

## **APPLICATION REPORT – 17/01162/FUL**

**Validation Date: 22 December 2017**

**Ward: Brindle And Hoghton**

**Type of Application: Full Planning**

**Proposal: Section 73 application to vary condition 3 (approved plans) attached to planning permission ref: 15/01253/FUL which was for the erection of an agricultural building to house cattle and sheep) to allow the erection of a larger agricultural building.**

**Location: Crossfields Bury Lane Withnell Chorley PR6 8BH**

**Case Officer: Chris Smith**

**Applicant: Mr Peter Stringfellow**

**Agent: Rural Futures**

**Consultation expiry: 12 January 2018**

**Decision due by: 16 February 2018**

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### **RECOMMENDATION**

1. It is recommended that this application is approved subject to conditions.

### **SITE DESCRIPTION**

2. The application site is located in the Green Belt, on agricultural land within the rural Parish of Withnell, and it bounds with open and rural land on all sides. The original group of buildings associated with this land, Cross Fields, have been subdivided into two domestic dwellings many years ago (pre 1974) and these are now divorced from the majority of the original agricultural holding.
3. The site is served by the original access track that leads from Bury Lane (A674) located approximately 400m to the north east and this also provides access to the two aforementioned domestic dwellings. Whilst having the typical appearance of a farm track, this route can be used by private cars.
4. Consent was previously granted for three agricultural buildings within the site in 2009, 2013 and 2016 and these buildings are in situ and have the appearance of typical modern agricultural structures that are very similar to the proposed building.
5. The site is set on rising land that is between three and four metres higher than the land on which the adjacent dwellings sit, albeit not less than 60 metres distant from them. A number of trees and shrubs effectively screen the site from these dwellings.
6. A public footpath (footpath no. 23) crosses the site, directly to the west of the application building.

## DESCRIPTION OF PROPOSED DEVELOPMENT

7. The application seeks planning permission retrospectively for the erection of a livestock building that is used to house cattle and sheep.
8. Planning permission was granted in March 2016 (15/01253/FUL) for a similar building that measured approximately 18m x 47m with an eaves height of approximately 4m.
9. However, the building has not been built in accordance with the approved plans and measures approximately 18m x 54m because it has an additional bay. The eaves height is also higher and is approximately 6m at its highest point.
10. The building has not built on any part of the public footpath.

## RELEVANT HISTORY OF THE SITE

**Ref:** 77/00331/FUL **Decision:** PERFPP **Decision Date:** 24 May 1977

**Description:** Porch

**Ref:** 80/00320/OUT **Decision:** REFOPP **Decision Date:** 19 May 1980

**Description:** Bungalow (Outline)

**Ref:** 09/00779/AGR **Decision:** PAAGR **Decision Date:** 29 October 2009

**Description:** Erection of an agricultural storage building

**Ref:** 11/00931/AGR **Decision:** PAAGR **Decision Date:** 24 November 2011

**Description:** Application for agricultural prior notification for the erection of an agricultural store

**Ref:** 13/00383/AGR **Decision:** PAAGR **Decision Date:** 22 May 2013

**Description:** Agricultural determination for the erection of a machinery store building with a footprint of 15.8m by 12.3m, an eaves height of 5.2m and a ridge height of 8.2m

**Ref:** 15/01253/FUL **Decision:** PERFPP **Decision Date:** 1 March 2016

**Description:** Erection of an agricultural building to house cattle and sheep

**Ref:** 17/00924/FUL **Decision:** PERFPP **Decision Date:** 13 December 2017

**Description:** Erection of extension to north facing side elevation of livestock building.

## REPRESENTATIONS

11. One representation has been received from the occupier of 'Snapes Height Farm', Oakmere Avenue, Withnell citing the following grounds of objection:
  - Dimensions of the completed building are in excess of those permitted by planning application 15/01253/FUL.
  - The size and scale of the building has a severe impact on the surrounding landscape.
  - The larger building is a blatant unlawful disrespect for the original planning permission as well as a disregard for the planning authority's time and resources.

## CONSULTATIONS

12. **Withnell Parish Council** – No comments have been received.
13. **Lancashire Highway Services** – Have confirmed that they have no objections to the development
14. **Lancashire County Council Public Rights Of Way** – No comments have been received.
15. **Ramblers' Association (Chorley Branch)** – No comments have been received.

## PLANNING CONSIDERATIONS

### Principle of the development in the Green Belt

16. The application site is a farm holding located in the Green Belt. The National Planning Policy Framework (The Framework) states that there is a general presumption against inappropriate development in the Green Belt and The Framework advises that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

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.*

18. The Framework sets out a number of exceptions to inappropriate development in the Green Belt. Paragraph 89 of the Framework states that one exception includes buildings for agriculture and forestry. In order for the proposed development to be considered as an exception to inappropriate development in the Green Belt then it must be established that the proposed buildings are reasonably necessary for the purposes of agriculture.

19. The originally proposed livestock building (15/01253/FUL) was assessed by the County Land Agent and it was accepted that the building was essential for the purposes of agriculture.

20. Whilst the building that has been built is larger than that previously approved, there is still a clear need for the livestock building given that that the farm is well established as an agricultural enterprise. The increase in the footprint of the building, with an additional bay, is relatively modest, and whilst the County Land Agent previously suggested that a maximum height of 4m would be adequate, the increase in height is not significant given the overall scale of the building.

### Design, siting, appearance and scale of the proposed extension

21. It is not considered that the building in its current form has a significantly greater visual impact on the character of the immediate locality and surrounding area than the impact which would have occurred as a result of the previously approved building.

22. The additional bay located on the western side of the building has a width of approximately 7m and it is considered that this is sympathetic to the character, form and style of the building and wider agricultural site. The additional bay does not obstruct any part of the public footpath which lies to the west of the building.

23. The nearest neighbouring property at 'Crossfield's Cottage' is approximately 100m to the north west of the building. As such it is considered that the development is too far distant from the nearest neighbouring property to have any material impact upon its setting or the amenity of the occupiers of this property.

## CONCLUSION

19. The building is considered to be reasonably necessary for the purposes of agriculture and, therefore, represents an exception to inappropriate development in the Green Belt. The siting and design of the extension is considered to be acceptable.
20. The development is, therefore, considered to be acceptable and as such 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 external facing materials, detailed on the approved plans, 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.*

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

Title	Plan Ref	Received On
Location Plan	N/A	8 December 2017
Agricultural Buildings at Crossfields, Bury Lane, Brinscall	N/A	8 December 2017
Amended Agricultural Building at Crossfields, Bury Lane	N/A	8 December 2017

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

3. 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.*