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**Report of: Corporate Director of Place & Community**

**Contact for further information:**

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**SUBJECT: PLANNING APPLICATION REF: 2022/0109/FUL**

**PROPOSAL: New Access Track**

**APPLICANT: Mr and Mrs Kenny**

**ADDRESS: Copelands Farm, Drummersdale Lane, Scarisbrick, L40 9RB**

**REASON FOR CALL IN: Application has been called in by Cllr Jane Marshall to consider highways impacts and impact on the Green Belt**

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**Wards affected: Scarisbrick**

## **1.0 PURPOSE OF THE REPORT**

1.1 To advise Planning Committee on an application which seeks to provide hardstanding by way of hardcore to provide a twin stone track to the existing access.

## **2.0 RECOMMENDATION TO PLANNING COMMITTEE**

2.1 That planning permission be GRANTED subject to conditions.

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## **3.0 THE SITE**

3.1 The application site relates to a detached farmhouse and stable block located south of Drummersdale Lane approximately 500m from the junction with Bescar Lane.

3.2 The house and stables lie within a grouping of converted barns. The access track is present and was noted as such in the planning application relating to the erection of the stables. It is currently a fenced track with central grassed area and vehicle tracks to either side.

3.3 The site is located within the Green Belt.

#### **4.0 PROPOSAL**

- 4.1 Planning permission is sought to stone the areas of rutting which have been caused by using the track to access the stables.
- 4.2 The stoned tracks would run for the length of the access track.

#### **5.0 PREVIOUS RELEVANT DECISIONS**

- 5.1 2021/0110/FUL – Proposed new stable block, associated yard area and horse exercise **GRANTED**
- 5.2 2020/0144/FUL – Variation of Condition no. 2 of planning permission 14/1190/FUL to allow for letting or subletting of part of the residential home **REFUSED**
- 5.3 2018/0143/FUL – Create new private driveway off Drummersdale Lane to Copelands Farm including 1100mm high wooden post and rail fence alongside the length of the driveway **REFUSED**
- 5.4 E/2017/0014/BC – Enforcement enquiry **CLOSED**
- 5.5 E/2014/0234/UAU – Enforcement enquiry **CLOSED**
- 5.6 2014/1190/FUL – Conversion of garage to provide habitable accommodation action of conservatory (retrospective) **GRANTED**
- 5.7 2014/0689/NMA – Non-material amendment to planning permission 2013/0572/FUL – modification of roof **APPROVED**
- 5.8 2014/0277/FUL – Detached tractor garage and stable block **REFUSED**
- 5.9 2013/0572/FUL – Two storey rear extension **APPROVED**
- 5.10 2013/0019/15 – Without planning permission the change of use of land from agriculture to residential/domestic purposes ancillary to the residential use of the adjacent property, Copelands Farm, Drummersdale Lane, Scarisbrick **REFUSED**  
**APPEAL DISMISSED**
- 5.11 E/2010/0374/UAU – Enforcement enquiry **CLOSED**
- 5.12 2002/0478 – Conservatory and detached double garage **GRANTED**
- 5.13 2001/0939 – Erection of detached double garage **WITHDRAWN**
- 5.14 2001/0524 – Conservatory and detached double garage **REFUSED**
- 5.15 1999/1075 – Conversion of barn and outbuilding into two dwellings **GRANTED**

#### **6.0 OBSERVATION OF CONSULTEES**

##### **6.1 Council's Principal Drainage Engineer (18.03.2022)**

I have no objection in principle to this application as I estimate the impact on flood risk due to the proposed development, to be negligible.

## **7.0 OTHER REPRESENTATIONS**

### **7.1 Scarisbrick Parish Council (05.04.2022)**

This application was discussed at the meeting of Scarisbrick Parish Council on 4 April 2022. The Parish Council objects as follows: The application is for engineering works on the greenbelt which equates to development of the greenbelt. The proposed development will interfere with the openness of the greenbelt.

## **8.0 SUPPORTING INFORMATION**

8.1 Design and Access Statement Equestrian Design

## **9.0 RELEVANT PLANNING POLICIES**

9.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan 2012-2017 DPD provide the policy framework against which the development proposals will be assessed.

9.2 The site is located within the Green Belt.

9.3 **National Planning Policy Framework**  
Protecting Green Belt land

9.4 **West Lancashire Local Plan 2012-2027 DPD**

GN1 – Settlement Boundaries

GN3 – Criteria for Sustainable Development

9.5 **Supplementary Planning Document (SPD)**  
Development within the Green Belt (2015)

## **10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY**

10.1 The main considerations for this application are:

- Principle of development – Green Belt
- Impact on the Green Belt – openness
- Design and Impact on Visual Amenity
- Impact on Residential Amenity
- Impact on Highways

### **Principle of Development – Green Belt**

10.2 The NPPF is a key consideration in relation to Green Belt implications. Paragraph 149 states that new buildings within the Green Belt should be regarded as inappropriate subject to a number of exceptions.

10.3 The application originally included alterations to the approved stables. These are no longer part of the planning application and the application relates to the engineering operation to lay hardcore along the wheel tracks only.

10.3 Paragraph 150(b) of the NPPF 2021 states:

*Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:*

*b) engineering operations*

- 10.4 The stoning up of the existing track to provide a twin track appearance would constitute engineering operations. The previous planning application for the stables (2021/0110/FUL) noted that access was to be taken from Drummersdale Lane and photographs confirm that the track was in place at that time. Google Streetview shows the track in place in 2019. As the 2021/0110/FUL application noted access to the stables via this track, the consideration in this application is the impact of the engineering operation of the stone element.
- 10.5 The carrying out of engineering operations within the Green Belt is one of the specific exceptions to inappropriate development in the Green Belt as set out by Paragraph 150(b) of the NPPF. The development is therefore considered to be acceptable in principle.

**Principle of Development – Impact on Openness**

- 10.6 Local planning authorities are required to give substantial weight to any harm which might be caused to the Green Belt. The proposed works would be carried out to an existing track, this would constitute an engineering operation in association with the approved stables. As such, Officers are satisfied that the proposed development would fall under paragraph 150 part b) of the NPPF. However, for completeness, consideration is given to how the works would impact on the openness of the land.
- 10.7 In terms of the impact on openness, the track is located adjacent to a post and wire field boundary. There is no requirement to remove any landscaping which would retain the general levels of openness in this location.
- 10.8 In terms of vehicle movements along the track which could be considered to have an impact on openness, as the track is existing these movements are already occurring. It is not considered therefore that the stoning up of the twin wheel tracks would impact on openness due to vehicle movements along the track.
- 10.9 It is considered that the stoning of the track in a twin track fashion would be acceptable and preserve the openness of the Green Belt in this location. The tracks are already clearly visible within the landscape.
- 10.10 The proposed engineering works are considered to be appropriate within the Green Belt and would not cause demonstrable harm to the openness of such. The proposed development is considered to be acceptable in principle.

**Design and Impact on Visual Amenity**

- 10.11 Policy GN3 of the Local Plan and the SPD relating to Design states that new development should be of a scale, mass and built form which responds to the characteristics of the site and its surroundings. Care should be taken to ensure that buildings do not disrupt the visual amenities of the street scene because of their height, scale or roofline. The NPPF makes clear that the creation of high quality buildings and places is fundamental to the achievement of good planning.

- 10.12 The proposed development comprises engineering operations to provide a twin track stoned appearance to the existing track. The central grassed area would remain, and the finalised works would have a typically agricultural appearance.
- 10.13 The proposed materials of hard core are noted. The photos of the track demonstrate that the wheel ruts are present in the landscape. The use of hardcore is a typical finish for a rural track such as this and it is therefore considered to be an acceptable visual response.
- 10.14 The proposed development is considered to be an appropriate scale, form and design and would be acceptable in visual terms. The development is considered to meet the requirements of Policy GN3 of the Local Plan and the NPPF.

### **Impact of Residential Amenity**

- 10.15 Policy GN3 of the Local Plan states that developments should '*retain reasonable levels of privacy, amenity and sufficient garden/outdoor space for occupiers of the neighbouring and proposed properties.*'
- 10.16 The track is already in situ. It not considered that the proposed engineering operation would have an impact on residential amenity.

### **Highways**

- 10.17 The track is in place and already serves the stables associated with Copelands Farm, it is not considered that the engineering operation as proposed would demonstrably change how the track is used.

## **11.0 CONCLUSION**

- 11.1 The proposed development is considered to be acceptable in terms of visual impact and impacts on residential amenity. The proposal would also be considered appropriate development within the Green Belt and would not be harmful to openness.
- 11.2 Given the above, the proposed development is considered to be compliant with the NPPF and Policy GN3 of the West Lancashire Local Plan 2012-2027 DPD and the application is recommended for approval.

## **12.0 RECOMMENDATION**

- 12.1 That planning permission be GRANTED subject to the following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the details shown on the following plans:

Site Location Plan

Site Plan Showing Proposed Access - Drawing no A14437 01

Reason: For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 of the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

3. No development shall take place until samples of the materials to be used in the construction of the hard surface areas of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the character and amenity of the area in accordance with Policy TD1 of GN3 of the West Lancashire Local Plan 2012-2027 DPD.

### **13.0 SUSTAINABILITY IMPLICATIONS**

- 13.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder.

### **14.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 14.1 There are no significant financial or resource implications arising from this report.

### **15.0 RISK ASSESSMENT**

- 15.1 The actions referred to in this report are covered by the scheme of delegation to officers and any necessary changes have been made in the relevant risk registers.

### **16.0 HEALTH AND WELLBEING IMPLICATIONS**

- 16.1 There are no health and wellbeing implications arising from this report.

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## **Background Documents**

In accordance with Section 100D of the Local Government Act 1972 the background papers used in the compilation of reports relating to planning applications are listed within the text of each report and are available for inspection in the Planning Division, except for such documents as contain exempt or confidential information defined in Schedule 12A of the Act.

## **Equality Impact Assessment**

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore, no Equality Impact Assessment is required.

## **Human Rights**

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from Article 8 (the right to respect for private and family life, home and correspondence) and Article 1 of Protocol 1 (the right of peaceful enjoyment of possessions and protection of property).

## **Appendices**

None.