

Proposed development: Full Planning Application (Retrospective) for Part retrospective application for the creation of a vehicular access and track leading from Blackburn Road to serve new house (substantially completed) and certified caravan site (amendments to application 10/20/0625)

**Site address:
White Lodge Farm
Blackburn Road
Edgworth
Bolton
BL7 0PU**

Applicant: Mr Kenneth Warner

Ward: West Pennine



1.0 SUMMARY OF RECOMMENDATION

- 1.1 The proposed development for access from Blackburn Road into the proposed caravan site and to serve the newly constructed dwelling is **recommended to be approved, subject to the conditions** stated in Paragraph 4.1.

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

- 2.1 The application has been brought to Planning and Highways Committee due to North Turton Parish Council raising objections to the proposals. This objection is reported in full under Paragraph 6.0 of this report.
- 2.2 It is considered that an extension to the existing track to the new dwelling under construction, will cause minimal harm to the openness and permanence of the Green Belt. For this reason, Officers recommend that the application be conditionally approved in line with the conditions imposed as part of application 10/20/0625 and subject to Permitted Development rights for any outbuildings being removed, in the interests of retaining the rural character of the site.

3.0 RATIONALE

3.1 Site and Surroundings

- 3.1.1 The application site relates to an area of land beyond the defined village boundary of Edgworth, to the north of the former Hob Lane Farm, adjacent to the site where a new dwelling has been constructed and is substantially completed. The site is located alongside Blackburn Road, between Hob Lane to the south and Wheatsheaf Brook to the north.
- 3.1.2 The land lies within the West Pennine Moors countryside area, in an area designated as Green Belt.
- 3.1.3 Wheatsheaf Brook, to the north of the site, runs through a narrow, steeply-sided valley, with a dense covering of trees and vegetation on both banks. The course of the brook, along with the woodland on both banks, forms an eastern limb to the Wayoh Reservoir Biological Heritage Site. This watercourse, although not in the ownership of United Utilities, feeds the Wayoh Impounding Reservoir.

3.2 Proposed Development

- 3.2.1 Following approval of application 10/20/0625 which was approved by Planning and Highways Committee in October 2020, permission is sought to extend the track a further 26.5 meters (approximately) so that it adjoins the newly constructed dwelling up to the attached garage.

3.3 Development Plan

3.3.1 Blackburn with Darwen Borough Local Plan Part 2 – Site Allocations and Development Management Policies (December 2015)

Policy 8: Development and People
Policy 9: Development and the Environment
Policy 10: Accessibility and Transport
Policy 11: Design
Policy 3: The Green Belt
Policy 41: Landscape

3.3.2 Blackburn with Darwen Borough Local Plan part 1 – The Core Strategy (January 2011)

Policy CS18: The Borough's Landscapes

3.4 Other Material Planning Considerations

3.4.1 National Planning Policy Framework (NPPF) (February 2019):

Section 6: Building a Strong, Competitive Economy
Section 9: Promoting Sustainable Transport
Section 12: Achieving Well-Designed Places
Section 13: Protecting Green Belt Land
Section 15: Conserving and Enhancing the Natural Environment

3.4 Other Material Planning Considerations

3.4.1 Part 5 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

3.4.2 Part 5 Class A permits 'the use of land, other than a building, as a caravan site' (A.1). The circumstances under which this is permitted are those set out in Schedule 1 Paragraphs 2 to 10 of the Caravan Sites and Control of Development Act 1960.

3.5 Assessment

3.5.1 Members need to be aware that the planning permission for the track to serve the Class A, Part 5 of the General Permitted Development Order 2015 (as amended) Caravan and Camping Site remains extant. This approved track has been partially implemented, in that the hardcore base for the track has been laid.

3.5.2 The matter for consideration is therefore the proposed extension of the track to connect to the newly constructed house, named White Lodge Farm. It is noted that the extension to the caravan site track has been constructed/ laid.

3.5.3 Tourism Considerations

Paragraph 83 of the National Planning Policy Framework (NPPF) concerns itself with creating a strong and prosperous rural economy. It states planning decisions should enable, amongst other things, “sustainable rural tourism and leisure developments which respect the character of the countryside”. The proposed access into the caravan site is considered to facilitate such development.

3.5.4 The Core Strategy includes a provision for the active use of the Borough’s landscapes through leisure and tourism where this is compatible with objectives relating to their protection. Policy 34 of the Local Plan Part 2 develops this further, giving priority to tourism-based development within a number of locations – one being the West Pennine Moors. Those developments likely to generate a large number of trips should be within the villages of Edgworth, Chapeltown and Belmont, or else associated with an existing facility. The proposed access is to serve a facility just beyond the boundary of the village of Edgworth. Given the nature of this facility, the proposal is considered unlikely to find sufficient open space within the village boundary to operate; and the field, being adjacent to the defined village boundary, is considered acceptable.

3.5.5 The proviso set out in both the Core Strategy and the Local Plan Part 2 is that recreational development must be sensitive to the natural environment and secure appropriate maintenance of the facility in the long term.

3.5.6 The existing partly implemented access and track, as approved within planning permission 10/20/0625, was considered acceptable by virtue of the previously imposed landscaping scheme that includes wildflower planting in order to enhance the natural environment. It is appropriate to re-implement that condition in order to enhance the current proposal.

3.5.7 Development in the Green Belt

Paragraph 133 of the National Planning Policy Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open with the essential characteristics of Green Belts being their openness and permanence.

3.5.8 The Government’s Planning Practice Guidance states that openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be as relevant as the volume.

3.5.9 The Local Planning Authority is required by the NPPF to ensure that substantial weight is given to any harm in 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. Exceptions to inappropriate development include appropriate facilities for outdoor recreation “as long as

the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it”.

- 3.5.10 To remind Members as to the history relating to the track to serve the certified caravan site; Class A, Part 5 of the General Permitted Development Order 2015 (as amended) permits ‘the use of land, other than a building, as a caravan site’ (A.1) for not more than five caravans are at the time stationed for the purposes of human habitation on the land to which the certificate relates.” Neither the above Act or the Caravan Act cover the establishment of the caravan site refer to such a site being inappropriate development for land in the Green Belt. The first question to be addressed by the Committee, then, is whether or not the addition of an access track would amount to inappropriate development in the Green Belt.
- 3.5.11 The approved access is located at the northern end of the site. It projects approx. 20 metres from Blackburn Road, into the field before turning at right angles and proceeding 32.5 metres to the south. The first 9 metres of the track from the highway to the gate to the site is approved, and is to be of tarmac, with the remainder of the track to be comprised of compacted hardcore and decorative gravel. The further extension of the track is proposed to be in the same materials.
- 3.5.12 In terms of harm to the openness and permanence of the Green Belt, the excavation that has taken place to create the access and track to serve the proposed Certified Site has had the most profound effect on visual amenity, however the impact on the permanence and openness of the Green Belt is minimal. The removal of Part 1, Class E, relating to the erection of Outbuildings, will ensure no domestic buildings will be erected on the land, is considered necessary to ensure the rural character of the site is retained and maintained.
- 3.5.13 Subject to this recommended conditions, the proposed extension to the track to connect it to the newly constructed dwelling, will not cause any further harm to the openness and permanence of the Green Belt, over and above the works that have taken place to implement the track approved by application 10/20/0625.
- 3.5.14 Members will remember that during their assessment of the previous application that a condition stipulating that, should the site cease to operate as a caravan site, the access track should be removed and the site restored to its previous grassland state within six months of the cessation of the use. It is recommended that this again be imposed, as whilst the newly constructed dwelling can use the track for access and egress, it has an established access point adjacent to nos. 473 and 475 Blackburn Road which will remain in situ and thus will remain usable for future occupiers of White Lodge Farm.
- 3.5.15 It is therefore considered that the proposed extension to the existing track to the permitted caravan and camping site, accords with Policy 3 of the Local Plan Part 2 and the provisions of the NPPF in terms of development within the Green Belt.

3.5.16 Landscape Character and Visual Amenity

Policy 41 of the Local Plan Part 2 concerns itself with ensuring development is sympathetic to the landscape.

3.5.17 Prior to the works approved and partially implanted the application site was grassed farmland raised up from the road which was open and relatively flat.

3.5.18 Given that the caravan site can, and will, operate without the need for planning permission, it is considered that much of the visual amenity and biodiversity value that has been lost, can be restored over time through a carefully worded planning condition attached to an approval of the access track. This would require the submission, for approval in writing, of a detailed landscaping scheme for the land edged in red on the location plan, including details of landscaping around the proposed pitches and wildflower, or other suitable planting appropriate to this rural area and which is biodiversity friendly, in the wider site. Providing the condition requires implementation of this landscaping scheme within the first planting season following the date of the planning permission, the visual impact of the proposed access track will be softened.

3.5.19 In line with the requirements of paragraph 170 of the Framework that requires new development to secure a net-gain to biodiversity, a landscaping scheme will ensure an enhancement to the biodiversity value of the site, and the harm that has occurred to the rural character and appearance of the site can be mitigated to a degree.

3.5.20 Subject to the recommended landscaping/ biodiversity mitigation condition and a condition removing Part 1, Class E Permitted Development rights being imposed, it is considered that the landscape and visual amenity impact of the access track will be minimised and will be as sympathetic as possible.

3.5.16 Highway Safety

Both the NPPF (Paragraph 108) and Policy 10 of the Local Plan Part 2 require development to provide safe and suitable access for all users.

2.5.17 The highway safety impacts of the development were fully explored as part of the approval of application 10/20/0625 which is partially implemented.

2.5.18 Details are again received to demonstrate how the access arrangements will maintain highway safety. Visibility splays show the extent to which drivers emerging from the site will have sight of oncoming traffic. As part of the previously approved scheme, it was considered that a condition requiring the height of boundary treatment either side of the entrance to the site to be kept to a maximum of 1 metre will ensure visibility from the site will not be retained, ensuring the safety of all highway users. Such a condition is therefore recommended.

3.5.19 A swept path analysis has also again been submitted which has previously been approved which shows access and egress from the site. The mouth of the access track where it joins with the highway measures about 8.3 metres across, and with the track being 9 metres back to the gate to ensure sufficient space is available for a car and caravan to turn in to the site safely in one manoeuvre. The proposed extension of the track to serve the future occupants of the substantially completed dwelling will result in relatively low number of additional movements and is thus not considered to comprise the space available to turn cars towing caravans.

3.5.20 The previous application included a condition requiring Highway signs to be erected notifying road users of the entrance to the site. This condition is still considered necessary in the interests of highway safety and it is thus recommended it be re-imposed.

3.4.21 One area of concern raised by the Highway Authority is whether the parking spaces approved for the new dwelling will still be useable. The applicant has confirmed in writing and with an amended plan that that this will be the case.

3.5.21 Summary and Conclusions

The existing partially constructed track already has planning permission, therefore the main consideration is the effects the proposed extension to the track will have on highway safety, the openness and permanence of the Green Belt and to landscape character/ visual amenity.

3.5.22 It has been determined that subject to the conditions associated with the planning permission 10/20/0625 being re-imposed, the development will ensure the safety of highway users. The conditions will also ensure biodiversity mitigation, environmental enhancements and suitable landscaping for this countryside site. Removing the Permitted Development rights for Class E: Outbuildings, will also prevent buildings being erected which would be of permanent construction and thus would detract from the openness of the Green Belt result in domestication of the countryside.

4.0 RECOMMENDATION

4.1 It is recommended that the Planning and Highways Committee **approve** the application subject to the following conditions:

1. Prior to installing the finishing tarmac and gravel layers to the access track, a detailed landscaping scheme for the land edged in red on the Location Plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall including details of landscaping around the proposed caravan/ camping pitches and wildflower planting in the wider site. Implementation of the approved scheme shall be within the first planting season following the date of the planning permission and prior to occupiers of White Lodge Farm using the access track for access or egress and retained thereafter.

REASON: To ensure the environmental damage caused by the track is repaired and the amenity of the Green Belt and the landscape character of the area is restored in a timely manner, in accordance with the National Planning Policy Framework 2019 and Policies 3, 9 and 41 of the Blackburn with Darwen Borough Local Plan Part 2.

2. Notwithstanding the submitted details, the materials to be used in the construction of the access hereby permitted shall be as identified on drawing CCS01C. Amendments to this scheme may only be implemented with the written permission of the Local Planning Authority.

REASON: To ensure that the external appearance of the development is satisfactory in accordance with Policy 11 of the Blackburn with Darwen Borough Local Plan Part 2.

3. Upon cessation of the use of the land edged in red on the submitted Location Plan as a caravan/camping site, the access track shall be removed and the site restored to its previous grassland state within six months of the cessation of that use.

REASON: To ensure that the future of the openness and amenity of the Green Belt is maintained and enhanced, in accordance with the National Planning Policy Framework 2019 and Policies 3, 9, and 41 of the Blackburn with Darwen Borough Local Plan Part 2 (2015).

4. Prior to the first use of the access, a scheme is to be submitted to the Council's Highways department for the erection of a 'caravans turning' sign on both approaches to the site along Blackburn Road, details (including location) to be agreed in writing and the cost borne by the applicant. The agreed scheme shall be implemented prior to the first use of the access, and be thereafter retained for the duration of the use of the land as a caravan/camping site.

REASON: To ensure safe, efficient and convenient movement on the highway for all users, including pedestrians, in accordance with Policy 10 of the Blackburn with Darwen Borough Local Plan Part 2 (2015).

5. Visibility splays shall not at any time be obstructed by any building, wall, fence, hedge, tree, shrub or other device exceeding a height not greater than 1 metre above the crown level of the adjacent highway.

REASON: To ensure the safe, efficient and convenient movement of all highway users, for the free flow of traffic, in accordance with Policy 10/11/40 of the Blackburn with Darwen Borough Local Plan Part 2

6. Notwithstanding the provisions of Class E of Part 1 of the Town and Country Planning (General Permitted Development) Order 2015, or any Order revoking and re-enacting that Order, no buildings or structures shall be

erected within the red edge shown on Dwg. No. CCS03A unless planning permission has first been granted by the Local Planning Authority.

REASON: To enable the Local Planning Authority to exercise control over development which could materially harm the openness and permanence of the Green Belt, the character and visual amenities of the development and locality and the amenities of nearby residents in accordance with Policies 3, 8, 11 and 41 of the Blackburn with Darwen Local Plan Part 2.

7. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on the following drawings:

CCS03A: Location Plan;
CCS01C: Proposed Site Plan, rec. 28 June 2021;
CCS02: Sightlines for Proposed Access to Caravan Site;
2388-001: Swept Path Analysis using a Car and Caravan;
CCS05: Existing Section A-A;
CCS06: Proposed Section A-A;
CCS07: Existing Section B-B;
CCS08: Proposed Section B-B
CCS09: Existing Boundary to Blackburn Road; and,
CCS10: Proposed Boundary to Blackburn Road.

REASON: For the avoidance of doubt and to clarify which plans are relevant to the consent.

5.0 PLANNING HISTORY

- 5.1 10/20/0809 - Erection of garden shed to rear of garage at White Lodge Farm (the new dwelling approved under 10/20/0019). Withdrawn.
- 5.2 10/20/0625 - Form new access/re-open former access onto Blackburn Road. Approved by Planning and Highways Committee, 15 October 2020.
- 5.3 10/20/0254 - Conversion of existing barns at Hob Lane Farm to new single family dwelling including internal alterations and extensions. Withdrawn by applicant before refusal issued.
- 5.4 10/20/0226 - Discharge of Condition Nos 2, 3, 4, 5 and 9 pursuant to planning application 10/20/0019. Approved under delegated powers 16th April 2020.
- 5.5 10/20/0019 - Variation of Condition No.15 pursuant to planning application 10/19/0149 - demolition of outbuilding and erection of one dwelling - reposition and increase size of garage and alterations to front elevation. Approved under delegated powers 2nd March 2020.
- 5.6 10/19/0149 - Demolition of outbuildings and erection of one dwelling (resubmission of application 10/18/1002). Approved under delegated powers 29th April 2019.

- 5.7 10/18/1234 - Discharge Condition No 3 pursuant to planning application 10/18/1002. Approved under delegated powers 27th February 2019.
- 5.8 10/18/1002 - Demolition of outbuildings and erection of one dwelling. Approved under delegated powers 9th November 2018.

6.0 CONSULTATIONS

6.1 Neighbours

24 neighbours have been consulted about the proposals. 3 representations have been received which raise the following concerns:

- Concerned about the suitability of road, the speed of existing traffic and the need for large vehicles to utilise the full width of the road to turn in to the site, also raise issue of the safety of the road in inclement weather.
- The swept path analysis only assumes access and departure in one direction only and does not include the public footpath. The footpath itself should be reinstated with kerbstones and dropped kerbs for the proposed entrance. Once this is done then it would appear to be totally impractical to get large twin axle caravans into the turning on such a narrow road safely.
- No need for an additional access to the house as it already has an existing access.
- Extending the access track will likely lead to more houses on the site.

6.2 North Turton Parish Council

The Parish Council raises objections to the proposals. These objections are as follows:

“North Turton Parish Council objects to application 10/21/0410 for the creation of a vehicular access and track from Blackburn Road, Edgworth, on the grounds that the road at this point is too narrow and too close to a blind bend and the brow from Hob Lane, and the creation of an additional access is detrimental to road safety.”

6.2 BwD Highways

The submission details have been reviewed, and a site investigation has been undertaken.

The proposal is for Part Retrospective application for the creation of a vehicular access and track leading from Blackburn Road to serve new house (substantially completed) and certified caravan site (amendments to application 10/20/0625).

Parking

No details of any changes to the parking for the dwellinghouses are offered. Please confirm whether this is to remain the same as approved.

Access

This proposal seeks to establish an approved access for the dwellinghouse. The access they present is that which was approved under application 10/20/0625. The movements generated would be low, from this single property.

A swept path has been provided within the submission, this shows a car and caravan, please could we seek relevance of this to the application received?

In principle, we would offer no objections subject to the above matters being addressed satisfactorily.

7.0 CONTACT OFFICER: Claire Booth MRTPI, Senior Planning Officer

8.0 DATE PREPARED: 02 July 2021

9.0 SUMMARY OF REPRESENTATIONS

Objection – Lesley Jacques. Rec -26/05/2021

Re the application to add residential use to the large drive way that was initially applied for a caravan site.

I do feel this has perhaps not been a totally honest application as it was never mentioned previously that it was for residential access.

I therefore object as there is already a suitable entrance further up so there is no need for two. This means additional development of the land that is not actually needed.

Thank you

Objection - Mr P Taplin, Dingle Cottage, Blackburn Road, Turton. Rec – 26/05/2021

Thank you for your letter asking for comments on the above. I do so in the knowledge that this is a fait accompli as this man obviously knows how to play the process. There is already access from both Blackburn Road and Hob Lane but he pushed for safer access for caravans through a new entrance. Now surprisingly he wants to use this for residential purposes. Brace yourself for an application next for one or more houses !

Objection – John Richardson. Rec – 26/05/2021

In respect of the above planning application in particular the new access to Blackburn Road I have major concerns.

Just to put you in the picture my farm access to Blackburn road is within 100 mtrs of this proposed access. It is very dangerous with the speed limit currently set at 40 mph but realistically at far higher speeds. The width of the road is unsuitable for turning with a trailer and any access with trailer requires the full width of the road.

Turning to the proposal the swept path analysis only assumes access and departure in one direction only and does not include the public footpath. The footpath itself should be reinstated with kerbstones and dropped kerbs for the proposed entrance. Once this is done then it would appear to be totally impractical to get large twin axle caravans into the turning on such a narrow road safely.

One other aspect that is neglected is this section of road is very dangerous in the winter with ice and snow making the dip a no go area for idiots in 2WD cars who have to park on the bridge and wait for myself or Mr Holden the other farmer along the road to pull them out with 4WD tractors.

I accept Hob Lane is a ridiculous access for caravans but at least you don't have idiots driving along it at 40 to 60 mph.
