



**PLANNING COMMITTEE: 23 November 2023**

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**Report of: Corporate Director of Transformation, Housing and Resources**

**Contact for further information:**

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**SUBJECT: PLANNING APPLICATION REF: 2023/0663/PIP**

**PROPOSAL: Application for Permission in Principle - up to 2 no. dwelling houses**

**APPLICANT: Mr Richard Parker**

**ADDRESS: Land south of Holmeswood Road, Rufford, Lancashire**

**REASON FOR CALL IN: Application has been called in by Cllr Pope in regard to impact on the Green Belt.**

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**Wards affected: Burscough Bridge & Rufford**

## **1.0 PURPOSE OF THE REPORT**

1.1 To advise Planning Committee on an application which seeks permission in principle for up to 2no. dwelling houses.

## **2.0 RECOMMENDATION TO PLANNING COMMITTEE**

2.1 **To approve planning permission.**

## **3.0 THE SITE**

3.1 The application site consists of a parcel of land to the south of Holmeswood Road. The site is located within the Green Belt.

## **4.0 PROPOSAL**

4.1 This is a Permission in Principle (PIP) application for the erection of up to two dwellings on the site.

**What is Permission in Principle (PIP)**

- 4.2 The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed.
- 4.3 In addition, local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission. It is not possible for conditions to be attached to a grant of permission in principle nor can planning obligations be secured and its terms may only include the site location, the type of development and amount of development.

## **5.0 PREVIOUS RELEVANT DECISIONS**

- 5.1 None.

## **6.0 OBSERVATION OF CONSULTEES**

- 6.1 United Utilities – 2<sup>nd</sup> August 2023

We strongly recommend that the applicant or any subsequent developer contacts United Utilities, using our pre-development enquiry service to discuss their proposals directly with our Developer Services team. They can find further advice, along with a **pre-development enquiry form**, on our website: <https://www.unitedutilities.com/builders-developers/>

- 6.2 LCC Highways – 2<sup>nd</sup> August 2023

LCC have no objections in principle to the proposal for two dwellings. I am of the opinion the proposals should have a negligible impact on highway safety and capacity within the immediate vicinity of the site.

- 6.3 Principal Engineer – 8<sup>th</sup> August 2023

There may not be an issue relating to the disposal of wastewater as there is a foul sewer crossing the site. Not so sure about the disposal of surface water runoff. I think some on site investigation would be prudent.

## **7.0 OTHER REPRESENTATIONS**

- 7.1 Rufford Parish Council – 16<sup>th</sup> August 2023

The Parish Council do not support this application. The speed limit on this stretch of Holmeswood Road (B5246) is 30 mph not 20mph as the application states; it is only 20mph during drop off and pick times at Holmeswood School which a few hundred yards away. The Parish Council would like to draw planners' attention to their Landscape Character Assessment Report October 2018 page 19/20 key issues identified. Also, Rufford & Holmeswood Flood Study by H Fraser Consultants May 2020. Objective to develop an understanding of flooding and prevention flooding strategies in the area. West Lancashire Planning Development department have copies of these reports.

7.2 Comments have also been received by several neighbouring properties and interested parties they can be summarised as;

- This development would set a precedent for other applications to build on green belt in Holmeswood.
- Restrict privacy and impact in terms of noise on Fairfields, Holmeswood Road
- Building on green belt in a fully operational farming community is neither progress nor an asset for the community.
- Existing facilities are limited.
- Local farm shop and church closed – a village without a church could then be defined as a hamlet.
- Through the years the area has lost a garage, two shops, a basket weavers and post office.
- Site is a haven for wildlife.
- Do not want every piece of spare ground built on without any supporting facilities.
- The school is now oversubscribed.
- Will sewage facility cope with increased use?
- Increase potential for highways accidents.
- Spoil open aspect of greenbelt land
- Current infrastructure not suitable for the development of more housing
- Previous application for "infill" have been refused and for the same reasons this one should also be refused as nothing has changed in the meantime.
- One very limited bus service – no shops, farm shops or otherwise which would be classed as walking distance as stated in supporting document.

## **8.0 SUPPORTING INFORMATION**

8.1 Planning Statement

## **9.0 RELEVANT PLANNING POLICIES**

9.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan 2012-2027 Development Plan Document provide the policy framework against which the development proposals will be assessed.

The site is located within the Green Belt as designated in the West Lancashire Local Plan (WLLP) DPD.

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

### **West Lancashire Local Plan (2012-2027) DPD**

SP1 - A Sustainable Development Framework for West Lancashire

RS1 - Residential Development

GN1 - Settlement Boundaries

GN3 - Criteria for Sustainable Development

IF2 - Enhancing Sustainable Transport Choice

EN2 - Preserving and Enhancing West Lancashire's Natural Environment

Supplementary Planning Document (SPD), Design Guide (Jan 2008)

**10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF HOUSING, TRANSFORMATION AND RESOURCES**

10.1 The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters will be considered at the permission in principle stage. Other matters will be considered at the technical consent stage.

10.2 The main considerations for this application are:

*Principle of Development - Green Belt*

10.3 Policy GN1 of the West Lancashire Local Plan 2012-2027 Development Plan Document (WLLP) indicates that development proposals within the Green Belt will be assessed against national policy. The NPPF states at paragraph 149 that the construction of new buildings should be regarded as inappropriate in the Green Belt unless it falls within one of a number of exceptions. These exceptions include e) the limited infilling in villages.

10.4 The supporting planning statement indicates that the applicant considers that paragraph 149 (e) is relevant in this case. There is no specific definition of 'limited infilling' within the Framework. As the site location is between two residential dwellings and would be within a consistent line of residential development, I am of the view the proposal of up to 2no dwellings would be considered infill development in this particular site location.

10.5 The application site is however, not located within a defined settlement boundary as part of Policy SP1 of the WLLP. Within the Planning Statement submitted it is put forward the location of the proposal would be considered a village by virtue of an assessment of the '*situation on the ground rather than what is defined in the Local Plan*'. It is argued a primary school is within walking distance of the site along with a Church, Village Hall, Garden Centre/Nursery, bus stops and vets. Contained within the NPPF is no definition for the term 'village'.

10.6 Reference has been made to case law *Julian Ward v Secretary of State for Communities and Local Government and Gravesham Borough Council* where it was determined whether a site is considered to be within a village should be determined based on an assessment of the situation on the ground and planning judgement rather than the definition within the relevant Local Plan. It is stated, as part of the decision in this particular example put forward, that the site assessed did benefit from its own Village Hall, 'Green' and Public House.

10.7 In assessing the situation on the ground there are distinct village characteristics including a primary school, small chapel and a village hall which on viewing their own website provides a bowling Green, bowling club, tennis club and the hall is available to hire for private events most days/evenings. Taking into consideration these amenities, including access to regular public transport, are all accessible and within reasonable walking and cycling distance from the application site, on

balance, I consider it has been sufficiently demonstrated that although the site location is within Holmeswood, which is not in any settlement boundary as defined by the WLLP, in assessing the location based on these characteristics collectively, the proposed development would be considered limited infilling in a village, and therefore would not constitute inappropriate development in the Green Belt. The proposal therefore complies with the requirements of the NPPF and local plan policy GN1.

#### *Principle of development - isolation / sustainability*

- 10.8 Paragraph 78 of the NPPF advises that to promote sustainable development rural housing should be located where it would enhance or maintain the vitality of rural communities. Paragraph 79 states that the development of isolated houses in the countryside should be avoided unless one or more of the stated circumstances apply.
- 10.9 Noting the proximity of nearby buildings, I am satisfied the site is not situated in an isolated location. Holmeswood is characterised by scattered clusters of development and, whilst the dwelling would be located in the Green Belt, it would be within walking distance of bus stops, although of a slightly limited service, the public transport would provide links to Southport and Chorley and other settlements between. There is also a primary school within walking distance. I am satisfied the development would be located in a sustainable location.

#### *Amount of Development*

- 10.10 This particular stretch of Holmeswood Road has a strict built line of development and in looking at the site location in terms of its width in comparison with the existing street scene and residential plots, I consider the amount of development proposed being up to 2no dwellings would be the maximum amount of development the site would be able to accommodate in terms of its overall size and width when looking at the existing surrounding development.

#### *Design/Appearance*

- 10.11 This application is a Permission in Principle therefore this application will only look at whether a site is suitable in principle. In terms of assessing the design/appearance, this would be assessed at the technical details consent stage. However, with the limited information submitted, looking at the application site within its context; this stretch of Holmeswood Road has distinct design characteristics in terms of the built line and I consider a deviation from this in terms of any backland development being introduced would not be in keeping with the character and appearance of the immediate area in general or street scene.

#### *Impact on Residential Amenities*

- 10.12 As above the impact of the proposed development on residential amenities is not an in-principle matter and will not be assessed as part of this application. This would form part of the assessment at technical details consent stage.

#### *Highways*

10.13 LCC Highways have commented on the proposed development. No objections have been raised in principle and I consider the proposal would have a negligible impact on highway safety.

#### *Ecology*

10.14 The ecological impact would be assessed at technical details consent stage and as stated earlier; local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission.

#### *Other matters*

10.15 A representation has identified that a previous application for infill has been refused but does not specify location. It has been noted that in 2016, an appeal was dismissed for the development of two houses following demolition of existing garden centre buildings at Fir Tree Nurseries Garden Centre, 350 metres to the east.

10.16 In that case, it was found by the Inspector that none of the exceptions to inappropriate development in the Green Belt were applicable and the applicant therefore needed to demonstrate very special circumstances for development and failed to do so, resulting in the appeal being dismissed. This notwithstanding, all applications must be considered on their own individual merits.

### **11.0 CONCLUSION**

11.1 Given the above I consider that the proposal does meet the requirements of The National Planning Policy Framework and Policies GN1 and GN3 of the West Lancashire Local Plan 2012-2027 DPD and should be recommended for approval.

### **12.0 RECOMMENDATION**

12.1 That the application should be approved subject to the following conditions/informatives;

#### **Note(s)**

1. You are advised that an application for approval of Technical Details Consent must be made no later than the expiration of three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans: 'Location Plan' received by the Local Planning Authority on 18th July 2023.
3. In addition to national information requirements as required by article 7(1)(c)(ii) of the Town and Country Planning (Development Management Procedure (England) (Order) 2015, applications for the approval of technical details should

be accompanied by a Landscaping Scheme, Detailed Drainage Strategy and Access and Parking Arrangements.

This aforementioned required information is not exhaustive and additional information may be required during the determination process.

4. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:

SP1 - A Sustainable Development Framework for West Lancashire

RS1 - Residential Development

GN1 - Settlement Boundaries

GN3 - Criteria for Sustainable Development

IF2 - Enhancing Sustainable Transport Choice

EN2 - Preserving and Enhancing West Lancashire's Natural Environment

together with Supplementary Planning Guidance and all relevant material considerations. The Local Planning Authority considers that the proposal complies with the relevant Policy criteria and is acceptable in the context of all relevant material considerations as set out in the Officer's Report. This report can be viewed, or a copy provided on request to the Local Planning Authority.

5. The Local Planning Authority has acted positively in determining this application, in accordance with paragraph 38 of the National Planning Policy Framework by assessing the proposal against relevant planning policies and all material considerations. The nature of the scheme has not necessitated further discussions with the applicant. On this basis it is decided to grant planning permission in accordance with the presumption in favour of sustainable development.

### **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.

### **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.