

APPLICATION REPORT – 17/00423/FULMAJ

Validation Date: 20 April 2017

Ward: Eccleston And Mawdesley

Type of Application: Major Full Planning

Proposal: Proposed erection of a new agricultural building and other associated infrastructure

Location: Beech Grove Farm Black Moor Road Mawdesley Ormskirk L40 2QE

Case Officer: Mike Halsall

Applicant: Quantil Agriculture Limited

Agent: HOW Planning LLP

Consultation expiry: 13 June 2017

Decision due by: 18 August 2017

RECOMMENDATION

1.1 Approve full planning permission.

SITE DESCRIPTION

1.2 The applicant, Quantil Agriculture Limited (QAL) farms over 2,000 acres (approximately 800 hectares) of land, the majority of which is owned and located in either Lathom or Croston. There are three strategic centres for the QAL business, i.e. farm yards and buildings. They are located at Robinson Farm in Lathom and Drinkhouse Farm and Beech Grove Farm in Croston. There is also one building at Moss Farm in Croston.

1.3 The application site at Beech Grove Farm is located to the north of Black Moor Hall and is accessed from Black Moor Road to the south. There are two steel framed buildings currently situated at Beech Grove Farm, consisting of a potato store which would be converted for corn storage associated with the new proposed building and a workshop which would remain unchanged by the current proposal. Both of the existing buildings are located to the south of the application site. The surrounding land is agricultural in nature.

DESCRIPTION OF PROPOSED DEVELOPMENT

1.4 The proposal relates to the erection of a purpose built storage building with a footprint of 50 x 20m, 7m in height to eaves and approximately 9.7m to ridge. The building would be open to the north, would have capacity to store approximately 1,500 tonnes of seed corn and would contain reception pits, dryers and ten compartmentalised storage areas. The walls would consist of concrete panels to 4.6m in height and PVC sheeting up to eaves height. The roof would be of an Ethernit (fibre cement) natural grey construction with roof lights. The proposal also includes a weighbridge to be located to the west of the building.

- 1.5 This application forms part of wider modernisation scheme by the applicant which has resulted from a strategic review of their current operations across their three sites. It is intended that this will involve a £300,000 investment at the seed mill at Robinsons Farm in Lathom and the demolition of a number of buildings at Drinkhouse Farm and the construction of four residential units to fund the investment at Robinsons Farm (the development at Drinkhouse Farm is the subject of another application on this agenda ref: 16/00601/FUL).
- 1.6 The applicant has stated that they wish to develop Beech Grove Farm for the proposed use, rather than their other sites at Robinsons Farm and Drinkhouse Farm for the following reasons:
- It decreases agricultural and associated traffic movements in and around Croston.
 - It is readily accessible from the land farmed at Lathom;
 - The significant majority of the land that the new buildings will serve is closer geographically to Beech Grove Farm than Lathom;
 - The network of tracks and roads installed on the Croston Estate over the last few years make Beech Grove readily accessible from the remainder of the Croston Estate.

RELEVANT HISTORY OF THE SITE

Ref: 14/01212/FUL **Decision:** PERFPP **Decision Date:** 28 January 2015
Description: Application to stop up an existing access and construct a replacement access track to Beech Grove Farmhouse

Ref: 14/00629/P3PAM **Decision:** ANPR **Decision Date:** 1 August 2014
Description: Prior approval application under Part 3, Class M of The Town and Country (General Permitted Development) (Amendment) Order 2013 to change an existing agricultural building to a general storage and distribution use.

Ref: 12/00103/CLEUD **Decision:** PEREUD **Decision Date:** 29 March 2012
Description: Application for a Certificate of Lawfulness for occupation of the dwelling without compliance with an agricultural occupancy condition on planning permission 89/00528/OUT (condition 4)

Ref: 89/00529/AGR **Decision:** PERFPP **Decision Date:** 22 August 1989
Description: Erection of general purpose agricultural building

REPRESENTATIONS

- 1.7 Three objections were received which cover the following:
- The application refers to a Design and Access Statement which is not available for viewing online;
 - It is not clear what the landscape strip would consist of;
 - There has been a significant increase in traffic over the past three years which the proposal would likely further increase along with increased noise;
 - Too close to residential properties and not in keeping with Green Belt location;
 - Humming noises already audible throughout the night;
 - Difficult to determine the level of increased noise and HGV movements.
- 1.8 The Design and Access Statement was missing from the original submission and was later uploaded on 26th May 2017 for comment. Neighbours were thereby re-consulted on this basis. Other comments are addressed within the Planning Considerations section of this report below.

CONSULTATIONS

- 1.9 Lancashire Highway Services –responded to the initial consultation to state the following:
- 1.10 *“From the submitted proposed site plan, I do not consider there is adequate space on site to allow for safe turning of articulated trucks and other heavy/large goods vehicles that would visit site to load and unload. Also, no provision seems to have been made on site to accommodate waiting of such vehicles should the need arise. To avoid the risks of turning manoeuvres in the available confined space on site and to prevent unacceptable waiting of heavy goods vehicles on the highway frontage to the site, approval of the application in its current form is not recommended.”*
- 1.11 As part of its initial response, Highway Services recommended two planning conditions be attached should the Council be minded to grant planning permission which relate to the provision of schemes for vehicle turning and parking areas. The applicant submitted a report in response to the concerns expressed by Highway Services. The applicant’s response includes detailed swept path drawings of how HGVs would manoeuvre around the site. Following some requested amendments to the swept path drawings, Highway Services now raise no objection to the scheme, subject to the inclusion of a condition detailing and providing a passing place on the access road to allow two HGVs to pass.
- 1.12 Lancashire County Council Archaeology Service – In summary, the Archaeological Service has responded to state that existing records suggest that surviving remains of prehistoric date could be encountered during the construction works of the proposed development. The Archaeological Service has therefore recommended a planning condition be attached requiring a written scheme of investigation to be submitted and agreed with the Council and thereafter carried out.
- 1.13 CIL Officers – Proposal is CIL Liable but not chargeable.
- 1.14 Parish Council - No response received.
- 1.15 Environmental Health - No response received.

PLANNING CONSIDERATIONS

The principle of the development

- 1.16 The application site is located within the Green Belt, The National Planning Policy Framework (the Framework) states that the construction of new buildings should be regarded as inappropriate in the Green Belt, except in a limited number of specific circumstances.
- 1.17 National guidance on Green Belt is contained in Chapter 9 of the Framework which states:
- “79. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.*
- 80. Green Belt serves five purposes:*
- to check the unrestricted sprawl of large built-up areas;*
 - to prevent neighbouring towns merging into one another;*
 - to assist in safeguarding the countryside from encroachment;*
 - to preserve the setting and special character of historic towns; and*
 - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*
- 87. As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*

88. *When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.*

89. *A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:*

"buildings for agriculture and forestry..."

1.18 The proposed development relates to the erection of an agricultural building and other associated development and so is not classed an inappropriate development in the Green Belt. The proposal is therefore acceptable in principle in this location, subject to the other considerations below.

Design and amenity

1.19 With regards to design and amenity issues, policy BNE1 of the Chorley Local Plan 2012 – 2026 states that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that:

- a) The proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials.
- b) The development would not cause harm to any neighbouring property by virtue of overlooking, overshadowing or overbearing.
- c) The layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and respect the character of the site and local area.
- g) The proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses.

1.20 The design and appearance of the proposed building, described earlier in this report, would be akin to its rural location and other agricultural style buildings. The materials can be controlled by a suitably worded planning condition and is considered to be appropriate for this location.

1.21 The applicant has proposed a landscaping buffer strip to be situated along the boundary with Blackmoor Hall and Blackmoor Hall Cottage which are the nearest residential properties to the application site at approximately 100m to the south east. This would assist in screening views of the proposed building from these properties. A landscaping scheme can be required to be submitted to the Council for its agreement by virtue of a suitably worded planning condition. There is also an additional residential property located approximately 120m to the south west which would have oblique views of the proposed development. Given the separation distances involved it is not considered that the proposal would have any unacceptable impacts on the occupants of residential properties in terms of being overbearing or causing overshadowing.

1.22 With regards to noise disturbance, the applicant has confirmed that the plant/equipment used on-site would be the same as currently used for site operations, i.e. tractors and trailers, forklift trucks and mobile grain dryers (only during August/September). There is therefore unlikely to be any unacceptable impacts from noise disturbance attributed to the proposed development.

1.23 In light of the above, the proposal is considered to be consistent with policy BNE1 of the Local Plan.

Highways and access

1.24 With regards to highways and access issues, policy BNE1 of the Chorley Local Plan 2012 – 2026 states that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that:

d) The residual cumulative highways impact of the development is not severe and it would not prejudice highway safety, pedestrian safety, the free flow of traffic.

1.25 The supporting evidence submitted with the planning application identifies the following with regards to proposed vehicle movements:

“Large goods vehicles would manoeuvre around the site using an informal one way system. On entry to the site vehicles would turn right and travel between the existing potato store and the existing workshop. They would then turn left and head north past the new agricultural building, where up to three articulated HGV’s can be accommodated on the concrete apron to the east of the building. After being loaded / unloaded in this area, these vehicles would then continue in an anti-clockwise direction around the new building to leave the site.

With regard to the proposed weighbridge and should this be installed at some time in the future, Quantil estimate that 80% of activity would be weighing farm tractors and trailers. It is envisaged that the weighbridge could be entered and exited from either direction. As a result, when heading south to the west of the new building to exit the site, vehicles would be able to access the proposed weighbridge. In addition, vehicles entering the site could turn into the area between the existing potato store and the existing workshop and reverse onto the proposed weighbridge. They could then continue around the buildings in an anticlockwise direction as referred to above.

Alternatively, vehicles could enter the site, pull into the weighbridge in a forward gear and then continue around the new building / site in a clockwise direction.

With regard to vehicle numbers and dwell times...it is understood that it would be unlikely that more than one articulated HGV would be on site at any one time and that, given that these vehicles would carry grain and not potatoes, they would only take in the order of 30 minutes to be loaded / unloaded.

Based on the above, it is considered that the proposed site movement arrangements and dwell times would represent an improvement over the existing arrangements.”

1.26 The applicant has confirmed that typical operating hours are 7am to 5pm and the maximum number of HGV pick-up/deliveries would be three in any one day, occurring a maximum of twice a week.

1.27 Lancashire Highway Services has no objection to the proposal, subject to the inclusion of a suggested planning condition. In light of the above, the proposal is considered to be in accordance with Policy BNE1 in this regard.

Archaeology

1.28 As outlined above, Lancashire County Council Archaeology Service have recommended a planning condition be attached to any grant of planning permission which would protect any archaeological remains beneath the site. Any unacceptable impacts in this regard are therefore not expected.

Minerals Safeguarding

1.29 The site is located within a Mineral Safeguarding Area, covered by policy M2 of Lancashire County Council’s Site Allocation and Development Management Policies document. Policy M2 explains that planning permission will not be supported for any form of development that is incompatible by reason of scale, proximity and permanence with working the minerals, unless the applicant can demonstrate one of a number of criteria, as follows:

- The mineral concerned is no longer of any value or has been fully extracted.
- The full extent of the mineral can be extracted satisfactorily prior to the incompatible development taking place.
- The incompatible development is of a temporary nature and can be completed and the site returned to its original condition prior to the minerals being worked.
- There is an overarching need for the incompatible development that outweighs the need to avoid the sterilisation of the mineral resource.
- That prior extraction of minerals is not feasible due to the depth of the deposit.
- Extraction would lead to land stability problems.

1.30 The applicant has submitted a sufficiently detailed Minerals Resource Assessment which concludes the following:

- There is a very clear and identified need for the commercial development within the context of the farm buildings;
- The site interrelationship with highly sensitive receptors including adjacent residential housing and close proximity infrastructure would preclude mineral extraction given that the environmental and physical impact would be unacceptable;
- The presence of the New Reed Brook in close proximity to the north in addition to the alluvium and peat in the vicinity suggest the site will be wetland, and thus prove very difficult to form any excavations past the water table;
- The presence of the New Reed Brook and associated surface watercourses would provide a flood risk potential for the site;
- The presence of alluvium in close proximity to the site may induce differential settlement following the formation of an excavation; and,
- The sandstone bedrock is present at circa 15m which would require a large scale excavation however in surrounding areas, which is not feasible given the small scale nature of the town.

1.31 In light of the above, it is considered that the proposal meets the criteria of policy M2 by virtue of mineral extraction from the beneath the site and adjoining land being not feasible due to the depth of deposit, particularly once sufficient buffers from residential receptors have been applied. There are also negative environmental impacts associated with mineral extraction which in this location would likely be significant and unacceptable.

CONCLUSION

The application is recommended for approval.

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

1. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans below:

| Title | Plan Ref | Received On |
|----------------------|-----------|---------------|
| Proposed Site Layout | N/A | 18 April 2017 |
| Proposed Elevations | JM40441PL | 18 April 2017 |

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The external facing materials, detailed on the approved plans and the email dated 2nd August 2017 from Mr. Christopher Bradshaw, shall be used and no others substituted unless alternatives are first submitted to and agreed in writing by the Local Planning Authority, when the development shall then be carried out in accordance with the alternatives approved.

Reason: To ensure that the materials used are visually appropriate to the locality.

4. The building hereby permitted shall be used for agricultural purposes only (as defined in Section 336(1) of the Town and Country Planning Act 1990); in conjunction with the remainder of the holding as identified in the supporting information submitted with the application. It shall be removed and the site reinstated to its original condition by a scheme to be agreed with the Local Planning Authority if at any time it ceases to be used for this purpose.

Reason: To ensure that the building is used solely for agricultural purposes connected with the working of the holding.

5. Details of any lighting to be installed shall be submitted to and approved in writing by the Local Planning Authority before any such installation is carried out. The installation shall then be implemented precisely in accordance with these agreed details which shall then not be varied. Furthermore, no additional external lighting shall be installed without the express written permission of the Local Planning Authority.

Reason: To safeguard the amenities of the area and to minimise the possibility of inconvenience to nearby residents.

6. No development shall take place until a scheme for the provision and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the scheme has been implemented in accordance with the approved plans.

Reason: To secure proper drainage and to prevent flooding.

7. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site. This is required to be a pre-commencement condition to avoid any harm to archaeological features from site preparatory works

8. A scheme of landscaping shall be submitted and agreed in writing by the Local Planning Authority prior to the approved use becoming operational. The scheme shall indicate the types and numbers of trees and/or shrubs to be planted, their distribution on the site, those areas to be seeded, paved or hard landscaped and detail any changes of ground level. Landscaping schemes should also aim to contribute to targets specified in the UK and Lancashire Biodiversity Action Plans. Landscaping proposals should comprise only native plant communities appropriate to the natural area.

Reason: In the interests of the amenity of the area.

9. The development shall not become operational until details of a passing place on the internal access road has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. No part of the development shall be occupied or brought into use until the approved details have been implemented on site. The approved passing place shall be retained at all times thereafter specifically for this purpose.

Reason: To allow vehicles to safely give way to each and in the interest of highway safety.

10. No part of the development shall be occupied or brought into use until that part of the access extending from the highway boundary for a minimum distance of 10.0m into the site shall be appropriately paved in tarmacadam, concrete, block paviers, or other approved materials.

Reason: In the interest of highway safety.

