

Item 5 **11/00581/COU**

Case Officer **Mr Matthew Banks**

Ward **Chisnall**

Proposal **Change of use of existing building from agricultural use to fencing and garden furniture workshop**

Location **Lancaster House Farm Preston Road Charnock Richard LancashirePR7 5LE**

Applicant **Mr Stephen Storey**

Consultation expiry: 18 September 2011

Application expiry: 12 October 2011

Proposal

1. Application to change of use of an existing building from agricultural use to fencing and garden furniture workshop. This is a retrospective application as the business is already operating from the site.
2. The property in question is owned by Councillor Heaton, however the applicant and operator of the business is not Councillor Heaton, and therefore in accordance with the scheme of delegation the application is required to be considered at Development Control Committee.

Recommendation

3. It is recommended that this application is granted conditional approval.

Main Issues

4. The main issues for consideration in respect of this planning application are:
 - Principle of the Development
 - Design and impact on the streetscene
 - Impact on neighbour amenity
 - Access and parking
 - Ecology

Representations

5. To date (20 September 2011) no letters of objection have been received.

Consultations

6. **The Coal Authority** – Standing advice.
7. **Parish Council** – no objections
8. **Lancashire County Council (Property Group)** – suggest that if the development is to be approved, this should be done through a temporary planning permission to allow a re-assessment of the need for the building for agricultural purposes for such times as it may be required in the future.
9. **Lancashire County Council (Highways)** – none received
10. **Environmental Health noise/emissions** – no objections, however, it may be appropriate to condition the hours of operation.

Assessment

Principle of the development

11. The site is washed over by the Green Belt where there is a presumption against inappropriate development and a requirement to maintain the most important attribute of the Green Belt which is that of openness. Planning Policy Guidance 2: Green Belts (PPG2) provides a clear definition of the types of development that can be considered appropriate within the Green Belt.
12. Policy DC1 of the Adopted Chorley Borough Local Plan Review restricts development in the Green Belt to that listed within the policy, unless very special circumstances are demonstrated to outweigh the harm that would come to the green belt by reason of inappropriateness.
13. Policy DC7A expands further than Policy DC1 and states that the re-use of existing buildings within the Green Belt will be allowed providing a number of criteria are met.
14. The proposed use of the building is for the production of fencing panels and garden furniture workshop and is capable of occupation without any external alterations to the building. The existing use of the building is agricultural and was once used to house cattle in connection with the agricultural operation at the site. The nature of the business has now resulted in the applicant diversifying the nature of operations at the farm and maintaining a flock of sheep rather than cattle, hence the current change of use application.
15. This application is for an employment use and as such is considered appropriate in accordance with Policy DC7A which gives preference to the re-use of buildings to provide accommodation for commercial, business and employment uses.
16. No external alterations are proposed to the building and as such, the development is considered in accordance with Criteria (a), (b), (d), (e), (f) of Policy DC7A. Criteria (c) of Policy DC7A is not applicable in this case which relates to incomplete agricultural buildings and criteria (g) and (h) relating to highways and ecology respectively will be covered elsewhere in the report.
17. In addition to the above, the Council's Supplementary Planning Guidance: Conversion of Rural Buildings in the Countryside reiterates the guidance outlined in Policy DC7A and states that commercial, manufacturing and other employment uses can be carried out in rural areas without causing an unacceptable level of disturbance. The use of an existing agricultural building for storage, workshops, offices and industrial purposes are usually the most sympathetic type of use associated with a rural building as they typically involve minimal alteration to the building, with the larger internal spaces often being retained. Conversion schemes can provide very useful workspace for businesses in rural areas, help expand and diversify the rural economy and reduce the demand for new commercial buildings.
18. Planning Policy Statement 7 (PPS7) supports farm diversification proposals provided they do not result in the excessive expansion or encroachment of buildings into the countryside. This is not the case here because no significant external alterations are proposed to the building and the focus is primarily on the change of use.
19. Planning Policy Statement 4 (PPS4) confirms that a B2 use is considered economic development and as such, Policy EC10 of Planning Policy Statement 4 (PPS4) provides further guidance for Local Planning Authorities in determining planning applications for economic development.
20. Policy EC12 of PPS4 states that in rural areas, the re-use of existing buildings for economic development purposes is preferable. Policy EC12.d says Local Planning Authorities should approve planning applications for the conversion and re-use of existing buildings in the countryside.
21. Policy EC10 states that Local Planning Authorities should adopt a positive and constructive

approach towards applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably and Policy EC10.2 (a-e) gives further consideration to this.

22. The Council supports the conversion of buildings to workspace rather than residential use because of the economic and social benefits to rural areas.
23. In terms of the need for the building for agricultural operations at the site in connection with the existing farm unit, the council has consulted Lancashire County Council (LCC) Property Group to provide an assessment of the application.
24. LCC Property Group have concluded that the building (subject of this application) is the only structure at the site with agricultural merit which is capable of providing cover for agricultural operations at the unit. However, it has also been acknowledged that the nature of agricultural activity at the site has recently diversified and so there is little need for the building for agricultural purposes at present. Despite this, it is also important to consider that the diversification at the site may only be temporary and so the need for the building for agricultural purposes may arise sometime in the future.
25. As such, LCC Property Group have suggested that the application be approved subject to a temporary permission which will allow the building to serve the current need at the site (in supporting the farm diversification), but will also allow a re-assessment of the need for the building for agricultural purposes in the future when circumstances may change.
26. As such, with regard to the guidance in PPS 4, PPS7, The Council's Supplementary Planning Guidance: Conversion of Rural Buildings in the Countryside and the advice from LCC Property Group, the principle of the development is considered acceptable, subject to a 3 year temporary permission (which will be enforced by planning condition) and other material planning considerations detailed below.
27. It is considered appropriate, taking into account the change of circumstances regarding agricultural need, that the building is reused albeit for an alternative purpose but that allows the building to return to agricultural use if and when required.

Design and impact on the streetscene

28. The proposed development will not result in any external alterations to the existing building and purely relates to the change of use. As such, it is not considered the proposed development will result in any greater harm to the character and appearance of the area than currently exists on site and the building will retain an agricultural appearance synonymous in rural areas.
29. The proposal is therefore in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review 2003.

Impact on neighbour amenity

30. The surrounding area is rural in character with very few sparsely positioned residential properties. The nearest residential property is situated on the opposite side of Preston Road, over 60m from the building. To the east is the M6 Motorway which provides a degree of background noise in the surrounding area.
31. The proposed development would be sited within an existing farm unit within a rural area of the borough. However, the unit has recently modified its farming practice from rearing of cattle (which needed indoor accommodation in the winter months), to the grazing of sheep all year round. The re-organisation of the farm business has resulted in a redundant agricultural building which the applicant intends to sub-let to as part of the farm diversification.
32. In assessing the impact of the change of use on neighbour amenity, a fallback position must be considered in that the farm was once fully operational which would have resulted in daily noise and disturbance and also vehicular movement (including farm machinery) coming to and from the site on a regular basis.

33. Taking this into consideration, it is not considered that the use of the building to produce fence panels and garden furniture would result in any greater significant detrimental harm in terms of neighbour amenity than would be experienced if the farm were operational. The nature of the business is such that the timber used is manufactured prior to assembly and no dust extraction equipment is required because the wood is pre-cut.
34. In addition to the above the council's Environmental Health Team has been consulted regarding noise and emissions but raise no objection to the proposed change of use. However, council's Environmental Health Team has suggested that it may be appropriate to condition the hours of operation in the interests of neighbour amenity (which will be dealt with by planning condition).
35. Taking into account the position and siting of the proposed development and the fallback position in terms of activity which could be carried out at the site. It is not considered the proposed change of use will cause any significant detrimental harm to neighbour amenity that would warrant refusal of the application.

Access and parking

36. The access arrangements at the site will effectively remain unchanged with the primary access to the site being from Preston Road.
37. It has been acknowledged that vehicular traffic moves quickly at this point, however, the access offers good visibility for vehicles when entering and egressing the site, particularly larger vehicles which may be delivering fencing and timber. The site also has sufficient provision for vehicles to enter, turn and exit in forward gear, thereby avoiding vehicles reversing on to the carriageway.
38. The applicant has shown 6 off-road parking spaces to the east of the building which will provide parking space for workers. In total there are 1.no full time employees and 2.no part time employees and so the parking provision is considered acceptable in this respect.
39. In assessing the overall impact on the highway, it must also be considered that the site comprises a former working farm in which large vehicles (including slow moving tractors) could come to and from the site throughout the day resulting in a substantial amount of vehicular traffic.
40. Therefore, with regard to the proposed use and given the number of employees at the site, it is not considered the development will result in any greater vehicular movement than would be experienced if the farm was fully functional.
41. Taking into account all the above points and the fallback position in terms of vehicular activity which could be operational at the site, it is not considered a refusal of the application could be sustained with regards to the impact on access/parking and the development is therefore in accordance with Policy TR4 of the Adopted Local Plan Review.

Ecology

42. The agricultural building subject of this application comprises a modest size structure situated to the south of the cluster of buildings which comprises Lancaster House Farm. The building is fairly modern in appearance and comprises green profiled metal sheeting for the elevations.
43. The building has no notable ecological significance and no physical alterations are proposed to the building as part of this application. The development is therefore considered in accordance with Criteria (h) of Policy DC7A and Policy EP4 of the Adopted Chorley Borough Local Plan Review 2003.

Overall Conclusion

44. With regard to the above, the application is therefore recommended for approval subject to conditions.

Planning Policies

National Planning Policy

Planning Policy Guidance 2: Green Belts (PPG2)

Planning Policy Statement 4: Planning for Sustainable Economic Growth (PPS4)

Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7)

Adopted Chorley Borough Local Plan Review

Policies: GN1, GN5, EM2, EP4 and TR4.

Supplementary Planning Guidance

Conversion of Rural Buildings in the Countryside SPG.

Planning History

The site history of the property is as follows:

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Ref: 00/00174/FUL **Decision:** PERFPP **Decision Date:** 19 April 2000

Description: Excavation of land to form second coarse fishery pond,

Ref: 02/01097/AGR **Decision:** PAAGR **Decision Date:** 28 November 2002

Description: Application for agricultural determination in respect of the erection of a replacement barn,

Ref: 95/00144/COU **Decision:** PERFPP **Decision Date:** 15 June 1995

Description: Use of existing pond for coarse fishing and existing hardstanding for parking of up to fifteen cars

Ref: 97/00087/COU **Decision:** PERFPP **Decision Date:** 9 April 1997

Description: Change of use of farm building to upholstery workshop,

Ref: 04/00157/COU **Decision:** WDN **Decision Date:** 15 April 2004

Description: Change of Use of redundant farm buildings to storage facility,

Ref: 05/00038/COU **Decision:** PERFPP **Decision Date:** 9 March 2005

Description: Change of Use of redundant farm buildings to part workshop and storage of furniture,

Ref: 11/00132/ADV **Decision:** PERADV **Decision Date:** 6 June 2011

Description: Display of non - illuminated wall mounted sign

Application Number-

- Change of use of existing building from agricultural use to fencing and garden furniture workshop
- Approve subject to conditions
- 12 October 2011

Recommendation: Permit Full Planning Permission Conditions

1. The use of the building hereby permitted for a fence and garden furniture workshop

shall cease and any plant, material or equipment associated therewith shall be removed and the site restored to its former condition on or before three years from the date of this permission.

Reason: In response to the nature of the use hereby sought and to allow the Local Planning Authority to monitor the need for the agricultural use of the building in the future, in accordance with Policy No. EM2 of the Adopted Chorley Borough Local Plan Review.

2. The approved plans are:

Stamp-dated: Title:
17 August 2011 Site Plan

Reason: To define the permission and in the interests of the proper development of the site.

3. No materials or equipment associated with the use hereby permitted shall be stored on the site other than inside the building.

Reason: In the interests of the amenity of the area and in accordance with Policy No. EM2 of the Adopted Chorley Borough Local Plan Review.

4. Within 3 months from the date of this permission, the car parking area as shown on the approved plan (stamp-dated 17th August 2011; Title: Site plan) shall be laid out in accordance with the approved plan. The car parking area shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles for the duration of the use hereby permitted.

Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.

5. The use hereby permitted shall be restricted to the hours between:

08.00am and 17.00pm Monday – Friday and;
10.00am and 14.00pm Saturday, Sunday and Bank Holidays.

Reason: To safeguard the amenities of local residents and in accordance with Policy Nos. EM2 of the Adopted Chorley Borough Local Plan Review.

6. The use of the building hereby permitted shall be for a fence and garden furniture assembly workshop only (B1). The building shall be used for no other purpose in Class B1 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order) unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the locality of the area, to ensure that any subsequent use is appropriate for the site and to protect the amenity of the neighbouring residents in accordance with Policy EM2 of the Adopted Local Plan Review. The applicant has provided no justification for any other B2 use at the site in accordance with PPS4.