution on a bedspace for bedspace basis.

7. Where extra care or sheltered housing is proposed to be substituted for affordable housing, this must meet the tenure requirements set out in parts 2 and 4 of this policy.

8. Affordable and/or special needs dwellings shall be:

a. 'tenure blind' i.e. there shall be no external visual difference between the affordable/special needs housing and market housing, and

b. 'pepper-potted' i.e. there shall be a reasonable dispersal of affordable housing or special needs units within residential developments (i.e. groupings of no more than six units) to promote mixed communities and minimise social exclusion. The only exception to this will be where it can be demonstrated that the special needs housing has to be grouped together for functional or management purposes.

9. Affordable and/or special needs housing will be provided in accordance with this policy unless a robust assessment of a scheme's economic viability confirms that this cannot be achieved.

10. Off-site provision of affordable housing, or a financial contribution of broadly equivalent value, will be considered where it can be robustly justified, and where the agreed approach contributes to the objective of creating mixed and balanced communities.

11. In implementing the policy, the Council will have regard to:

a. the definitions and provisions of affordable and/or special needs housing in relevant national guidance as they may change over time, and

b. changes in the Borough's requirements for affordable and special needs housing based on new evidence of need as set out in future commissioned Strategic Housing Market Assessments or similar studies.

HC2 HOUSING TYPE, MIX AND CHOICE

1. In developments of 25 or more dwellings, the mix of new properties provided must be as follows unless precluded by site specific constraints, economic viability or prevailing neighbourhood characteristics: A minimum of 25% of market dwellings must be 1 or 2 bedroom properties A minimum of 40% of market dwellings must be 3 bedroom properties These requirements do not apply to wholly apartment/flatted, extra care, and sheltered housing developments. Any new affordable dwellings are also exempt.
2. In developments of 50 or more dwellings, at least 20% of new market properties must be designed to meet Building Regulation Requirement M4(2) 'accessible and adaptable dwellings'.
3. Where housing for older people or people with special needs is provided as part of a larger scheme, this should, where appropriate, be located within the scheme in the most accessible location for local services and facilities.
4. Proposals for residential care accommodation that would result in or exacerbate an existing oversupply will be refused.
5. The Council will support proposals for custom or self-build homes on appropriate sites. To identify and provide for those who wish to custom or self-build their own homes the Council will:
 - a. Manage a register of interested parties who wish to custom or self-build their own home
 - b. Identify at least two pilot schemes to be made available for custom or self-builders.

HC3 RESIDENTIAL DEVELOPMENT AND PRIMARILY RESIDENTIAL AREAS

1. New residential development will be permitted in Primarily Residential Areas shown on the Policies Map, where consistent with other Local Plan policies.
2. Non-residential development will be permitted in Primarily Residential Areas provided that it can be demonstrated that the proposal:
 - a. will not have an unacceptable impact on the living conditions of neighbouring properties, and
 - b. will otherwise not harm the character of the residential area, and
 - c. will not undermine objectives of the plan regarding housing delivery.

3. Residential development will be permitted in other areas except where:

- a. the land is required for the purpose for which it is designated,
- b. the development would conflict with the allocated or designated land use,
- c. it would result in an unacceptable residential environment, or
- d. it would be inconsistent with other policies in the Plan.

4. New residential development must achieve a minimum density of 30 dwellings per hectare of the net developable area, except where:

- a. constraints within the site, or the provision of infrastructure within the site, make this impractical, or
- b. a lower density can be justified having regard to the layout and character of the immediate surrounding area.

EQ1 HEALTHY SEFTON

Development should help maximise opportunities to improve quality of life to make it easier for people in Sefton to lead healthy, active lifestyles, by:

- a. Improving access to a choice of homes and providing new homes that meet the needs of future occupiers
- b. Improving access to jobs
- c. Making adequate provision for safe waste storage or recycling opportunities
- d. Designing easy to maintain, safe and attractive public areas which minimise the opportunity for crime and reduce the fear of crime, and which promote social cohesion
- e. Encouraging people to take physical exercise by providing opportunities for walking, cycling, outdoor recreation and sport
- f. Appropriately locating food and drink shops, hot food takeaways, drinking establishments, restaurants, cafes and other non-food and drink uses which have health impacts, having regard to other land uses in the local area
- g. Having regard to accessibility of homes, education, jobs, public transport services, health and other services, recreational opportunities and community, cultural and leisure facilities

h. Encouraging measures to achieve affordable warmth i. Managing air quality and pollution.

EQ2 DESIGN

Development will only be permitted where:

1. In relation to site context:

a. The proposal responds positively to the character, local distinctiveness and form of its surroundings

b. In areas of lesser quality the development enhances the character of the area rather than preserves or reproduces negative aspects of the existing environment

c. Key views of townscape, including landmark and gateway buildings, and important landscape features are retained or enhanced.

2. In relation to site design, layout and access: The arrangement of buildings, structures and spaces within the site, including density and layout, and the alignment and orientation of buildings, relates positively to the character and form of the surroundings, achieves a high quality of design and meets all of the following criteria:

a. Ensures safe and easy movement into, out of, and within the site for everyone, including pedestrians, cyclists and those with limited mobility

b. Integrates well with existing street patterns

c. Protects the amenity of those within and adjacent to the site

d. Ensures the safety and security of those within and outside the development through natural surveillance and the creation of active frontages

e. Creates well-connected attractive outdoor areas which fulfil their purpose well.

3. In relation to the design of buildings and structures:

a. Proposals make a positive contribution to their surroundings through the quality of their design in terms of scale, height, form, massing, style, detailing, landscaping, use of materials and meet criteria (b) to (d) listed in part (2) above (replacing 'site' with 'building' in c.)

- b. Proposals for non-residential buildings consider flexibility in design to facilitate conversion to other uses in the future
 - c. Proposals for residential buildings consider the adaptability of new homes to meet the long term needs of residents
 - d. Proposals are designed to take advantage of natural solar gain.
4. In relation to major and urban edge sites the following additional criteria apply:
- a. Key landmarks are retained, and new gateway features provided, to ensure locally distinctive developments
 - b. Structural planting is provided to soften the urban edge and provide a suitable transition to open countryside
 - c. A clear road hierarchy is set out, and different character areas within the development are provided, to assist navigation through and around the development.

EQ3 ACCESSIBILITY

In order to improve accessibility in Sefton, new development must adhere to the following principles:

- a. Be located and designed to encourage walking and cycling both within, to and from the site,
- b. Where practical, be located in areas that are accessible, or are capable of being made accessible, to bus stops and rail stations,
- c. Be accessible to an existing range of local services and facilities or, where appropriate, be supported by new services and facilities,
- d. Ensure the needs of all residents and users of services and buildings, including those with limited mobility are met,
- e. Ensure existing pedestrian and cycle paths are protected and where possible enhanced,
- f. Ensure the safety of pedestrians, cyclists and all road users is not adversely affected, and
- g. Have regard to the Council's parking standards and the recommendations of any submitted Transport Assessment or Transport Statement.

EQ6 CONTAMINATED LAND

1. Development on contaminated land will be granted permission where it can be demonstrated that both future residents/occupiers of the development site, the residents of neighbouring sites and controlled water systems, ecological systems and property will not be exposed to harmful levels of contamination.
2. Where development is proposed on a site that may be contaminated, the developer must establish the nature, degree and extent of any contamination and other relevant ground conditions on the development site by carrying out preliminary investigations.
3. Where there is evidence that a site may be affected by contamination, or the proposed development is particularly sensitive to contamination, planning applications must be accompanied by a Preliminary Investigation report.
4. Where planning permission is granted for sites where contamination has been identified, the developer will be required to (where appropriate): a. Carry out a full site investigation and assessment of development, and b. Remediate the site before it is developed.
5. Where remediation is required, a verification report must be submitted to show that the agreed remediation objectives and criteria have been complied with.
6. After remediation, land should not be capable of being listed as contaminated land under Part 2A of the Environmental Protection Act 1990.

New Build Homes Supplementary Planning Document

Sefton Council adopted a New Build Homes SPD in May 2023, which is relevant to the consideration of these proposals. The SPD sets out a number of minimum space standards that the LPA expects new development to adhere to and the proposals generally exceed these.

Reference is made to replacement dwellings in the Green Belt in the SPD and an increase of 15% in volume being considered appropriate. The SPD then goes onto state *'In calculating the volume of the existing house, the Council will not include any allowance for unimplemented approvals for extensions or unused permitted development rights. However, these may be considered in an assessment of 'very special circumstances' taking into account how likely they are to be implemented (i.e. the 'fallback' position).'*

The SPD then goes on to say that permanent outbuildings of substantial construction, will count towards the volume of the existing property if they are to be demolished as part of your proposals.

Inappropriate development in the Green Belt will only be approved in 'very special circumstances' where the benefits of the development clearly outweigh the harm to the Green Belt, and any other harm.

6. Analysis

Principle of development

Policy MN7 of the adopted local plan sets out how the Council will protect the Countryside and will support development proposals in the countryside which accord with Green Belt policies set out in national planning policy provided that; the detailed siting and design of the development relates satisfactorily to its rural setting, in terms of its scale, layout and use of materials; they respect local landscape character, both in terms of immediate impact, or from distant views; unobtrusive provision can be made for any associated servicing and parking facilities or plant, equipment and storage; they relate to local enterprise and farm diversification; and it can be demonstrated that there would be no detrimental impact on agricultural interests.

Paragraph 149 of the NPPF deals with green belt and sets out a list of exceptions where new development is not inappropriate. These include (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; e) limited infilling in villages; f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and (g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

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

In this case the proposed development falls within exception 149 (g). The application site is on previously developed land (PDL). The NPPF defines 'previously developed land' as 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. It goes on to say that it excludes land in

built-up areas, such as residential gardens, however, given the location of the site outside a settlement boundary and in open countryside (i.e. not in a 'built up area'), it falls within the definition of PDL.

Whilst policy general restricts new housing development outside settlement boundaries, paragraph 79 promotes sustainable development in rural areas, and requires housing to be located where it will enhance or maintain the vitality of rural communities. The location of the application is centrally located amongst a number of small rural communities and as such will support services in the villages nearby, complying with this policy.

Paragraph 80 of the NPPF restricts isolated homes in the countryside. This has previously been used by Councils to restrict all new dwellings outside settlement boundaries, however, there have been a number of high court judgements and appeals with differing outcomes and therefore essentially whether a home is considered 'isolated' is a matter of planning judgement. In this case the new dwellings would be adjacent to an existing development within a cluster of dwellings and commercial uses fronting onto or located off Prescott Road.

Whilst the site is within the Green Belt it is situated within a small settlement that borders the adjoining borough of West Lancashire. As such it is not considered to be 'isolated' due to its proximity to existing dwellings, local services and infrastructure. It is therefore considered to be in accordance with objectives of paragraphs 79-80 of the NPPF and the principle of the proposal meets the exceptions set out in para 149 of the NPPF being Previously Developed Land (PDL).

The site is located on Prescott Road (B5197) and within easy reach of the motorway network via the M58 which has a junction in close proximity to the site. The site is also well connected via public transport with bus services and Maghull Rail Station being within walking distance of the site. The site can therefore be said to be a sustainable location which lends itself to redevelopment for residential purposes.

Impact upon openness and character of the green belt

The essential characteristics of Green Belts are their openness and their permanence. Whilst there is no definition of openness, it is generally regarded

as being free from inappropriate development and the counterpart of urban sprawl. It can comprise spatial and visual aspects.

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. One of the purposes of the Green Belt is to assist in safeguarding the countryside from encroachment.

When assessing the impact of new development on the Green Belt it is essential to consider the area of land covered by buildings as well as their heights and massing to ensure that they do not have a 'greater impact upon openness' than the existing buildings on the site.

This locality whilst washed over as Green Belt in the Local Plan is thriving mixed use community with commercial and residential uses existing side by side within a tightly defined settlement which has a definitive edge with the adjacent agricultural land, which is open in nature.

Quantum of Development

The recently refused first stage Permission in Principle application sought to establish whether the redevelopment of this Previously Developed Site in the Green Belt was acceptable in principle. It did not seek to establish a quantum of development on site in terms of floor area, volume or number of units. This would form part of any subsequent Stage 2 application.

The application simply contained a red line boundary around the identified site which is previously developed land in the Green Belt and sought approval for the residential redevelopment of the site in principle.

The Local Planning Authority have indicated that they considered the area covered by the application for the permission in principle application was too large and would adversely impact the openness of the Green Belt contrary to both national and local planning policy.

The LPA did however indicate informally that they considered that there was some scope to redevelop the site for residential purposes on a reduced site area and as a result encouraged the applicant to submit a pre-application enquiry.

The site area of the pre-application enquiry remained the same as the previous permission in principle application, however the applicant did this in order to

be guided by the LPA into where they considered any new development should be located and to allow the LPA to consider the site holistically in terms of any trade-offs it might wish the applicant to incorporate in a future application.

As a result of the pre-application response from the LPA, the proposed scheme has been developed which seeks to develop the hardstanding area to the front of the site, whilst clearing the storage yard to the rear of existing buildings and structures. It is considered that this approach will result in development across the site being concentrated towards the front of the site, which will result in a greater openness of the Green Belt at the rear of the site as a result of the site being cleared.

Calculations have been provided in support of the application which demonstrate that the quantum of development proposed both in terms of floor area and volume is in accordance with Local Plan policy.

Access and Highways

The site currently benefits from three access/egress points along Prescott Road (B5197). The frontage to the site sits on a bend in the road and as such the proposals include for the rationalisation of the existing arrangement to create a single point of access/egress to serve the existing dwelling along with the four new proposed dwellings.

Commented [MD1]:

It is not considered that the redevelopment of the site for residential purposes will result in any significant increase in trips generation to and from the site, given the existing storage use of the site. The NPPF paragraph 111 makes clear that proposals should only be refused on highway safety grounds where there is an unacceptable impact. It is not considered that there would be any noticeable increase in vehicular movements to and from the site, given the existing use and the small-scale nature of the proposed development which would lead to a severe impact in terms of additional traffic generation. Indeed, the rationalisation of the existing access and egress points from three to a single one is likely to assist in improving highway safety along this stretch of Prescott Road.

Residential Amenity

The proposals are compliant with the LPA's adopted standards in relation to privacy distances and avoid overlooking and overshadowing. The rear gardens of the four new dwellings are all south facing to maximise the sunlight available to them.

Each new dwelling has sufficient outdoor space to meet the needs of future residents.

Car parking

Each dwelling will have three off-street car parking spaces including an integral garage with a width of 3 metres. The proposals therefore accord with the usual parking requirements for a 4-bed property.

Ecological Enhancements

The clearance of the area to the rear of the existing bungalow, presents opportunities in terms of being able to deliver ecological enhancements as part of the proposals as well as creating a greater degree of openness in the Green Belt by concentrating development towards the front of the site, which removing existing structures at the rear.

Openness

The redevelopment proposals will see the rear storage area cleared and development concentrated towards the front of the site, which will result in a greater degree of openness in the Green Belt along with a visibly greater degree of separation between Ashworth Hospital and the site. This will therefore result in betterment from a spatial planning perspective with a more emphasised degree of separation between development in the Green Belt.

Design

The design of the new dwellings along with the update to the existing property are considered to provide the development with a homogeneous character which is reflective of development in the immediate locality.

Very Special Circumstances

The NPPF and Local Planning Policy are clear that new residential development in the Green Belt is considered 'inappropriate' unless it can be demonstrated that there are '*very special circumstances*' which would justify a departure from policy. In this case it is submitted that '*very special circumstances*' do exist and with this in mind planning permission should be granted for the proposed development.

There is an existing quantum of development on site which amounts to 671 sqm. In addition, to this the existing bungalow whilst subject to a separate household application as part of these proposals still retains its full complement of permitted development rights. It is calculated that this could potentially added a further 280sqm of floor space to the existing property if utilised fully. This amounts to 951sqm of existing and potential floor area which would not require planning permission.

The proposals envisage four new dwellings creating a combined floor area of 888sqm, with 112 sqm being created with the additions to the existing dwelling. However, 71sqm of these additions are within the existing roof space of the bungalow so the development results in 22sqm of floorspace in reality.

It is a similar story when we consider the volume calculations of the existing buildings on site and what could be constructed utilising PD rights against the proposals. The new build elements of both schemes amount to 3019 cubic metres, whilst the existing volume of structures and PD rights amount to 2922 cubic metres resulting in an increase of 97cubic metres (3.3%) which is significantly below the 15% threshold for increases in size in replacement dwellings in the Green Belt.

Therefore, having regard to the above it is considered that the proposals demonstrate policy compliance with both national and local Green Belt policy. The proposals will result in a greater degree of spatial and visual separation between development in the Green Belt which is a primary of objective in terms of preventing settlements merging. The concentration of development towards the front of the site will assist in creating a stronger sense of place along the frontage with Prescott Road, whilst removing a non-conforming use from the rear of the site which will cleared of structures as part of these proposals.

7. Conclusions

The applicant through the submission of the pre-application enquiry is sought guidance from the LPA in terms of what might be acceptable in terms of the site area for residential development along with potential quantum. The applicant has indicated a willingness to work constructively with the LPA to reach a satisfactory outcome for all parties.

The NPPF at paragraph 149(g) states that the redevelopment of Previously Developed Land in the Green Belt is permissible where it does not have a greater impact on the openness of the Green Belt than the existing development on site.

The redevelopment of the site for residential development has the potential to concentrate development to the front of the site, thus removing existing the development from the rear of the site. This rationalisation of development presents the opportunity to create a greater degree of openness on the site thus contributing towards the objectives of the Green Belt.

Arrochar, 14 Prescott Road, Melling – Calculations

Existing Development on Site

Existing Bungalow	124sqm
Garage to Front	55sqm
Storage Container	32sqm
Shed structure	18sqm
Outbuilding 1	112sqm
Outbuilding 2	330sqm
Total Existing Structures	671sqm

Development that could be undertaken under PD Rights

PD – Larger House Extension	119sqm
PD – Class AA upward Extension	124sqm
PD – Side Extension	34sqm
PD - Porch	3sqm
Potential Additions under PD Rights	280sqm

Existing Development + Permitted Development Total = 951sqm

New Development

Arrochar Extended	112sqm
Plot 1	222sqm
Plot 2	222sqm
Plot 3	222sqm
Plot 4	222sqm
Total New	1000sqm

Increase = 49sqm

71sqm of the additional floorspace at Arrochar is within the existing roofspace so if this is discounted then there is a net deficit of **22sqm**. Which results in greater openness in the Green Belt.

PROPOSED VOLUME ON NEW DEVELOPMENT

Each New Dwelling

Building - $11.8 \times 9.8 \times 5.2 = 601.0$

Roof including Dormers – $11.8 \times 9.8 \times 2.8 = 323.5 - 50\% = 161.8$ cubic meters

Total = 762 cubic metres

Minus - Door entrance section – $3.2 \times 1.2 \times 5.2 = 19.9$ cubic metres

Minus – Front setback – $7.4 \times 1.2 \times 5.2 = 46.1$ cubic metres

696 cubic metres $\times 4 = 2784$ cubic metres (New Build)

235 cubic metres additions to existing bungalow

Total New Build = 3019 cubic metres

Existing Development (excluding bungalow) and PD Rights

547sqm $\times 3.5\text{m} = 1914.5$ cubic metres

280sqm $\times 3.6\text{m} = 1008$ cubic metres

Existing Buildings (excluding existing bungalow) + PD rights = 2922 cubic metres

New Build – Existing Development and PD rights

Volume increase = 97 cubic metres (3.3% increase in volume)



Aerial Photo December 2000



Aerial Photo November 2003



Aerial Photo December 2005



September 2010



April 2011



March 2012



April 2015



June 2016



June 2018



September 2019



April 2021















