

Foxhill Farm Farmstead, Foxhill Lane, Halewood, Knowsley, L26 4XG

Demolition of existing bungalow, barn and part demolition of Foxhill Farmhouse, and Outline Application, including access, layout and scale to be applied for, for the erection of three new dwellings and the renovation of two existing dwellings.

PLANNING STATEMENT

December 2022

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/1 INTRODUCTION

- 1.1. PWA Planning is retained by Mr Mike Leary ('the applicant') to progress a planning application submission regarding a proposed scheme at Foxhill Farm Farmstead, Foxhill Lane, Halewood, Knowsley, L26 4XG ('the application site'). The scheme proposes the demolition of the existing bungalow, barn and part demolition of Foxhill Farmhouse, and an Outline Application, including access, layout and scale to be applied for, for the erection of three new dwellings and the renovation of two existing dwellings.
- 1.2. This planning statement seeks to assess and conclude on the acceptability of the proposed development in terms of relevant local and national planning policy and any relevant material considerations.
- 1.3. The planning application relates to the red edge site boundary defined on the site plan (ref. Location Plan GL432I/00).
- 1.4. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. This planning statement will demonstrate that the proposals accord with the provisions of the relevant policies of the Development Plan, and moreover that there are other significant material considerations which indicate that planning permission ought to be granted. In addition, the Statement will seek to demonstrate that there are no technical reasons which could hinder the grant of said planning permission.
- 1.5. This Planning Statement, alongside a review of the site history and relevant policies, provides a description of the proposed development together with an appraisal of the planning merits of the scheme as a whole. This Statement should be read in conjunction with the submitted application package, which includes the following documents:
 - Drawn Information : GL432I Foxhill Farm Farmstead Foxhill Lane Halewood Knowsley L26 4XG.GL

- Location Plan
 - Existing Site Plan
 - Proposed Site Plan
 - House Elevations
 - Bungalow Elevations
 - Demolition Plan GL432 -D1 Foxhill Farm - Demolition.GL-D1
- Arboricultural Impact Assessment Overview Dec 22
- Phase 1 Contaminated Land Assessment – Revised August 2022
 - Appendix 1
 - Appendix 2
 - Appendix 3
- Flood Risk Assessment and Preliminary Drainage Strategy October 2022
- Highways Technical Note - J1451 Foxhill Farm TN1 2022
- Ecological Impact Assessment 2022

/2 SITE DESCRIPTION

- 2.1. The application site comprises the farmhouse, farm cottage, attached barn and bungalow (Foxhill Farm Farmstead). There are eight other buildings / remnants of buildings on the wider site which have been used for a variety of other uses including agriculture, equestrian and B2 / B8 uses. The location of these buildings is shown on the original Existing Site Plan (ref. 17/147/E03) which is submitted under application (ref. 20/00470/OUT). These are buildings A to H.
- 2.2. The site is shown on the Location Plan (ref. GL432I/00) and an aerial image of the site is provided in Figure 1 below, with a red edge around the development proposed under this scheme.



Figure 1. Aerial Image of the Site (Source: Google Maps).

- 2.3. The array of building quality on site can be seen in Figure 2 below, whereby some of the built form is currently habitable (Foxhill Farmhouse, Foxhill Cottage and The Bungalow), Building I shown on the original Existing Site Plan (ref. 17/147/E03) is partially demolished however a large portion of the structure remains.



Figure 2. Aerial Image of Foxhill Farmhouse and Buildings G & I (Source: Google Earth).



Figure 3: Aerial Image of Foxhill Bungalow

- 2.4. The wider site consists of mainly hardstanding surface, with some small areas of soft landscaping, particularly on the periphery of the site. The soft landscaping is mainly grass and trees, whereby the trees screen the site from many angles. The wider area consists of largely agricultural fields, with the settlement of Halewood to the south.

- 2.5. The site subject to this planning application are the three existing habitable properties on site, the bungalow, Foxhill Farmhouse and Foxhill Farm Cottage (see Figure 2 and 3 below) and their associated and defined residential curtilages.
- 2.6. Access is currently taken from Foxhill Lane, where the access point is located between Foxhill Farmhouse and the Bungalow adjacent to the site. Along Foxhill Lane is Foxhill House, a Grade II listed building.
- 2.7. Within an approximate 15-minute walk from the site are three bus stops, one on Gerrards Lane and two on Lydiate Lane, with buses approximately every 10 minutes into Halewood and Liverpool. The whole of Gerrards Lane has a footpath to reach the bus stops, as does Lydiate Lane. The town of Halewood itself has many facilities, including primary and high schools, a pharmacy, supermarkets, churches, and a train station.
- 2.8. The development site lies fully within Flood Zone 1, where the risk of flooding is at its lowest. The site is not subject to any ecological or landscape designations. There are no active Tree Preservation Orders associated with the site; however, there is a large, wooded area under a TPO, which screens the site from neighbouring development to the south.

/3 PLANNING HISTORY

3.1. A search of Knowsley Borough Council's planning register has been carried out in order to understand the site's planning history.

3.2. These applications relating to Foxhill Farm were discovered and are listed below:

- 07/00439/COU: Conversion of barn and outbuilding to residential dwelling. | Approved 08/11/2007.
- 08/00470/COU: Re-building of former barn and conversion (including outbuilding) to 1 no. dwelling. Refused. 11/02/2009 | Dismissed at appeal. 05/11/2009.
- 10/00488/COU: Retention of use of agricultural land to green composting and biomass wood fuel processing facility (use class B2). | Granted 24/11/2010.
- 13/00319/AGR: Application for agricultural determination for the erection of portal frame building to be used for storage of machinery & farm office. | Prior approval required and granted. 11/07/2013.
- 19/00329/OUT: Outline application for the demolition of existing buildings and erection of 10no. dwellings with associated garages, car parking and ancillary works. | Refused 20th August 2019.
- 20/00470/OUT: Outline application for a residential development of 7no. dwellings - appearance and landscaping reserved (resubmission of 19/00329/OUT). | Approved 04/02/2022

/4 PROPOSED DEVELOPMENT

- 4.1. The scheme proposes the demolition of the existing bungalow, barn and part demolition of Foxhill Farmhouse, and an Outline Application, including access, layout and scale to be applied for, for the erection of three new dwellings and the renovation of two existing dwellings. The proposed new dwellings are to be arranged in a sympathetic manner to the rest of the site, which has an extant permission upon it.
- 4.2. Initially, the existing bungalow is to be demolished along with the former barn building to the rear of Foxhill Farm Cottage and Foxhill Farmhouse, with the remainder of the buildings being renovated to form two dwellings. Two of the new dwellings are to be constructed in place of the existing barn building to the rear of the existing farmhouse and cottage, with a new dwelling replacing the existing bungalow. The schedule for demolition can be seen in the submitted demolition plan (ref. GL432/D1).
- 4.3. The proposed development would add into the adjacent scheme under the application 20/00470/OUT, approved on the 4th of February 2022, which deals with the larger part of the site at Foxhill Farm. Given the approval of application to redevelopment the wider site, in principle, there is already strong precedent for the acceptance of the development of residential dwellings on the site.
- 4.4. As can be seen in the proposed plans, the existing farmhouse is to be retained, with partial demolition of the barn to the north allowing the erection of Plots 1 and 2, as well as the creation of Farm 1 and 2. Across the track, the existing bungalow is to be fully demolished, with Plot 3 erected in its place.
- 4.5. The new dwellings will have ample space for car parking as well as residential curtilage extending around the new dwellings.

Pre-Application Discussion

- 4.6. Prior to the submission of this application, pre-application discussion was undertaken with the Council under 21/00041/PREAPP. Within this discussion, it was determined that

the need to protect the openness of the Green Belt was the key issue presented by the development. It was accepted however that the scheme constitutes redevelopment of previously developed land and as such is an exception under Paragraph 150 of the NPPF.

- 4.7. The original plans seen by the Council under this pre-application discussion featured a larger building being constructed in the place of the bungalow. This was deemed to be unacceptable due to the associated increased footprint having potential to harm the openness of the site.
- 4.8. With this submission, the footprint of the replacement building has been substantially reduced from that presented at pre-application stage and is now only 5 sqm larger and with a shorter ridge height than the original and existing bungalow.
- 4.9. In terms of the demolition of the barn and partial demolition of the farmhouse, the replacement part of this building is going to be smaller than the existing on site, and as such was considered acceptable in principle.
- 4.10. Regarding the potential other issues of highways; contamination; trees; ecology; and design, these matters are all covered within this statement and the submitted technical reports accompanying this application.

/5 TECHNICAL CONSIDERATIONS

- 5.1. This planning application is accompanied by a number of technical reports which demonstrate that the proposed development is capable of being implemented without significant adverse impacts arising from site constraints. These are summarised below.

Access

- 5.2. In support of the application, a transport note has been produced by DTPC. The note concludes that the site is accessible in nature for a rural location, no local safety issues are recorded that would prevent the scheme from gaining approval, and the trips levels are considered low even if the fallback farm use is ignored.
- 5.3. Due to the potential increase in potential conflicts at the bends, the previously approved scheme required three passing bays to ensure it operated safely. The net increase of 2 units, as proposed here, in combination with the earlier approved scheme would not require further changes locally to mitigate the overall levels of trips generated. If the scheme comes forward in advance of the larger approved scheme, the 2 units with associated 1 or 2 two-way trips in the peak would not require the passing bays to be provided.

Heritage

- 5.4. It is considered that there will be no harm to the listed buildings within the area as a result of the redevelopment of the farm by virtue of the extensive planting and vegetation screening the development from the nearest listed building, and that the proposed development is replacing existing buildings on site.

Land Contamination

- 5.5. An updated land contamination report has been completed and is submitted alongside this planning application.
- 5.6. The report concludes that no contamination exists which poses a significant risk of significant harm to the identified receptors either on site or in the immediate vicinity,

with the exception of the potential presence of asbestos within Cementous corrugated sheeting. This can be adequately dealt with during the demolition phase of the project without presenting further risk of contamination to the site.

- 5.7. Therefore, the site is considered safe and suitable for the intended use. The report further recommends that a watching brief is maintained throughout the construction of the new dwellings and any signs of potential contamination found are fully investigated, with appropriate remedial action taken as necessary.

Flood Risk and Drainage

- 5.8. An updated flood risk assessment and preliminary drainage strategy has been undertaken and submitted alongside a full application. The report concludes that the Environment Agency Risk of Flooding from Surface Water map indicates the site is at a very low risk of surface water flooding except for an area within the north eastern part of the site adjacent existing buildings which is at high risk.
- 5.9. Development of the site will remove the risk of surface water flooding within the site. To further mitigate against the risk of surface water flooding it is proposed that finished floor levels of the proposed dwellings are set at 300mm above the finished ground level. The risk from other forms of flooding, fluvial, groundwater and sewage are also considered low.
- 5.10. In terms of drainage, it is intended that new surface water drainage will be constructed, appropriately sized, to take all surface water runoff from the new roofs and hardstanding areas, to discharge into the drainage ditch that lies at the site's southwestern corner and flows to the northwest.
- 5.11. Foul sewage from the developed site will be to a packaged sewage treatment plant with the effluent discharging into the drainage ditch that lies at the site's southwestern corner and flows to the northwest.

Trees

- 5.12. An updated Arboricultural Impact Assessment has been completed in support of this application. The report surveyed the trees and bushes on the site, identifying and categorising them. Only two trees were found to be of the highest quality, which were not in danger of being felled for the development.
- 5.13. Some low-quality trees, within Category C and U, surrounding the existing bungalow are to be removed to enable to the demolition and redevelopment. There is one larger category B tree in front of the bungalow to be retained.

Ecology

- 5.14. An ecological impact assessment has been undertaken and submitted alongside this planning application in order to determine the impact on wildlife the development would have. It is based on information collected from a previous desk study, a UKHab survey, internal and external building inspections and a suite of bat dusk emergence surveys. Surveys were conducted between early August and September 2022.
- 5.15. An assessment was made of all areas of vegetation within the site boundaries, based on the standardised UKHab survey methodology (Butcher et al. 2020a). This involved a walkover survey to identify vegetation types, which were then classified against those the types set out in UKHab classification system (Butcher et al. 2020b). All habitats within the site boundary were mapped and described. In addition, evidence of and potential for legally protected and notable species was noted, in particular;
- Potential roosting sites for bats within trees (identification of suitable cracks and crevices – survey undertaken externally and from ground level only); an assessment of the suitability of bat roosting, foraging and commuting habitat was undertaken based on Collins (2016);
 - Habitats utilised by other notable and protected species, including amphibians (particularly great crested newt), badger (*Meles meles*), hedgehog (*Erinaceus europaeus*), invertebrates (e.g. butterflies), nesting birds (including any active or disused bird nests) and reptiles; ponds within 0.25 km (access permitting) of

the red-line boundary were subject to a great crested newt Habitat Suitability Index (HIS) assessment (see Oldham et al. 2000); and

- The presence of the most common invasive plant species subject to strict legal control including: Japanese knotweed (*Fallopia japonica*), giant knotweed (*F. sachalinensis*), hybrid knotweed (*F. x bohemica*), giant hogweed (*Heracleum mantegazzianum*), rhododendron (*Rhododendron ponticum*, *R. ponticum* x *R. maximum* and *R. luteum*), and Himalayan balsam (*Impatiens glandulifera*).

- 5.16. A daytime inspection of the buildings on site (farmhouse – B1, cottage – B2, partly built barn – B3 and bungalow – B4) was completed on the same day as the UKHab survey by Sarah Birtley (Natural England Bat Licence Number 2016-26712-CLS-CLS) and Rhiannon Kamink.
- 5.17. The external inspection involved checking for field signs of bats on external features of the buildings with particular attention being paid to ledges, walls, doors and the surrounding ground. An assessment of the potential of the buildings to support bats was also made during the survey i.e., searching for Potential Roost Features (PRFs), such as gaps along roof verges and under roof tiles. High power torches (Cluson Clu-lite 500,000 candlepower) and close focus binoculars were used to aid the survey.
- 5.18. The internal inspection involved a search of the buildings for field signs such as bats, bat droppings, urine stains, bat feeding remains (moth wings, insect cases), bat staining, a distinctive smell of bats, scratch marks and smoothing of surfaces, which would indicate a roosting site. Ladders, binoculars and high-power torches (Cluson Clu-lite 500,000 candlepower and LED Lenser 7.2) were used to aid the survey.
- 5.19. A total of four dusk bat emergence surveys were undertaken at the site between early August and September 2022. The surveys aimed to determine the presence of roosting bats, including the species and roost type, as well as gather information on the general activity levels and flight lines used by foraging and commuting bats. Buildings assessed as having high suitability for roosting bats (B1 – farmhouse and B4 - bungalow) received

three survey visits in total, and low suitability buildings (B2 – cottage and B3 – partly built barn) received one survey visit.

- 5.20. The recommendations set out below aim to ensure that the proposed development take account of important ecological features, legal requirements and relevant national and local planning policies.
- 5.21. Cartbridge Lane Wood SBI is located approximately 45 m from the site boundary. The Construction Environmental Method Statement (CEMP) will incorporate suitable mitigation for potential impacts to the designated site. No contractors will enter the woodland during the construction phase and appropriate pollution control and prevention measures will be applied throughout the construction period. In the absence of statutory guidance in England it is advised that the following information published on the NetRegs website is adhered to during the works;
- Maintaining high standards of housekeeping throughout the duration of construction;
 - Speed limits will be enforced on the site access road and working areas will be dampened down during dry periods to prevent dust;
 - Covered wagons and skips will be used;
 - All stored materials and excavated topsoil will be placed in a bunded area protected from rainfall and runoff; and
 - Oil spill kits to be kept on site and drip trays or plant nappies to be used when refuelling and left under stationary machinery.
- 5.22. In terms of impacts on other habitats, no bat roosts were found however suitable mitigation for foraging and commuting bats are proposed. Similarly precautionary measures in respect of badgers, birds, and amphibians are also proposed, alongside enhancement measures to enhance the wildlife value of the final development. These matters can all be dealt with via suitable planning conditions.

/6 PLANNING POLICY CONTEXT

- 6.1. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that:
- 6.2. *"Where in making any determination under the Planning Acts, regard is to be had to the Development Plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise."*

Development Plan

- 6.3. The statutory Development Plan for the application site comprises the Knowsley Local Plan Core Strategy (adopted 2016), saved policies from the Knowsley Replacement Unitary Development Plan (2006) and the Merseyside and Halton Joint Waste Local Plan. Due consideration should also be given to the National Planning Policy Framework (NPPF), National Planning Policy Guidance, and any other supplementary planning guidance documents considered relevant to the proposed development.
- 6.4. The Knowsley Local Plan Policies Map indicates that the site is wholly within Green Belt, where Local Plan Policy CS5 is relevant.



Figure 4. Extract from the interactive proposals map.

- 6.5. The following Development Plan policies considered to be relevant to the proposed development are summarised below:

Local Plan Core Strategy

- 6.6. SD1: Sustainable Development reflects the positive approach supported by the NPPF and states that there will be a presumption in favour of sustainable development.
- 6.7. Policy CS2: Development Principles states that to support the overall strategy in Policy CS1, the Local Plan will support the development principles of promoting sustainable economic development, reducing carbon emissions, reducing the need to travel, enhancing local character, promoting quality of place and making efficient use of available resources and infrastructure. This overarching policy also seeks to protect biodiversity.
- 6.8. Policy CS3: Housing Supply, Delivery and Distribution sets out where future dwellings will be located over the plan period, as well as encouraging a mix of house types in proposed developments.
- 6.9. Policy CS5: Green Belt states that appropriate future development within previously developed sites in the Green Belt will be acceptable, provided the openness of the Green Belt is preserved. Such sites vary widely in type and size and smaller sites will not be identified specifically on the Policies Map; however applications will be assessed against national Green Belt policy.
- 6.10. Policy CS7: Transport Networks requires new development to be located to prioritise sustainable modes of travel and to enhance road safety. The policy also states that new development should be in compliance with adopted parking standards.
- 6.11. Policy CS19: Design Quality and Accessibility in New Development aims to enhance the local distinctiveness, identity and accessibility of new places. New development within Knowsley will be expected to respond to the characteristics of the site's immediate

surroundings, complement and enhance existing landscape features and create safe and convenient routes for movement. This policy also aims to achieve a good standard of amenity for all existing and future occupants of land and buildings and address the challenges of climate change.

- 6.12. Policy CS20: Managing the Borough's Historic Environment states that development proposals on sites which include, or are considered to have the potential to include, heritage assets or comprising archaeological interest, should be accompanied by a heritage impact statement.
- 6.13. Policy CS22: Sustainable and Low Carbon Energy requires new development to meet high standards of sustainable design and construction. With regards to flood risk, new development should look to incorporate Sustainable Drainage Systems (SuDS) and flood resilient design.
- 6.14. Policy CS24: Flood Risk states that new development that may cause an unacceptable risk of flooding on the site or elsewhere will not be permitted. The supporting text to this policy reiterates the promotion of SuDS.
- 6.15. Policy CS26: Waste Management encourages good design in new development in order to minimise waste, promote the use of reclaimed and recycled materials and to facilitate the collection and recycling of waste.

Saved UDP

- 6.16. Policy T7: Walking and Cycling Routes states that new development should preserve and where possible enhance the walking & cycling network.
- 6.17. Policy T10: Access for the Less Mobile aims for all proposals for new development, or for the change of use of existing buildings, will be required to have adequate access for the less mobile or those who have sensory impairments, and shall have adequate

adaptability to meet lifetime design standards for homes and inclusive design standards for all other buildings.

- 6.18. Policy G3: Agricultural Land states that new development proposals which, whilst not directly causing the loss of best and most versatile agricultural, would effectively prevent the use of such land as a result of the fragmentation of holdings or the conversion of agricultural buildings to other uses will be subject to scrutiny to determine whether the site is the most suitable for development.
- 6.19. Policy DQ2: Security in the Built Environment aims for all new development should be designed so as to provide good levels of personal and property security.
- 6.20. Policy DQ4: Trees and Development requires the retention of as many trees and hedges in new development as possible, with appropriate planning of new trees within development.
- 6.21. Policy ENV5: Contaminated Land states that where there is evidence that a site may be unacceptably affected by contamination, proposals shall be accompanied by a site investigation report and schedule of remedial measures.

Material Considerations

NPPF 2021

- 6.22. The NPPF sets out the Government's planning policies for England and how these should be applied. The golden thread running throughout the Framework is the Government's presumption in favour of sustainable development (Paragraph 11) whereby developments which correctly balance the requirements of economic, social and environmental issues should be granted planning permission unless there are strong reasons that permission should not be granted.
- 6.23. Sustainable development is broadly defined in Paragraph 8 of the Framework as having three overarching objectives; economic, social and environmental.

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 6.24. Section 5 of the Framework is concerned with building high quality homes in line with housing need, outlining the need for affordable housing.
- 6.25. Section 6 of the NPPF outlines how a prosperous rural economy can be achieved and how development should be supported.
- 6.26. The level of Green Belt protection is set out in section 13 of the NPPF, stating the purpose of the Green Belt and what types of development are deemed appropriate.
- 6.27. Paragraph 149 states that A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
- a) buildings for agriculture and forestry;
 - b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority

Supplementary Planning Documents (SPD)

- 6.28. There are two relevant SPDs to the proposal:
- Ensuring a Choice of Travel
 - Design Quality in New Development

/7 PLANNING POLICY ASSESSMENT

Principle of Development

- 7.1 The site falls within land allocated in the adopted Local Plan as Green Belt. Paragraph 147 of the NPPF states that inappropriate development, by definition, is harmful to the Green Belt and should not be permitted except in very special circumstances. It continues that very special circumstances will not exist unless the potential harm to the Green Belt is outweighed by other circumstances. CS Policy CS5 echoes national planning policy stating inappropriate development will not be permitted in the Green Belt except in very special circumstances which demonstrate any harm would be outweighed by other considerations.
- 7.2 The NPPF defines the construction of new buildings within the Green Belt as 'inappropriate' at paragraph 149 but does list a number of exceptions. Point (d) in these exceptions includes the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.
- 7.3 As per Paragraph 149 (d) "*the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces*", does not constitute inappropriate development within the Green Belt. As the original and current buildings on site, those subject to this pre-application advice request, were and continue to be used as dwellings, this proposal seeks to replace these buildings with ones in the same use, namely residential buildings. Also, as the proposed dwellings would not be materially larger than the existing dwellings, very special circumstances are not to be required to be justified.
- 7.4 In this case, the replacement of the original buildings would be further boon to the site, both in terms of visual appearance as well as through the viability and economic sustainability of the site. At present the dwellings, whilst habitable, are in a state of general disrepair. Their demolition and subsequent replacement would alleviate an eyesore from the landscape and create a more welcoming area for new and nearby

residents alike. They would also blend in well with the other proposal currently being considered for the wider site.

Paragraph 149 (g) – Previously Developed Land & Impact on the openness of Green Belt

- 7.5 Part (g) of paragraph 149 provides another exception, this being, *g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development.*
- 7.6 This relates to the Barn Building on site to the rear of Foxhill Farmhouse and Foxhill Cottage, and namely whether the proposed development would have a greater impact on the openness of the Green Belt than the existing development. Pertinent to considering the impact on the openness of the Green Belt is not only the built form and surface infrastructure, but also the form, mass and layout of the proposed development when compared to what currently exists.
- 7.7 With regards to NPPF Paragraph 149(g), the High Court ruling (Euro Garages v SoS for CLG, July 2018) is applicable to the consideration of this application. Relating to previously developed land, the wording of clause (g) states that redevelopment of such a site should not have a greater impact on the openness of the Green Belt than the existing development. The correct way to assess the impact is to look at the openness of the Green Belt as a whole, and not the site in isolation.
- 7.8 It is proposed to replace this building, which is still substantial in stature, with two new buildings (two dwellings) of a similar scale and massing to the existing situation and one that would not extend beyond the footprint of the existing development.
- 7.9 Because of this, there would no greater impact on the openness of the Green Belt as a result of the proposed development in terms of the site itself, or in the wider sense on the Green Belt designation as a whole.

Visual impact of the proposal on the Green Belt

- 7.10 The above appeal decision also outlined the need to look at the harm that would be caused by a new development, not just in respect of openness in terms of a greater amount of built development, but also related to visual impact.
- 7.11 In line with the previously approved dwellings, under application ref: 20/00470/OUT, the proposed redevelopment of the remainder of the site is considered to be a significant improvement visually to the existing site due to the poor quality of the remaining properties on the site. The proposal will remove a number of dilapidated buildings resulting in an improvement visually by virtue of the provision of four modern, built properties, all designed to blend in with the scheme subject to planning at present, but also to reflect the current built form on site.

Other harm

- 7.12 When considering 'other harm' it is important to look at the aim of Green Belt policy, the reasons for including land within the Green Belt, and whether the scheme would conflict with these.
- 7.13 The fundamental aim of Green Belt policy, as per NPPF paragraph 137, is to prevent urban sprawl by keeping land permanently open. The five purposes of including land within the Green Belt as per paragraph 138 are:
- a) To check the unrestricted sprawl of large built up areas;
 - b) To prevent neighbouring towns from merging into one another;
 - c) To assist in safeguarding the countryside from encroachment;
 - d) To preserve the setting and special character of historic towns; and
 - e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

These points are considered below in turn.

- 7.14 The site comprises a small section of a larger development within the Green Belt, which exists with large areas of hardstanding and prominent buildings. The development would not result in unrestricted sprawl, would not cause neighbouring towns to merge and would not result in an encroachment onto the surrounding countryside. Therefore, no conflicts with points A, B or C above are identified.
- 7.15 Paragraph 138 (e) includes the encouragement and recycling of derelict urban land. Whilst not a town or city centre the site is still considered to be in a largely urban location surrounded by development, as shown in Figure 5 below.



Figure 5: Location of site in context of surroundings (Google Maps)

- 7.16 There is further support for re-using derelict land in the Green Belt in paragraph 145 encouraging local authorities to plan positively and look for opportunities for damaged land. The wider site has become run-down with a number of dilapidated buildings on site, as can be seen at Figure 6 below, and this area has an extant permission for residential dwellings. Development of the land subject to this application will further support the earlier scheme.



Figure 6: Photo of the wider site

7.17 The redevelopment of the site is considered to constitute recycling of derelict land. Point D of paragraph 138 is not relevant as there are no historic towns in the vicinity of the site. Overall, it is not considered that it can be reasonably argued that the development would conflict with any of the purposes for including land within the Green Belt as listed above.

Benefits of the proposals and other considerations

7.18 It is considered that there are very positive aspects to this proposal that weigh heavily in favour of the application. These are as follows:

- The site does not currently contribute positively to the character or appearance of the Green Belt;
- There will be a visual benefit to the area and the immediate site from the proposal;
- Beneficial impact on the Listed Building on the approach into the site by removing a number of dilapidated buildings;

- The uses proposed and the redevelopment overall will remove the anti-social behaviour that the site currently attracts (fly tipping and arson) to the benefit visually to the area and also residential amenity of existing properties;
- The proposed housing will be a high-quality design using sustainable techniques and materials;

7.19 There is not considered to be any conflict with the fundamental aim of the Green Belt to maintain openness and there is an improvement to the appearance of the site. No other harm is identified in relation to the proposed development. It is therefore concluded that the only harm would be harm by reason of inappropriateness, and that this harm is not increased by other factors.

7.20 There are considered to be multiple benefits from the proposal to the area that together outweigh any harm to the Green Belt such that very special circumstances exist. The proposal is therefore considered to accord with Section 11 of the NPPF and Policy CS5.

Design and Technical Considerations

Design, Scale and Layout

7.21 The design concept for the site is to reflect its agricultural origin with the two focal 'farmhouse' style properties at the arrival into the development from the access road, the newly renovated Foxhill Farmhouse and Foxhill Cottage. The existing bungalow will be replaced with a more linear building, albeit of the same scale, reflecting the linear buildings elsewhere on site. The two properties to the rear of the renovated dwellings will reflect the footprint, scale and massing of the building to be demolished.

7.22 The layout of the development is considered appropriate to the history of the site and presents a more organic development despite being new build. This will complement the existing wider site, creating a more holistically pleasing development on more well-defined set of plots.

7.23 There will be a benefit in terms of the overall sustainability of the site from new build properties which will have more efficient features than the existing site. The energy standards aspirations would be outlined within a Design and Access Statement following submission.

7.24 Overall, the proposals are considered to positively respond to the characteristics of the site's immediate surroundings and are in accordance with Policy CS19, CS22 and Principle 4 of CS2.

Landscape and Visual Impact

7.25 The existing properties on the site are a mixture of footprints, mass and height. The proposal would present a more coherent and uniform group of dwellings on the site, thereby enhancing the appearance of the site as a whole. There are few public vantage points in close proximity to the site. Despite a public footpath to the south, the site is not very visible due to the existing vegetation. There is not considered to be any detrimental impact on visual amenity or impact on the landscape in accordance with Policy CS19.

Ecology

7.26 The application is supported by an ecological survey and enhancements and mitigation are proposed in order comply with Policy CS8, UDP Policies ENV9 and ENV10.

7.27 Landscaping is not proposed for at this stage, however the site can be suitably landscaped if required. These matters can be dealt with at a reserved matters stage.

7.28 Precautionary working methods are advised for works affecting B1 (farmhouse) and B4 (bungalow), as both buildings have features suitable for bats. Compensation for the loss of potential roosting features will include wall and tree mounted bat boxes. If site clearance works are commenced during the bird nesting season (March – August inclusive), all areas of scrub, rough grassland, buildings and trees should be checked by a suitability experienced ecologist prior to removal.

- 7.29 Precautionary measures will avoid impacting small mammals and common amphibians, such as covering open pipework / excavations.
- 7.30 Following these recommendations will allow the scheme to progress with minimal risk to existing wildlife and leave the site in a superior position, in terms of biodiversity, once work has been completed.

Trees

- 7.31 An arboricultural impact assessment has been undertaken with this application to assess the quality and quantity of the trees on site.
- 7.32 The report finds two category A trees on the site, which are located away from the development locations, as such no harm will come to these. T19 is a Common Horse Chestnut identified within the plan, close to the proposed two dwellings to be erected where the bungalow stood. This tree is to be retained and can be seen within the plans.
- 7.33 Overall, the preservation of the most important trees is undertaken in this development and should be no preclusion to the granting of planning permission.

Contamination

- 7.34 A Phase One Contaminated Land Assessment has been undertaken on the site in order to assess the potential for contamination due to the sensitive nature of residential development.
- 7.35 The report concludes that following the site walkover and review of the available information it has been concluded that no contamination exists which poses a significant risk of significant harm to the identified receptors either on site or in the immediate vicinity, with the exception of the potential presence of asbestos within Cementous corrugated sheeting. This can be adequately dealt with during the demolition phase of the project without presenting further risk of contamination to the site. Therefore, the site is considered safe and suitable for the intended use.

- 7.36 The report further recommends that a watching brief is maintained throughout the construction of the new dwellings and any signs of potential contamination found are fully investigated, with appropriate remedial action taken as necessary.

Access

- 7.37 The site is considered to be in a sustainable location for access to other modes of transport other than the private car and the proposal to improve the access road for pedestrian users makes its use more attractive and realistic.
- 7.38 Presently the access to the site is a continuous single-track road. It is adopted up until the property Foxhill House. After the bend in the road here the road is not adopted and is in a poor state of repair. It is the sole access to the site.
- 7.39 Within the attached transport note, three passing places along the access road are proposed, in order to accommodate any potential conflict arising at the bends.
- 7.40 The proposal under reference 20/00470/OUT includes an upgrade to this road surface and widening of the Lane along with three passing places along its length as well as introducing 1m wide footpaths for pedestrian access. This additional scheme would be able to make use of the improvements to the highway, creating a sustainable and easily accessible development. As such, the current scheme is considered to be in accordance with Policy CS7, UDP Policy T6 and National Planning Policy Framework Paragraphs 110, 111 and 112.

Flood Risk and Drainage

- 7.41 This application is accompanied by an updated FRA in accordance with Policy CS24. In terms of flood risk, the site lies within Flood Zone 1, where risk of flooding is at the lowest having less than 1 in 1000 annual probability of river or sea flooding. The Environment Agency Risk of Flooding from Surface Water map indicates the site is at a very low risk of surface water flooding except for an area within the north eastern part of the site adjacent existing buildings which is at high risk. Development of the site will remove the risk of surface water flooding within the site. To further mitigate against

the risk of surface water flooding it is proposed that finished floor levels of the proposed dwellings are set at 300mm above the finished ground level.

- 7.42 In relation to drainage strategy, it is intended that new surface water drainage will be constructed, appropriately sized to take all surface water runoff from the new roofs and hardstanding areas, to discharge into the drainage ditch that lies at the site's southwestern corner and flows to the northwest.
- 7.43 Foul sewage from the developed site will be to a packaged sewage treatment plant with the effluent discharging into the drainage ditch that lies at the site's southwestern corner and flows to the northwest. As a result, flooding and drainage prove no threat to development of this site.

Heritage

- 7.44 The proposal will be designed with the present buildings, and how they have been established, in mind, with the design reflecting their heritage. The design will also have regard to the nearby Listed Building, Foxhill House. The application will comply with the requirements of Policy CS20 and will be accompanied by a heritage statement. There are unlikely to be any impacts on the significance of the nearby heritage asset.

The Planning Balance / Summary

- 7.45 Whilst the site lies in the Green Belt, the site remains part of a wider site which has previously gain approval for multiple dwellings. This new scheme looks to finish improving the remainder of the wider Foxhill Farm, through the removal of the existing, derelict buildings and replacement with new dwellings.
- 7.46 The scheme is not considered to be inappropriate development in the Green Belt by virtue of it being considered an exception, and by definition appropriate, by virtue of Paragraph 149 points (c) and (d).
- 7.47 Sustainable and energy efficient development principles would be applied which would improve the energy efficiency of the site. The scheme would therefore comply with one

of the fundamental aims of the NPPF and Policy CS22 to improve energy efficiency, by making a small, but valuable, contribution. As per the NPPF paragraph 131, in determining planning applications, great weight should be given to high quality design which helps to raise design standards more generally in an area.

/8 CONCLUSION

- 8.1 PWA Planning had been retained by Mike Leary to prepare and submit a planning application for the demolition of existing bungalow, barn and part demolition of Foxhill Farmhouse, and an Outline Application, including access, layout and scale to be applied for, for the erection of three new dwellings and the renovation of two existing dwellings at Foxhill Farm Farmstead.
- 8.2 This Planning Statement has reviewed the scheme against relevant Development Plan policy as well as other relevant planning guidance, including the National Planning Policy Framework and has found that the development is acceptable in principle. As the development does not attempt to change the land use of site with the proposed dwellings or attempt to materially enlarge the buildings the scheme cannot be considered inappropriate development within the Green Belt. As such, the proposal remains in line with the NPPF and Local Green Belt policies.
- 8.3 There are no environmental or technical constraints associated with the site, and furthermore there are very real benefits arising from the proposals which suggest that planning permission should be granted.
- 8.4 The proposed development will deliver a high-quality scheme for Halewood, comprising family homes. The site is located sustainably and would provide a boost to the local economy in both the short and longer term. The scheme would contribute to the borough's housing delivery targets on a site which is located close to the settlement boundary. Moreover, the proposed development would provide high-quality homes in place of run-down and decrepit buildings and improve the visual aspect of the site.
- 8.5 In light of this application's merits and wider benefits to the site and local area, the scheme should be approved without delay.



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