

## APPLICATION REPORT – 17/00521/FUL

**Validation Date: 19 May 2017**

**Ward: Heath Charnock and Rivington**

**Type of Application: Full Planning**

**Proposal: Retrospective application for the siting of eleven shipping containers to be used for storage purposes.**

**Location: Cockers Farm Long Lane Heath Charnock Chorley PR6 9EE**

**Case Officer: Mike Halsall**

**Applicant: Mr Catterall**

**Agent: Swift Building Design**

**Consultation expiry: 26 July 2017**

**Decision due by: 18 August 2017**

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### RECOMMENDATION

1.1 Refuse full planning permission.

### SITE DESCRIPTION

1.2 The application site is located to the south of the main farming/commercial complex at Cockers Farm. The site itself consists of an existing area of hardstanding. The applicant's supporting Planning Statement states that Cockers Farm was a successful farming business until the foot and mouth outbreak when the business collapsed. Since then, the buildings on Cockers Farm have been used for commercial purposes (B1, B2 and B8). There is an approved poly tunnel located to the north, beyond which is a car parking area. There are agricultural fields located to the east and south and a large building to the west which was recently granted planning permission for a change of use from agricultural storage to a livery with ancillary uses.

### DESCRIPTION OF PROPOSED DEVELOPMENT

1.3 The proposal seeks retrospective planning permission for the siting of eleven shipping containers to be used for storage purposes, in part by businesses on the adjoining commercial premises. The applicant has planted some tree saplings to the east of the application site with the intention of screening the site from views from residential properties to the north east.

### RELEVANT HISTORY OF THE SITE

**Ref:** 13/01199/FULMAJ **Decision:** PERFPP **Decision Date:** 15 July 2014  
**Description:** Change of use of agricultural buildings to industrial and storage uses (Classes B1, B2 and B8) (Retrospective Application) and reuse of existing residential use as offices (Class B1).

**Ref:** 11/00807/FUL **Decision:** PERFPP **Decision Date:** 12 October 2011  
**Description:** Application to re-locate existing poly tunnel within farm complex

**Ref:** 10/00180/FUL **Decision:** PERFPP **Decision Date:** 29 June 2010  
**Description:** Proposed conversion of existing barn in to live/work unit

**Ref:** 06/01004/FUL **Decision:** REFFPP **Decision Date:** 8 November 2006  
**Description:** Proposed new access road to include bridge over River Yarrow.

**Ref:** 03/00372/AGR **Decision:** PAAGR **Decision Date:** 8 May 2003  
**Description:** Agricultural determination for the erection of a poly tunnel,

**Ref:** 98/00761/FUL **Decision:** PERFPP **Decision Date:** 18 February 2000  
**Description:** Extension and alterations to car park, junction improvements and alterations to form

**Ref:** 98/00709/FUL **Decision:** REFFPP **Decision Date:** 16 December 1998  
**Description:** Erection of agricultural dwelling, farm access road,

**Ref:** 98/00486/FUL **Decision:** PERFPP **Decision Date:** 14 October 1998  
**Description:** Erection of agricultural building for housing livestock,

**Ref:** 98/00059/OUT **Decision:** REFFPP **Decision Date:** 10 June 1998  
**Description:** Outline application for the erection of agricultural worker's dwelling,

**Ref:** 97/00116/FUL **Decision:** REFFPP **Decision Date:** 30 April 1997  
**Description:** Retention of farm building to accommodate livestock/storage of farm foodstuffs and equipment,

**Ref:** 96/00680/OUT **Decision:** REFOPP **Decision Date:** 12 March 1997  
**Description:** Outline application for the erection of agricultural worker's dwelling,

**Ref:** 96/00452/FUL **Decision:** REFFPP **Decision Date:** 28 August 1996  
**Description:** Retention and improvement of existing farm access,

**Ref:** 89/00396/COU **Decision:** REFFPP **Decision Date:** 7 November 1989  
**Description:** Change of use of building to livery stables together with new farm access road alterations to public house car park and associated landscaping

**Ref:** 88/00906/COU **Decision:** REFFPP **Decision Date:** 11 April 1989  
**Description:** Conversion of barn to dwelling

## REPRESENTATIONS

1.4 Two objections have been received which outline the following concerns:

- Site should be preserved as Green Belt land;
- The entrance to the farm is on a blind bend off Long Lane with no footpath, this is dangerous and is already suffering from too much traffic and is used by cyclists and walkers;
- Single track farm access is not suitable and dangerous. This is used by walkers and horse riders;
- Trees have been removed to make room for the containers;
- The containers will create more noise and traffic;
- Storage of potentially hazardous / toxic / combustible material.

1.5 One letter of support has been received from the adjacent businesses of Alpha Digital Networks PLC, Business Source Solutions Limited and Vii Networks Limited which states the following:

- Having had support and funding from Chorley Borough Council with regards to the moving of our businesses to Cockers Farm, the possibility of us losing our stock overflow shipping containers in the farm compound will have a significant and detrimental impact on us as access to the parts and components stored in them is essential to our daily operations;
- Without this capacity we will be unable to operate effectively and efficiently within the Cockers Farm premises and we would, as a direct result, have to consider relocation to an alternative / suitable location;
- There is limited access to affordable premises of this type within the borough and as a result this may mean the loss of a £2.5M per annum business and an employer of 16 local people to another borough or area.

1.6 One further letter, from a local resident, states that they have no objections to the proposal.

## CONSULTATIONS

1.7 Parish Council – responded to state that:

*“The Parish Council feels that the application is a 'backdoor' attempt to create an industrial estate in the Greenbelt. This proposal is inappropriate in this location. Access into the Farm, on the bend on a hill in the main road through Limbrick is particularly dangerous. The approval of this retrospective application would lead to a change in the intensity, character of the activities and operations that are carried out on the site. Once this application is permitted, it will be harder to resist future attempts to escalate the industrial/commercial storage nature of the site's activities. On this basis the Parish Council recommends that the application should be refused.”*

1.8 CIL Officers – Proposal is not CIL liable.

1.9 Lancashire Highway Services – responded with no objections to the scheme, when asked for clarification by the planning case officer, due to concerns raised by local residents, responded as follows:

*“I appreciate the surface condition of the access is currently poor and visibility at its junction with Long Lane is no better, however, although the access is a public right of way, it is not maintained at public expense, but rather privately maintained. So only the owners of the access can carry out improvements to the surface condition. As regards visibility, the site already has similar uses such as B1, B2 and B8, so to object to the proposal on the basis of inadequate visibility would be difficult to sustain.*

*With regards to the potential increase in traffic movements, the proposal is for B8 storage and distribution involving 11 shipping containers the net additional GFA of which is 158.4m<sup>2</sup>. Based on this, the applicant is only required to provide parking for a single car or at most 2 parking spaces, which as you can appreciate will generate minimal amount of traffic”*

## PLANNING CONSIDERATIONS

### Principle of the development

1.10 The application site is located within the Green Belt. The application is retrospective for the siting of storage containers, which is a use of land.

1.11 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.

- 1.12 The development does not fall within any of the forms of development that are not inappropriate in the Green Belt. It is therefore inappropriate and harmful by definition.
- 1.13 Central Lancashire Core Strategy Policy 13: Rural Economy sets out the ways in which economic and social improvement will be achieved in rural areas. The policy concludes as follows:
- "In all cases, proposals will be required to show good siting and design in order to conserve and where possible enhance the character and quality of the landscape without undermining the purposes of the Green Belt, the functioning of the Green Infrastructure and the functioning of the ecological frameworks. Development should also be of an appropriate scale and be located where the environment and infrastructure can accommodate the impacts of expansion."*
- 1.14 A Supplementary Planning Document: Rural Development (adopted October 2013) sets out the approach to development in the rural areas of Central Lancashire. It encourages appropriate growth in the rural economy and aims to ensure rural economic development is supported and encouraged within clearly defined parameters. However, the document identifies the reuse of existing buildings as appropriate, rather than new buildings or the siting of containers.
- 1.15 As previously mentioned, the application site consists of an area of hardstanding and the applicant, in the submitted Planning Statement, states that this land is used partially for car parking. However, the site does not seem to benefit from any planning permission to be used as a car park or for any other use. The application site does not fit within the Framework's definition of previously developed land and has expanded the existing commercial business at Cockers Farm further into the Green Belt, thus encroaching into the countryside. This conflicts with one of the five purposes of the Green Belt, outlined above. The development is causing substantial harm to the openness of the Green Belt in this location. The retrospective proposal is therefore considered to be inappropriate development in the Green Belt for which very special circumstances must be demonstrated to outweigh the harm caused to the Green Belt.
- 1.16 It is appreciated that the storage containers would support the existing commercial businesses at Cockers Farm, as outlined within the supporting representation letter, summarised above. It is also appreciated that the proposal would assist the applicant in further diversifying his business at the site. Although some weight is given in favour of supporting the existing businesses in the planning balance this in itself is not considered to represent very special circumstances sufficient to outweigh the harm caused to the Green Belt.

#### Design and amenity

- 1.17 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.

1.18 The nearest residential receptors to the site are located approximately 90m to the north east. The containers themselves are of a typical shipping container design and as such would have a low profile. Furthermore, the applicant has stated they would accept a planning condition requiring the containers to be coloured green to blend into their surroundings. This, along with a suitable landscaping scheme would ensure no conflict with policy BNE1. It is therefore not considered there is further harm in terms of visual amenity, to be added to the definitional harm of inappropriate development, that cannot be overcome with conditions.

#### Mineral Safeguarding

1.19 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 a number of criteria. However, as the proposal relates to the siting of shipping containers, these are temporary in nature and could easily be removed from the site should the minerals beneath site be required in the future. Should the council be minded to approve the proposed development, a temporary planning permission could be granted to further ensure there is no conflict with this policy. The proposal is therefore considered to be compatible development so there is no conflict with policy M2.

#### Provision of parking spaces and highway safety

1.20 Policy ST4 'Parking Standards' of the Chorley Local Plan 2012-2026 requires that proposals for development will need to make parking provision in accordance with the standards set out in Appendix A of the Local Plan. Appendix A identifies the Council's minimum parking standards for storage and distribution uses as requiring 1 space per 100 sq.m. The site therefore requires 2 parking spaces and there is adequate space within the application site to provide such spaces. Lancashire Highways Services have responded with no objections to the proposal. The proposal therefore accords with Policy ST4 of the Local Plan.

### **CONCLUSION**

1.21 The application is recommending for refusal.

**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.

#### Reason for refusal

1.22 The proposed development would be located within the Green Belt as defined by the Chorley Local Plan 2012 – 2026. The siting of the containers is inappropriate development in the Green Belt and therefore harmful by definition. It is not considered that there are very special circumstances which outweigh the harm to the Green Belt. As such, the proposed development is contrary to the National Planning Policy Framework.

