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## PLANNING STATEMENT

**IN RESPECT OF A FULL PLANNING  
APPLICATION FOR THE ERECTION OF A  
TIMBER SHED AND A GREENHOUSE IN  
ASSOCIATION WITH THE USE OF LAND AS AN  
ALLOTMENT ON LAND AT THE CORNER OF  
MOORGATE LANE AND KENYON LANE  
DINCKLEY BB6 8AN.**

**Prepared by: Colin Sharpe**  
**Our Client: Mr M Stummer**  
**Our Ref: Stu/771/2169/CS**  
**Date: October 2019**



Chartered Surveyors ■■■ Planning & Development ■■■ Land Agents  
Valuers ■■■ Property Agency ■■■ Property Management



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## **1. INTRODUCTION AND BACKGROUND INFORMATION**

- 1.1 Gary Hoerty Associates has been instructed by Mr M Stummer to submit a planning application on his behalf for the erection of a timber shed and a greenhouse in association with the use of and as an allotment on land at the corner of Moorgate Lane and Kenyon Lane, Dinckley, BB6 8AN.
- 1.2 Mr Stummer lives at Pendle View Barn which is a former barn attached to the farmhouse of Moorgate Farm which has been converted into a dwelling in accordance with Planning Permission 3/2011/0059, granted on 14 June 2011. Mr Stummer is keen on growing fruit and vegetables for his own use, but the curtilage of his dwelling is not large enough for his needs in this regard. He has, therefore, recently purchased the piece of land to which this application relates from the owner of Moorgate Farm. Further details of the application site are given in the next section of this Statement.
- 1.3 We set out in this Planning Statement a description of the application site, a description of the proposed development, details of the relevant planning policies against which the development will be assessed and provide the planning case for the approval of the proposed development.

## **2. THE APPLICATION SITE AND SURROUNDINGS**

- 2.1 The application relates to a five-sided piece of land, as detailed on the submitted plans, which has an area of 431sq.m. It is a small part of a larger agricultural field and has access from Kenyon Lane through an existing field gate. The land is adjoined to the west by Kenyon Lane, from which it is screened by a boundary hedge; to the south it is adjoined by the curtilage of a dwelling on Moorgate Lane with trees and hedges on the boundary; and to the north and east it is adjoined by the remainder of the field.
- 2.2 The general locality comprises agricultural land, farmsteads and residential properties in relatively large curtilages. At Moorgate Farm, to the north east of the application site, is a development of eight camping pods (with planning permissions also recently granted for six additional pods, and for childrens play equipment). Therefore, the locality includes farmsteads with agricultural buildings; residential properties with the usual array of curtilage buildings and structures; and the “glamping” type development of timber camping pods and childrens play equipment.

## **3. PLANNING HISTORY**

- 3.1 A planning applications search on the Council website revealed numerous planning applications relating to Moorgate Farm, including those relating to the “glamping” development, but there is no planning history relating to the small piece of land to which the application relates.

#### **4. THE PROPOSED DEVELOPMENT**

- 4.1 As previously stated, the applicant has purchased this relatively small piece of land with the intention of using it as an allotment on which he would grow fruit and vegetables for his own use and enjoyment. As such, the use would be purely agricultural and would therefore not involve a change of use of this relatively small part of an agricultural field. As the land does not benefit from any permitted development rights permission is therefore required for any buildings or structures.
- 4.2 Permission is therefore sought for the erection on the site of a timber shed and a greenhouse. The shed has dimensions of 6m x 5m and has a mono-pitch roof with a lower height of 2m and a maximum height of 3m. The greenhouse has dimensions of 5m x 4m also with a mono-pitch roof with a lower height of 2m and a maximum height of 2.6m. Both structures would have timber frames and would be sat upon concrete blocks; there would be no concrete bases or foundations.

#### **5. PLANNING POLICY CONSIDERATIONS**

- 5.1 Local Planning Authorities are required to determine planning applications in accordance with the Statutory Development Plan unless material considerations indicate otherwise. If it is to be approved, a development must satisfy as far as possible guidance contained within the National Planning Policy Framework (NPPF 2019) and the relevant policies of the Council's Adopted Core Strategy.
- 5.2 We set out below extracts from the relevant documents to facilitate the assessment of the application proposal against the principal appropriate policies and guidance.

##### **National Planning Policy Framework (NPPF 2019)**

- 5.3 The NPPF 2019 is the main national planning policy guidance influencing planning decision making in England. It states that the main purpose of the planning system in the country is the achievement of sustainable development; and that, for decision taking this means that proposals that accord with an up to date development plan should be approved without delay.
- 5.4 As it is such a small-scale proposal, we do not consider it necessary to examine the development against the detailed strategic guidance within NPPF. However, the buildings/structures for which permission is sought are to enable the applicant to grow fruit and vegetables for consumption by his family on land that is within a few minutes' walking distance from his home. We consider that, in all respects, this falls within the definition of sustainable development as advocated by the NPPF.

## **The Council's Core Strategy 2008/2028 – A Local Plan for Ribble Valley Adoption Version**

- 5.5 We comment below on the Key Statements and Policies within the Adopted Core Strategy that we consider to be relevant to the determination of this application.

### **Key Statement DS2: Presumption in favour of Sustainable Development.**

- 5.6 Key Statement DS2 identifies that the Council, when considering development proposals, should take a positive approach that reflects the presumption in favour of sustainable development contained in NPPF. The policy states that, where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision, the Council will grant permission unless material considerations indicate otherwise, taking into account whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in NPPF taken as a whole; or specific policies in that framework indicate that development should be restricted. As stated above, the proposed development clearly constitutes sustainable development as defined by NPPF and we will demonstrate below that it does not contravene the requirements of any of the relevant policies within the Council's adopted Core Strategy.

### **Key Statement EN2: Landscape**

- 5.7 Key Statement EN2 states that the landscape character of the Forest of Bowland Area of Outstanding Natural Beauty (the AONB) will be protected conserved and enhanced; and that, as a principle, the Council expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials. We consider that the proposed development adequately addresses all the requirements of the Key Statement as applicable to a site that is not within AONB by providing two relatively small structures that are in no way discordant with the agricultural/residential nature of the locality. As the land immediately adjoins a residential curtilage it will not appear either isolated or incongruous within the local landscape.

### **Policy DMG1: General Considerations**

- 5.8 This is a general development management policy which states that, in determining planning applications, all development must satisfy a total of 20 criteria relating to the matters of design, access, amenity, environment and infrastructure. We consider only the following criteria to be of relevance to the consideration of this application:

- The development must be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.
- The development must consider the density, layout and relationship between buildings, which is of major importance. Particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character, as well as the effects of development on existing amenities.
- The development must consider the potential traffic and car parking implications.
- The development must ensure safe access can be provided which is suitable to accommodate the scale and type of traffic likely to be generated.
- The development must not adversely affect the amenities of the surrounding area.

5.9 For reasons that we have already stated, we consider the proposed shed and greenhouse to be entirely appropriate for the locality. With regards to the matter of density, layout and relationship between the buildings, the two proposed structures are to be sited approximately 12m apart and will be approximately 55m away from the nearest residential property. In this way the development is neither too intense/dense or too isolated. As the applicant will walk between his home and the proposed allotment, the proposal does not have any traffic or parking implications. In view of the small scale of the structures, their use which does not generate any noise, and the separation distance to the nearest dwelling, we do not consider that the proposal will have any detrimental effects upon the amenities of nearby residents.

5.10 Overall, in our opinion, the development undoubtedly complies with the relevant requirements of Policy DMG1.

**Policy DMG 2: Strategic Considerations**

5.11 Policy DMG2 requires development to be in accordance with the Core Strategy Development Strategy and to support spatial vision and identifies certain forms of development that are acceptable outside of the settlement areas, one of which is that the development should be for small scale use appropriate to a local area where a local need or benefit can be demonstrated. As previously stated, the use of the site remains agricultural which is clearly appropriate to the area; and the buildings are small scale and sustainable. Insofar as these strategic considerations are relevant to this proposal, we are of the opinion that they are satisfied.

- 5.12 The Policy also states that ‘within the Open Countryside development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, landscaping and siting.’ For reasons already given in this Statement, we consider that the proposal satisfies those requirements of Policy DMG2.

### **Policy DME 2: Landscape and Townscape Protection**

- 5.13 This policy identifies that development proposals will be refused which significantly harm important landscape features and sets out a list of relevant landscape features of which only “hedgerows and individual trees” is relevant to this application. Whilst there are trees and hedges on the boundaries of the site, none will be adversely affected by the proposal as both the shed and the greenhouse will not have any foundations or concrete bases. They will both be timber framed and will sit on concrete blocks. If, however, the Council requires any alterations to the proposal with respect to the matter of trees and hedges we request that we be given the opportunity to address this during the consideration of the application.

### **Policy DME 3: Site and Species Protection and Conservation**

- 5.14 This policy states that development proposals that are likely to adversely affect any of the following will not be granted planning permission.
1. Wildlife Species protected by Law
  2. SSSI'S
  3. Priority habitats or species identified in the Lancashire Biodiversity Action Plan.
  4. Local nature reserves.
  5. County Biological Heritage Sites.
  6. Special areas of conservation (SACS).
  7. Special protected areas (SPAS).
  8. Any acknowledged nature conservation value of sites or species.
- 5.15 This site is not covered by any of the special designations covered by the policy, and we contend that the siting of these two small structures on part of an agricultural field will not have any discernable effects on the local fauna and flora such that the requirements of this policy will be satisfied.

## **6. SUMMARY AND CONCLUSIONS**

- 6.1 We consider that we have demonstrated in this Planning Statement that this relatively small scale proposal represents sustainable development that is in compliance with NPPF and the relevant Policies of the Council’s adopted Core Strategy. Therefore, in order to comply with paragraph 11 of NPPF and Core

Strategy Key Statement DS2 we consider that permission should be granted without delay subject to any reasonable conditions that the Council considers to be necessary.

- 6.2 If, however, the Council requires any amendments to the proposal, and/or the submission of any additional information in order for permission to be granted, we would ask that you give us the opportunity to address the same (in accordance with NPPF paragraph 38) prior to the determination of the application.

Signed.....*Colin Sharpe*.....Date.....*01/10/2019*.....

**Colin Sharpe Dip. TP MRTPI**