

APPLICATION REPORT – 18/00721/FUL

Validation Date: 25 July 2018

Ward: Wheelton And Withnell

Type of Application: Full Planning

Proposal: Erection of retail sales building following demolition of existing storage building

Location: Woods Fold Saw Mill Dole Lane Abbey Village Chorley PR6 8EB

Case Officer: Mr Iain Crossland

Applicant: Mr Andrew Fox

Agent: Mr Daniel Hughes

Consultation expiry: 22 August 2018

Decision due by: 19 September 2018

RECOMMENDATION

1. It is recommended that planning permission is approved subject to conditions.

SITE DESCRIPTION

2. The application site comprises a storage building that forms part of a wider industrial site engaged in the manufacture and supply of timber products and referred to as a saw mill. The site is located in the Green Belt between the settlement areas at Withnell and Abbey Village. The application building itself is a traditional stone barn with slate roof that is in a state of partial collapse suffered following severe weather conditions in earlier in the year. The wider site comprises large buildings of more functional industrial nature and large areas of hardstanding use for storage and loading. The character of the area is open land in use for agriculture and quarrying.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. The proposed development is for the erection of retail sales building following demolition of existing storage building. The building would be located on the position of the existing storage building and would be of stone with a roof laid in slate. The building would measure approximately 19m by 10.5m with a maximum height of approximately 8.5m. There would be a small area of dedicated car parking to the front of the building.
4. It is the intention that the building would be used for the retail of products associated with the main use of the site. The proposed building would help to rationalise the site so that products currently for sale on the site within existing buildings can be consolidated within a specific building on a separate part of the site from the industrial operations themselves.

REPRESENTATIONS

5. No comments received by 04 September 2018.

CONSULTATIONS

6. Withnell Parish Council: No comments received.
7. Lancashire Highway Services: No objection.

PLANNING CONSIDERATIONS

Principle of the development and impact on the Green Belt

1. The application site is located wholly 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. The application site comprises several buildings used in associated with a saw mill, and includes the building itself which was use most recent for storage. The established use of the site must be considered to be previously developed land in the Green Belt.
2. This rural part of Withnell is not specified as an area for growth within Core Strategy Policy 1 and falls to be considered as an 'other place'. Criterion (f) of Core Strategy Policy 1 reads as follows:
"In other places – smaller villages, substantially built up frontages and Major Developed Sites – development will typically be small scale and limited to appropriate infilling, conversion of buildings and proposals to meet local need, unless there are exceptional reasons for larger scale redevelopment schemes."
3. National guidance on Green Belt is contained in Chapter 13 of the Framework which states:

133. 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.

134. 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.*

143. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

144. 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.

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

- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
– not have a greater impact on the openness of the Green Belt than the existing development; or*

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

4. Policy BNE5 of Chorley Local Plan 2012 – 2016 relates to previously developed land within the Green Belt and reflects guidance contained within the Framework as follows:
The reuse, infilling or redevelopment of previously developed sites in the Green Belt, will be permitted providing the following criteria are met:
In the case of re-use
 - a) *The proposal does not have a materially greater impact than the existing use on the openness of the Green Belt and the purposes of including land in it;*
 - b) *The development respects the character of the landscape and has regard to the need to integrate the development with its surroundings, and will not be of significant detriment to features of historical or ecological importance.*
In the case of infill:
 - c) *The proposal does not lead to a major increase in the developed portion of the site, resulting in a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.*
In the case of redevelopment:
 - d) *The appearance of the site as a whole is maintained or enhanced and that all proposals, including those for partial redevelopment, are put forward in the context of a comprehensive plan for the site as a whole.*
5. Whilst the test for sites such as this relates to the impact on openness it is important to note that the Framework contains no specific definition of 'openness'.
6. It is considered that in respect of the Framework that the existing site currently has an impact on the openness of the Green Belt. However, it is important to note that merely the presence of existing buildings on the application site currently does not justify any new buildings. The new buildings must also not "have a greater impact on the openness of the Green Belt".
7. Whether the proposed building has a greater impact on openness is a subjective judgment, which is considered further below. Objective criteria could include the volume of the existing building although it is important to note that the Framework does not include such an allowance or capacity test. To engage with the exceptions of paragraph 145 of the Framework, which is reflected in Policy BNE5 of the Local Plan, the test relates to the existing development. The openness of an area is clearly affected by the erection or positioning of any object within it no matter whether the object is clearly visible or not. The openness test relates to the whole of the application site.
8. The application site comprises a partially collapsed stone building to the eastern end of the site. The proposed replacement building would be positioned on the footprint of the existing building and would have a similar footprint. It would not be materially larger than the existing building to be removed having a similar volume, although it would be slightly taller in height. Given the siting in the same position as the existing building to be removed, similar footprint and relative volume the proposed development is considered to preserve the openness of the Green Belt.
9. The proposed development would retain the consolidated collection of buildings within the developed part of the site, whilst it would address a somewhat dilapidated part of the site, which would enhance its general appearance.
10. Given the above, it is considered that the proposed development would not have a greater impact on the openness of the Green Belt and as such would not represent inappropriate development in the Green Belt.

Impact on character and appearance of the locality

11. The application site comprises a range of somewhat functional industrial buildings, although the buildings to the eastern part of the site comprising the application building and a dwelling are of a more traditional appearance. The application site is not prominent although a public right of way passes the application building. The existing building is partially collapsed and although the debris has been cleared it currently detracts from the appearance of the site and has a negative impact on the character of the area. The proposed development would result in a visual improvement to the appearance of the site, and although not a prominent location would have some positive impact on the character of the area.
12. On this basis it is considered that the proposed development would have no detrimental impact on the appearance of the site or character of the local area.

Impact on Neighbour Amenity

13. There is a dwelling to the immediate east of the site that is within the applicant's ownership. The proposed building would have no greater impact upon this dwelling over and above that of the existing building. In terms of the use of the building, although this would result in some intensification of activity at this part of the site, this is a relationship that the applicant seeks to create in order to improve the way in which the wider site operates keeping customers away from the industrial operations of the site, which is logical.
14. There are no other nearby dwellings that would be affected by the proposed development. The proposed development would only alter the way the site operates internally and would not change the nature of the activities taking place on site and associated vehicle movements. The proposed development would therefore have no greater impact on the amenity of the occupiers of any other dwellings over and above the current situation.

Highway Impact and Access

15. The existing vehicular access to the site would be retained and the amount of development across the site and nature of the operations would remain similar to the present situation. It is noted that Lancashire County Council Highways raise no objection to the proposed development and it is not therefore considered that there would be any unacceptable impact on highway safety.

CONCLUSION

16. It is considered that the proposed development would not be inappropriate development Green Belt. The impact on the character and appearance of the area is considered to be acceptable, there would be limited impact on neighbour amenity and there would be no adverse impact on highway safety.

RELEVANT HISTORY OF THE SITE

Ref: 15/00141/FUL **Decision:** PERFPP **Decision Date:** 12 August 2015
Description: Erection of a building for the drying of timber and conversion of timber waste to biomass fuel pellets and extension of timber yard.

Ref: 15/00842/DIS **Decision:** PEDISZ **Decision Date:** 14 September 2015
Description: Application to discharge conditions 4 (external facing materials), 5 (additional tree planting) and 10 (a scheme for the control of emissions from the building) attached to planning approval 15/00141/FUL

Ref: 17/00012/FUL **Decision:** PERFPP **Decision Date:** 16 March 2017
Description: Retrospective application under S.73 of the Town and Country Planning Act for Minor Material Amendments to permission granted under application ref 15/00141/FUL, for the Erection of a building for the drying of timber and conversion of timber waste to biomass fuel pellets and extension of timber yard to amend the plans and elevation details of the building in line with the reduced scale of the building that has been built.

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

No.	Condition															
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p><i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>															
2.	<p>The development shall be carried out in accordance with the following plans:</p> <table border="0" data-bbox="347 712 1308 869"> <tr> <td>Title</td> <td>Plan Ref:</td> <td>Received on:</td> </tr> <tr> <td>Location Plan</td> <td>1265-PL01B</td> <td>24 July 2018</td> </tr> <tr> <td>Proposed site layout</td> <td>1265-PL05A</td> <td>07 August 2018</td> </tr> <tr> <td>Proposed plans</td> <td>1265-PL06</td> <td>24 July 2018</td> </tr> <tr> <td>Proposed elevations</td> <td>1264-PL07</td> <td>24 July 2018</td> </tr> </table> <p><i>Reason: To define the permission and in the interests of the proper development of the site.</i></p>	Title	Plan Ref:	Received on:	Location Plan	1265-PL01B	24 July 2018	Proposed site layout	1265-PL05A	07 August 2018	Proposed plans	1265-PL06	24 July 2018	Proposed elevations	1264-PL07	24 July 2018
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3.	<p>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.</p> <p><i>Reason: To ensure that the materials used are visually appropriate to the locality.</i></p>															
4.	<p>The building hereby permitted shall be used solely for purposes ancillary to the wider planning unit as a saw mill engaged in the manufacture and supply of timber products and shall not be used at any time as a separate retail unit.</p> <p><i>Reason: To ensure that the whole building remains as part of the planning unit preventing its segregation, the need for further such buildings and a proliferation of buildings within the Green Belt.</i></p>															