



Steven Abbott Associates LLP
Chartered Town Planners

PLANNING STATEMENT

Limbrick Fishery (Mr and Mrs Sean and Louise Daniels)

Redevelopment of Previously Developed Land with Single
Residential Property

Limbrick Fishery, Long Lange, Heath Charnock. Chorley, PR6 9EF

December 2023



REPORT DETAILS

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1. INTRODUCTION

- 1.1. This planning statement has been produced to support a full planning application for the following development:
 - Redevelopment of previously developed land with a single residential property and associated works.
- 1.2. The application site is located at Limbrick Fishery to the north of Heath Charnock. The current building lies to the centre of the application site.
- 1.3. The team involved with the application are as follows:
 - Planning consultants – Steven Abbott Associates LLP;
 - Drawings and plans – Tom Lockwood; and
 - Preliminary ecological appraisal – Envirotech.
- 1.4. The purpose of this planning statement is to set out the key relevant planning considerations for the proposed development, and to provide an informed assessment based on the relevant planning policy context and other material considerations.
- 1.5. In summary, the planning statement and other supporting documents demonstrate that the proposed development represents a sustainable and acceptable form of development, which should be supported by the Local Planning Authority (“the LPA”).

2. SITE DESCRIPTION

- 2.1. The application site is located within the Green Belt in Limbrick. There is one main access onto the site from Long Lane. The site is connected to and forms part of the adjacent well-established commercial fishery. The fishery complex (buildings, ponds, roadways and fixed surface infrastructure) is well contained and screened by established peripheral landscape.
- 2.2. For the purposes of this application, the site is taken to be the pre-existing group of buildings and associated land within its curtilage. This is located to the east of the wider site. The site also accommodates three fishing ponds.
- 2.3. The site of the proposed development is composed of a group of buildings that site in an area of hardstanding near the entrance of the fishery. These buildings are used for the management of the fishery, fishery office, welfare facilities and general storage.

3. PLANNING HISTORY

3.1. There have been a number of planning applications submitted relating to the workings of the fishery. These are detailed as follows:

➤ **Planning Ref:** 17/00768/FUL

Proposal: Temporary (3 years) siting of lodge caravan for residential use to establish fish farming enterprise.

Decision: Refused (20 Oct 2017); and

➤ **Planning Ref:** 17/00769/AGR

Proposal: Prior notification of the proposed erection of an agricultural barn.

Decision: Refused extension GPD (31 Aug 2017).

4. DEVELOPMENT PROPOSALS

- 4.1. The development proposal is to demolish the existing buildings and structures on the site and to replace with a new dwellinghouse (to be occupied by the owner/operator of the fishery).
- 4.2. The proposed dwelling is to be located approximately in the same position as the existing buildings on the site.
- 4.3. The existing access into the site is to be retained. The larger tree specimens and established hedgerows around the perimeter of the site are to be retained. Views into the site are limited by these hedgerows that form the site boundary.
- 4.4. The new dwelling on the site will equate to a 34.3 increase in volume from the existing buildings on the site. Although this increase in volume is slightly higher than the 30% allowed for replacement in the Green Belt as found in the Central Lancashire Rural Development Supplementary Planning Document, the design of the proposed development ensures that there will be no detrimental impact on the openness of the Green Belt.

5. RELEVANT PLANNING POLICY

Local Planning Policy

- 5.1. Planning law requires that applications for planning permission must be determined in accordance with the local development plan, unless material considerations indicate otherwise. In Chorley, the development plan consists of the Chorley Local Plan which was adopted in 2015.
- 5.2. The Local Plans most relevant policies are:
- **Policy BNE1** – Design Criteria for New Development;
 - **Policy BNE5** – Redevelopment of Previously Developed Sites in the Green Belt;
 - **Policy BNE9** – Biodiversity and Nature Conservation; and
 - **Policy BNE10** – Trees.

Central Lancashire Rural Development Supplementary Planning Document

- 5.3. The Central Lancashire Rural Development Supplementary Planning Document (SPD) does not form part of the statutory development plan, but one of the functions of it is to provide further detail on policies and proposals within the development plan. The SPD is consistent with national and regional planning policies as well as the policies set out in the development plan.
- 5.4. Section I of the SPD gives guidance about replacement dwellings within the Green Belt. It states that “*the replacement of existing dwellings need not be inappropriate in the Green Belt, providing the new dwelling is not materially larger than the dwelling it replaces.*” The SPD states that Chorley Borough Council currently allows up to a 30% increase for replacement dwellings within the Green Belt.

- 5.5. The SPD pre-dates the current version of the National Planning Policy Framework (“the NPPF”). The previous version of the NPPF does not address previously developed sites in the Green Belt. As a result, the SPD does not refer to previously developed sites in the Green Belt. However, it is our understanding that Chorley Borough Council will utilise the guidance in the same way for redevelopment of previously developed land in the Green Belt than replacement dwellings i.e. 30%.

National Policy

- 5.6. At the national level, planning policy is set out in the National Planning Policy Framework.
- 5.7. The NPPF reiterates the statutory requirement that planning applications must be determined in accordance with the Local Plan unless material considerations indicate otherwise. At a paragraph 12 of the NPPF, it is made clear that the NPPF is “*a material consideration in determining planning applications,*” It follows, therefore, that if the NPPF indicates that planning permission ought to be granted for a proposal whereas the Local Plan may not, the NPPF is a material consideration which is capable of overriding the provisions of the Local Plan.
- 5.8. The following elements of national planning policy contained in the NPPF are relevant:
- Paragraphs 154 - 155 – development of new buildings in the Green Belt. In particular, paragraph 154 which sets out exceptions to inappropriate development including:
 - 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;

- 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 housing authority;
- The replacement of a building provided the new building is in the same use and not materially larger than the one it replaces;
- Limited infilling of the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green belt and the purposes of including land within it than the existing development.

6. PLANNING APPRAISAL

6.1. The key matters which must be considered for this development are:

- Green Belt and the Impact on the Openness of the Green Belt;
- Ecological Status;
- Land for Outdoor Sport/Recreation; and
- Design Criteria for New Development.

Green Belt and the Impact on the Openness of the Green Belt

6.2. Policy BNE5 of the Chorley Local Plan states that *"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 redevelopment:*

- *The appearance of the site as a whole is maintained or enhance and that all proposals, including those for partial redevelopment are put forward in the context of a comprehensive plan for the site as a whole."*

6.3. The Central Lancashire Rural Development Supplementary Planning Document (SPD) does not form part of the statutory development plan, but one of the functions of it is to provide further detail on policies and proposals within the development plan. The SPD is consistent with national and regional planning policies as well as the policies set out in the development plan.

6.4. Section I of the SPD gives guidance about replacement dwellings within the Green Belt. It states that *"the replacement of existing dwellings need not be inappropriate in the Green Belt, providing the new dwelling is not materially larger than the dwelling it replaces."* The SPD states that Chorley Borough

Council currently allows up to a 30% increase for replacement dwellings within the Green Belt.

- 6.5. The SPD continues and states that applicants seeking to replace or extend a dwelling by more than the above thresholds will need to demonstrate why their proposals are acceptable. This difference in volume will not have an effect on the openness of the Green Belt as the spatial and visual impacts of the proposed development will be similar to the existing. Although the proposal is slightly over the Council's guidance, the way that the proposal has been designed will not result in an unacceptable impact on the openness of the Green Belt.
- 6.6. This is also supported by paragraph 154 of the NPPF which sets out exceptions to inappropriate development including:
- 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.
- 6.7. The perimeter of the site is enclosed by mature trees and so, views onto the site are limited. Also, there is already development on the site and this proposal will not have any more harm to the openness of the Green Belt than the existing.
- 6.8. The site is previously developed as there are currently buildings on the site. The new dwelling will be in approximately the same location as the existing building. As a result, this complies with both local and national policy and so, the principle of the application has been established.
- 6.9. The proposal has been designed in a way that will not have a detrimental impact on the Green Belt. The materials for the proposal have been carefully selected to complement the rural setting. The volume of the dwelling has

only increased by 34.3%, which is just over what is allowed by the LPA and is only intended as guidance. We feel that this volume increase respects the local landscape character and will not have a detrimental impact in terms of immediate impact or from distance views, especially as there is already existing buildings on the site. As a result, the proposals comply with both local and national policy and so, the principle of the application has been established.

Ecological Status

- 6.10. An ecological report has been submitted with this planning statement. The report was undertaken by Envirotech NW Ltd and consisted of a data search and desk study of the site and an area within 2km of the site to establish the presence of protected species and notable habitats. A site visit also taken place which included a full preliminary ecological appraisal.
- 6.11. Policy BNE9 details how in Chorley, biodiversity and ecological network resources will be protected, conserved, restored or enhanced. A requirement of this policy is that an ecological survey is carried out. As a result, the development adhered to the provisions set out by Chorley Council and carried out an ecological survey. The survey concluded that there were no notable or protected species recorded on the site. As a result, the conclusion is that the proposed redevelopment can be considered appropriate and acceptable in terms of national planning policy and policy BNE9 of the local plan

Land for Outdoor Sport/Recreation

- 6.12. As part of the proposals, the fishery store/office will be demolished to accommodate the proposed new dwelling. This building is currently used a fishery store/office where people can pay to use the fishery, along with a toilet.

- 6.13. Although these facilities will no longer be at the site, users of the site will be able to buy tickets from the owners of the fishery who will be present on the site. Another option for payment will be honesty boxes. Portalooos will also be provided for users of the site to replace the toilets lost as part of the proposals.

Design Criteria for New Development

- 6.14. Policy BNE1 gives details of when planning permission will be granted for new development. To obtain planning permission, the development will have to meet the following criteria:

- 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;
- The development would not cause harm to any neighbouring property by virtue of overlooking, overshadowing or overbearing;
- 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;
- 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 states in Site Allocations Policy – Parking Standards, unless there are other material considerations which justify this reduction;
- The proposal would not have a detrimental impact on important natural habitats and landscapes, mature trees, hedgerows, ponds and watercourses. In some circumstances where on balance it is

considered acceptable to remove one or more of the features then mitigation measures to replace the feature/s will be required on or off-site.

- 6.15. From the proposed plans, we can see that the development is taking place on previously developed land. The volume proposed has a 34.3% increase than the existing volume. The footprint is also in a similar position than the existing buildings on the site. As a result, this figure shows that there will be no fundamental detrimental impact on the surrounding area as there is no substantial increase in both the proposed volume and footprint than the existing. The overall scale and design of the proposed dwelling and storage building are modest in the context of the existing site and adopt a traditional and sympathetic design approach. The proposed materials are traditional and reflect the palette found locally.
- 6.16. Regarding overshadowing and overlooking of neighbouring properties, the site is surrounded by arable land and there are no neighbouring properties in close proximity. The perimeter of the site is also made up of mature trees and hedgerows limiting views both in and out of the site.
- 6.17. The car parking and internal roads within the site will follow the existing layout and will be of compacted stone hardstanding. Also, there will be no cumulative highway impacts as a result of the proposal, given the likely additional traffic generation from a single dwelling will be negligible. Presently, a number of vehicles use the site when visiting the fisheries business. The development of the dwellinghouse will not prejudice highway and pedestrian safety nor would it impact the free flow of traffic in the area and would not compromise or cause negative issues to the existing fishery/angling business being present on the site.
- 6.18. It is not anticipated that the redevelopment would generate materially different patterns of vehicle movements. The dwelling would be occupied by the operator of the fishery operations and would allow for close management and supervision of the fishery. Currently the owner/operator

lives off-site and there are regular traffic movements associated with them visit the site throughout the daytime and evenings to monitor and supervise. Those movements would actually be removed by virtue of the owner/operator residing on site. The proposed redevelopment is unlikely to materially increase traffic movements associated with the existing site.

- 6.19. As seen in the ecological appraisal, the proposed development should be considered to be appropriate as the survey concluded that there are no adverse impacts on the ecological status of the site.
- 6.20. The criteria above have been discussed and each point has been addressed in turn. From this, we can see that the development complies with Policy BNE1 and so, planning permission should be granted.

7. CONCLUSIONS

- 7.1. This planning statement and other supporting documents submitted demonstrate that the redevelopment of previously developed land with a residential property is worthy of approval.
- 7.2. The proposed dwellinghouse has been designed in such a way that it will not have a material greater impact on the openness of the Green Belt or the appearance/character of the area in general. Also, the ecological survey undertaken at the site concluded that there are no adverse/immediate impacts on the ecological status of the site.
- 7.3. The proposals accord with the relevant policies of the development plan and national guidance, and there are no planning considerations that indicate that planning permission should not be granted. In particular, the proposed development can be considered to be not inappropriate in the Green Belt as it represents an acceptable form of development. The overall scale, layout and design of the proposed development ensures that there will be no greater impact on the openness of the Green Belt in this location.
- 7.4. It is for these reasons throughout this planning statement that the application should be approved by the LPA and planning permission granted.