

## **APPLICATION REPORT – 18/00334/FULMAJ**

**Validation Date: 14 March 2019**

**Ward: Coppull**

**Type of Application: Major Full Planning**

**Proposal: Change of use of existing buildings to storage use (Use class B8)**

**Location: Woodcocks Of Coppull Bridge Farm Coppull Moor Lane Coppull Chorley PR7 4LL**

**Case Officer: Amy Aspinall**

**Applicant: Ms Shirley Snowden**

**Agent: Shirley Snowden**

**Consultation expiry: 20 August 2019**

**Decision due by: 11 October 2019 (Extension of time agreed)**

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### **RECOMMENDATION**

1. It is recommended that the application is approved, subject to conditions.

### **SITE DESCRIPTION**

2. The application relates to the site known as Woodcocks of Coppull / Bridge Farm which is a former dairy farm which also included milk processing. The site is no longer used for the purposes of agriculture or milk processing, but part of the wider site does operate as caravan storage.
3. The site is located within the Green Belt, as defined by the Chorley Local Plan Policies

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

4. The application seeks full planning permission for the change of use of existing former agricultural buildings to storage use (Use class B8).

### **REPRESENTATIONS**

5. 5no. objections; 1no. representation neither supporting or objecting; and no. representation of support have been received. These are summarised below:
6. Support:

No increase in traffic as previous use has a fleet of trucks as part of the dairy operation  
Noise levels would decrease as the farm operated 7 days with noise from the milking parlour, farm machinery and livestock starting in the early hours of the morning until late

7. Objections:

Highways

Access to the site is difficult for large vehicles / HGVs cannot turn into Bridge Farm / on the side of a railway bridge  
Traffic will use Wigan Lane and then Jolly Tar Lane resulting in increased traffic on a 7.5 tonne weight restricted road/ HGVs in excess of the weight restriction flaunt the law  
Increased traffic / increased HGVs  
Question if the Highways department have been to the site  
Accidents caused by speeding and increased risk  
Damage caused to vehicles and properties due to speeding

Amenity

Blockage of light from HGVs using Jolly Tar Lane  
Noise and light pollution  
Increased activity on the site  
Impact on residents of Coppull Lane, Chapel Lane and Jolly Tar Lane

Other

Change in classification from Green Belt to brownfield opens up possibility for further industry and housing / set precedent  
The proposal is major development not just change of use  
The farm is only agricultural, not mixed use  
No letters received by residents

**CONSULTATIONS**

8. Coppull Parish Council: Object to the application. In summary the objection makes reference to the definitions of 'agriculture', 'industrial process' and 'previously developed land'. The Parish Council consider that the site is agricultural, not mixed use as purported in the application. They also provide that the conversion of the land to mixed use that precludes the agricultural use would facilitate future redevelopment of the site for housing by exploiting the PDL approach in the 1990 Act. The Parish Council consider that the agricultural designation remains as a use class for the land, there is no case in law for PDL exemptions to green belt development to apply.
9. CIL Officers: Comment that the proposed development is not CIL liable or chargeable.
10. Environment Agency: Have no objection.
11. Lancashire County Council Highway Services: Have no objection.
12. Regulatory Services - Environmental Health: No objection raised. Condition restricting hours is suggested.

**PLANNING CONSIDERATIONS**

Principle of the development

13. The site is located wholly within the Green Belt, as defined by the Chorley Local Plan Policies Map. A number of objections consider that the site is solely agricultural and not mixed use, as purported in the application submission. In the absence of any robust information to demonstrate that the application site is mixed use (i.e. arising from level of milk processing activities and the importation of milk) the site is considered to be agricultural for the purposes of this assessment.
14. The National Planning Policy Framework (the Framework) at paragraph 146 provides that certain forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.

This includes (d) the re-use of buildings provided that the buildings are of permanent and substantial construction.

15. It should be noted that paragraph 146 does not exclude the re-use of agricultural buildings. The Framework is supportive of the conversion of rural buildings and identifies this as a way of enabling the sustainable growth and expansion of all types of business in rural area, thereby supporting a prosperous rural economy.
16. The Council's Rural Development Supplementary Planning Document is also supportive of the re-use of redundant agricultural buildings for business use.
17. In terms of paragraph 146 of the Framework, the buildings are of permanent and substantial construction and suitable for re-use for storage purposes. The key tests of 146 in relation to openness and the purposes of the Green Belt are set out below:

#### *Openness*

18. The proposed development would utilise existing buildings and access arrangements, with no additional development proposed. The application seeks to utilise the existing buildings for storage and does not specify outdoor storage, which would warrant wider consideration. Accordingly, openness of the Green Belt would be preserved.

#### *Purposes of the Green Belt*

19. The Framework at paragraph 134 sets out the five purposes of the Green Belt:
  - a) to check the unrestricted sprawl of large built-up areas.*
20. The proposed change of use would not result in the unrestricted sprawl of built-up areas.
  - b) to prevent neighbouring towns merging into one another.*
21. The proposal would not cause neighbouring towns to merge.
  - c) to assist in safeguarding the countryside from encroachment.*
22. There would be no encroachment beyond the confines of the existing built form of the site and would not, therefore, conflict with this purpose.
  - d) to preserve the setting and special character of historic towns.*
23. There would be no conflict with this purpose.
  - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*
24. The proposal would not conflict with this purpose.
25. The proposal is not, therefore, inappropriate development in the Green Belt.
26. Policy EP3 (Development Criteria for Business and Industrial Use) of the Chorley Local Plan 2012 – 2026 sets out the criteria that proposals for new business, industrial and storage and distribution uses need to meet in order to be permitted as follows:
  - a) they are of a scale and character that is commensurate with the size of the settlement;*
27. The site is located within the Green Belt but is situated to the urban edge of the settlement of Coppull. Under policy 1 of the Central Lancashire Core Strategy Coppull is identified for some growth and investment to help meet housing and employment needs. In addition, the Central Lancashire Objectively Assessed Needs Update 2019 demonstrates a further need for B8 land supply.

*b) the site is planned and laid out on a comprehensive basis;*

28. The proposed development comprises a change of use of the existing buildings, and not a redevelopment of the site. The site arrangements would remain as existing and therefore there is no conflict with criterion (b).

*c) the proposal will not prejudice future, or current economic activities within nearby areas;*

29. The proposal would not conflict with this criterion.

*d) the proposal will not cause unacceptable harm e.g. noise, smells to surrounding uses;*

30. The site previously operated as a dairy farm and milk processing unit and, therefore, had associated activity in close proximity to residential properties surrounding the site. It is noted that the agricultural and milk processing operations are no longer being carried out on the site, although the use could be reinstated without the need for planning permission. This use was also uncontrolled and unrestricted in planning terms, such as hours of working and vehicle movements / types of vehicles used. The adjacent land, which is part of the wider site ownership, is already used for caravan storage and is unrestricted.

31. The application proposes a storage use (Use Class B8) within the existing buildings, to store caravans, cars, self-storage items such as moving home items, plant and machinery. The proposed hours of operation are Monday to Friday 08:00 to 18:00 and Saturdays 09:00 to 16:00 with no opening / operations on Sundays and bank holidays. The hours of operation could, therefore, be strictly controlled compared to the lawful use at this site, which would provide betterment in amenity terms.

32. Given the lawful use of the site which is unrestricted in terms of operational hours and vehicles movements, it is not considered that the proposed development would adversely impact on the residential amenity afforded to neighbouring properties, having particular regard to matters of noise and loss of light from HGV movements.

*e) the site has an adequate access that would not create a traffic hazard or have an undue environmental impact;*

33. A number of objections raise concerns in relation to the increased traffic and number of vehicles, in particular HGVs, that would access the site, including the use of Jolly Tar Lane. A number of comments also express that large vehicles / HGVs cannot achieve access to the site via the bridge.

34. It should be noted that whilst the site is not currently in operation, the site has no controls or restrictions on the number, types or size of vehicles that can access the site, including no hours of operation restrictions. The proposal is for storage use for a range of items such as caravans and construction machinery and, therefore, the nature of vehicles accessing the site may vary, although it might include larger vehicles.

35. Users of the highway are expected to abide by the Highway Code and Traffic Regulation Orders which are in place. Damage caused to residents' vehicles by other users of the highway is not a material planning consideration in the determination of this planning application.

36. Lancashire County Council Highway Services have assessed the application and raise no objection as they are of the opinion that the proposed development would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. In the absence of any objection from LCC Highways, and given the fall-back position of the site, it is not considered that a reason for refusal on highways grounds could be sustained.

*f) the proposal will be served by public transport and provide pedestrian and cycle links to adjacent areas;*

37. Coppull is defined as an Urban Local Service Centre which benefits from short connections with services with nearby towns. The site has access to the Chorley / Wigan bus service via Preston Road and the Southern Loop cycle route. Both Wigan and Chorley have train stations and links to wider area.

*g) open storage areas should be designed to minimise visual intrusion;*

38. No open storage areas are proposed as part of this planning application.

*h) adequate screening is provided where necessary to any unsightly feature of the development and security fencing is located to the internal edge of any perimeter landscaping;*

39. No additional screening, boundary treatments or landscaping is proposed as part of the application as the existing arrangements would remain.

*(i) on the edges of industrial areas, where sites adjoin residential areas or open countryside, developers will be required to provide substantial peripheral landscaping;*

40. The proposal seeks to change the use of existing buildings with no changes to the site arrangements or hard-standing areas. No peripheral landscaping is proposed as part of the application, as there is no additional visual impact over and above the existing situation.

*(j) the development makes safe and convenient access provision for people with disabilities;*

41. Levelled access can be achieved within the site, however no additional facilities are proposed given that the proposal is to re-use existing buildings for storage purposes.

*(k) the buildings are designed, laid out and landscaped to maximise the energy conservation potential of any development, and to minimise the risk of crime;*

42. The proposal is to re-use existing buildings and to maintain the existing site arrangements.

*(l) the proposal will not result in surface water, drainage or sewerage related pollution problems;*

43. The proposal would utilise existing drainage arrangements. The Environment Agency raise no objection to the application.

*(m) the proposal incorporates measures which help to prevent crime and promote community safety.*

44. Due to the presence of on-site residential dwellings, there would be an element of natural surveillance associated with the site, however no additional measures beyond the gated access are proposed as part of this application.

45. The proposal seeks to utilise existing buildings, as opposed to a new build scheme. The proposal accords with the relevant criterion of policy EP3 of the Chorley Local Plan 2012 - 2026. The principle of the proposed change of use to storage is acceptable, in planning policy terms, subject to other considerations as set out in this report.

### Design

46. No alterations are proposed to the existing buildings. The appearance of the site as a whole would be maintained and there would be no detrimental impacts in respect of design matters having regard to policy BNE1 (a) of the Chorley Local Plan 2012 - 2026.

### Notification

47. It is acknowledged that initial neighbour letters were not received, however further letters were sent out to neighbours and the application was publicised in the usual manner.

### Precedent

48. If the application is approved and subsequently implemented, the site would no longer be agricultural and would fall within the definition of previously developed land.
49. It is the application before the Council now which needs to be considered on its own merits, not any unknown future proposal.

### **CONCLUSION**

50. The proposal falls within the exception of paragraph 146 of the National Planning Policy Framework. The Framework is clear that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. There are no adverse impacts identified which would outweigh the benefits of the proposal through the re-use of redundant buildings for employment purposes, in particular Class B8 use.
51. The application is recommended for approval, subject to conditions.

**RELEVANT POLICIES:** In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

### Suggested conditions

52. To follow.

### **RELEVANT HISTORY OF THE SITE**

**Ref:** 81/00396/FUL **Decision:** PERFPP **Decision Date:** 20 October 1981  
**Description:** Two storey extension

**Ref:** 82/00167/OUT **Decision:** PEROPP **Decision Date:** 4 May 1982  
**Description:** Outline application for replacement house

**Ref:** 82/00345/REM **Decision:** PERRES **Decision Date:** 18 March 1983  
**Description:** Replacement farmhouse

**Ref:** 91/01034/FUL **Decision:** REFCRC **Decision Date:** 20 January 1992  
**Description:** Siting of five caravans

**Ref:** 92/00008/OUT **Decision:** REFOPP **Decision Date:** 10 March 1992  
**Description:** Outline application for the erection of 1 detached bungalow

**Ref:** 98/00336/AGR      **Decision:** WDN      **Decision Date:** 12 June 1998  
**Description:** Application for prior determination in respect of erection of steel frame general purpose storage building,

**Ref:** 05/00335/INV      **Decision:** APPVAL      **Decision Date:** 27 January 2006  
**Description:** Erection of agricultural building in replace of bull pen,

**Ref:** 06/00117/FUL      **Decision:** PRRRTF      **Decision Date:** 9 March 2006  
**Description:** Retrospective application for the erection of a milking parlour

**Ref:** 06/00978/FUL      **Decision:** PERFPP      **Decision Date:** 17 May 2007  
**Description:** Retrospective application for replacement dairy building.

**Ref:** 18/00147/CLEUD      **Decision:** PEREUD      **Decision Date:** 13 April 2018  
**Description:** Application for a Certificate of Lawfulness for an existing use in respect of the use of land for storage of caravans

