



**PLANNING COMMITTEE: Thursday,
21 March 2024**

Report of: Corporate Director of Transformation, Housing & Resources

**Relevant Portfolio Holder: Councillor Deputy Leader & Portfolio Holder for
Planning & Community Safety**

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SUBJECT: PLANNING APPLICATION REF: 2023/1002/PIP

PROPOSAL: Permission in principle for up to two dwellings

APPLICANT: Ms Caroline Ashworth

ADDRESS: Land at Mossy Lea Road, Wrightington

**REASON FOR CALL IN: Called in by Councillor Whittington on the grounds of
impact upon drainage and amenity.**

Wards affected: Rural North East;

1.0 PURPOSE OF THE REPORT

- 1.1 To advise Planning Committee on an application which seeks permission in principle for the erection of up to two dwellings.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

- 2.1 That permission in principle be GRANTED noting that a subsequent application for the technical details associated with the development will be required.

3.0 THE SITE

- 3.1 The application site comprises of greenfield land measuring 0.15 hectares at Mossy Lea Road, Wrightington. The land, which has fencing and established trees and hedgerow along its boundaries, is located within the residential area of Wrightington Bar (between 10 Broadhurst Lane to the north and 383 Mossy Lea Road to the south). The site slopes downward significantly when moving north toward Broadhurst Lane.

4.0 PROPOSAL

- 4.1 The proposal is to erect a maximum of two dwellings on land at Mossy Lea Road, Wrightington with the application requiring the Local Planning Authority to determine if the principle of development is considered acceptable.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 2002/1246 - Outline application for three detached dwelling houses (including details of siting and means of access point) at land between 381 and 391 Mossy Lea Road - Withdrawn 12th February 2003
- 5.2 2004/0195 - Outline application for three detached dwelling houses (including details of siting and means of access) at land between 383 Mossy Lea Road and 10 Broadhurst Lane - Refused 23rd June 2004, and informal hearing appeal dismissed 8th November 2005

6.0 OBSERVATION OF CONSULTEES

Note the context of the application which is a Permission in Principle, and the following comments will not necessarily be applicable at this point in time and for consideration at the submission of technical details.

- 6.1 Strategic Planning - The site is located within the settlement boundary of Wrightington and as it is proposed for two dwellings it is in conformity with the strategy for residential development in the Borough as set out by policies SP1, GN1 and RS1.

The site is approximately 0.15 hectares and is greenfield. Whilst it does not appear to be publicly accessible, it has characteristics of amenity greenspace, a typology of Open Space as identified in the Council's Open Space Assessment 2018, being open space that provides visual amenity. Therefore, policy EN3 of the Local Plan is of relevance. Assessment would need to be made against parts 2.a and 2.b of this policy.

Paragraph 103 of the NPPF (2023) states that existing open space should not be built on unless an assessment has been undertaken which has clearly shown the open space to be surplus to requirements. Wrightington is in the Eastern Parishes of the Borough where the Open Space Assessment 2018 identifies that there is a deficit of amenity greenspace.

- 6.2 Lancashire County Council Highway Services – Subject to demonstrating a safe and suitable access in accordance with NPPF, I am of the opinion that the proposal should have a negligible impact on highway safety and highway capacity within the vicinity of the site.
- 6.3 Principal Engineer – Highlights the issues surrounding flood risk and the requirement that significant further investigation and assessment will be required in this regard.

7.0 OTHER REPRESENTATIONS

- 7.1 Wrightington Parish Council – Objects on the basis of principle of redeveloping a greenfield site in this location. Impact upon drainage, amenity, ecology and heritage (Grade II Listed Milestone).
- 7.2 15 objection letters from neighbouring occupiers highlighting the following issues:

Drainage
Loss of green space
Impact upon privacy and amenity
Density of development
Loss of light
Highways implications
Heritage impact on milestone

8.0 SUPPORTING INFORMATION

Planning Statement

9.0 RELEVANT PLANNING POLICIES

- 9.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan 2012-2027 DPD (Local Plan) provide the policy framework against which the development proposals will be assessed.
- 9.2 The site is located within the settlement boundary of Wrightington.

West Lancashire Local Plan 2012-2027 DPD

SP1 – A Sustainable Development Framework for West Lancashire

GN1 – Settlement Boundaries

GN3 - Criteria for Sustainable Development

RS1 – Residential Development

RS2 – Affordable and Specialist Housing

IF2 – Enhancing Sustainable Transport Choice

EN2 – Preserving and Enhancing West Lancashire’s Natural Environment

EN3 – Provision of Green Infrastructure and Open Recreation Space

Supplementary Planning Document

Design Guide SPD (2008)

Open Space Study (2018)

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

What is Permission in Principle (PIP)

- 10.1 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 2 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.

- 10.2 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.

Assessment

Principle of Development

- 10.3 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.
- 10.4 As the site is within the settlement boundary of Wrightington and as it is proposed for two dwellings it is in conformity with the strategy for residential development in the Borough as set out by policies SP1, GN1 and RS1.
- 10.5 Policy SP1 provides a hierarchy in order to focus the level of development with larger residential development focused higher up the hierarchy. As the site is within a small rural village then this level of development is considered broadly acceptable. Policy GN1 requires development on greenfield sites in settlement boundaries to be assessed against all relevant local planning policies including policies open and recreational space.
- 10.6 A key consideration is the sustainability of the site including how well it relates to the settlement and how easy the access of local services is achieved. As such the application site could be considered infill development given its relationship with neighbouring residential properties and the surrounding neighbourhood. Additionally, there is a bus stop situated directly opposite the application site with local facilities available at nearby Heskin and Wrightington village centres.
- 10.7 The council must assess the impact of the site loss in terms of visual benefit, open space and recreational value. At strategic level the Open Space Study (2018) provides an assessment of the provision across the borough. It is noted that the study indicates there is a deficit of open green space within the Eastern Parishes as a whole
- 10.8 However, the study goes on to indicate the views of Parish Councils and Wrightington Parish Council concludes that there is enough open space to meet the local community needs which provides a more focused view in regard to Wrightington. The quality of the site taking into account its topography and lack of access offers little in terms of readily accessible open space and whilst there is some visual benefit of the site when travelling south along Mossy Lea Road; due to its width and current boundary treatments it is considered that this adds little weight in terms of quality that the greenfield site has to offer. Furthermore, the nearby (circa 400m) Mossy Lea children's play park provides a significantly clearer example of a greenfield site that offers both visual and recreational value.
- 10.9 As such, although the overarching position according to the OSS concludes that there is a deficit of open space across the Eastern Parishes, Wrightington's OS

provision does not necessarily align with that conclusion. Indeed if this site was considered to be high quality and readily accessible then the balance could be tipped in favour of the council not supporting the proposal but this is clearly not the case. The site is assessed in regard to its quality, accessibility, topography and surrounding land uses which coupled with the proximity to an established childrens play park ensures the council can be satisfied that the loss of this open space will have an acceptable level of impact given the level of recreation value and visual benefit it currently has to offer.

10.10 In terms of biodiversity value, the established hedgerow, trees and planting already offers a significant amount of value in this regard. However, the application is for the principle of residential development in this location and the redevelopment of the site could not readily deliver the required biodiversity net gain requirements at technical details stage (assuming such an application is made after 1 April 2024).

10.10 Policy EN2 requires the proposal meet one of the following criteria that either i) the open space is deemed unsuitable for retention because it is underused, poor quality, or poorly located; ii) the proposed development would be ancillary to the main use of the site as open space; iii) successful mitigation takes place and improved open space provision can be provided in same locality.

10.11 The policy goes on to make further requirements by seeking to ensure development would not i) affect the open character of the area; ii) restrict access to Green Space; iii) adversely affect biodiversity in the locality; iv) development would result in the loss of greenspaces; v) the open space contributes to the distinctive form and character of the settlement; vi) the open space is a focal point within the built up area; vii) the open space provides a setting for important buildings or ancient monuments.

10.12 It is considered that although a lot of elements of policy EN2 a) and b) can be considered at this stage there are matters that can only be assessed at technical details stage such as a site layout, land levels, orientation of property and interface distances. As such, given the nature of this type of application it is considered that the site's current condition, lack of access and limited visual benefit gives rise to an underused, poor quality, poorly located greenfield site. Additionally, given the site's proximity to an accessible well used open space in Mossy Lea Childrens play park renders the principle of residential in this location as acceptable.

10.13 The application also needs to be considered with regard to the impact upon the character and setting of the settlement and impact upon any heritage assets. There is considerable variety in the immediate vicinity in terms of design, with both rendered and brick built properties some of which are two storey with a number of bungalows close by. Given the topography of the site, the application for technical details will need to carefully consider how the dwellings will fit in with this identified character.

10.14 Additionally, there is a Grade II Listed milestone located at the frontage of the site made of sandstone and inscribed with 'TO PRESTON 12 MILES'. This is a heritage asset which needs to be protected and will form a key design consideration at the Technical Details stage to ensure accordance with policy EN4.

10.15 Having regard to the Supplementary Design Guide and new residential

development it is considered that the site has plenty of scope to accord with the design parameters as defined in the SPD and taking into account the relationship with surrounding properties then an acceptable level of impact can be achieved in terms of overlooking and interface distances.

Requirements for Technical Details Consent

- 10.16 As discussed above, 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.
- 10.17 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 an Arboricultural Impact Assessment, Landscaping Scheme, Ecology Survey, Detailed Drainage Strategy and Access and Parking Arrangements.

11.0 RECOMMENDATION

11.1 That permission in principle be GRANTED subject to the following information notes:

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 Permission in Principle is granted in accordance with details shown on the following plans:

Site Layout Plan and Site Location Plan submitted 9th November 2023

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

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 an Arboricultural Impact Assessment, Heritage Statement, Landscaping Scheme, Ecology Survey, Detailed Drainage Strategy, Access and Parking Arrangements and completed Biodiversity Metric version 4.0 and Statement.

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
RS2 - Affordable and Specialist Housing
GN1 - Settlement Boundaries
GN2 - Safeguarded Land
GN3 - Criteria for Sustainable Development
IF2 - Enhancing Sustainable Transport Choice
EN2 - Preserving and Enhancing West Lancashire's Natural Environment
EN3 - Provision of Green Infrastructure
EN4 - Preserving and Enhancing West Lancashire's Cultural and Heritage Assets

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.