

## **APPLICATION REPORT – 18/00560/FUL**

**Validation Date: 15 August 2018**

**Ward: Eccleston And Mawdesley**

**Type of Application: Full Planning**

**Proposal: Siting of cabins to provide temporary office accommodation for use during the construction of previously approved offices.**

**Location: Sarscow Farm Sarscow Lane Eccleston Leyland PR26 8LS**

**Case Officer: Mr Iain Crossland**

**Applicant: Mr Roberts**

**Consultation expiry: 5 September 2018**

**Decision due by: 7 November 2018**

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### **RECOMMENDATION**

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

### **SITE DESCRIPTION**

2. Sarscow Farm, historically known as Little Sarscow, was at one time a quite substantial farm complex set in open countryside within the Green Belt. The wider planning unit includes the farm house and several agricultural buildings situated in a close grained cluster at the end of Sarscow Lane that leads to the site from Southport Road.
3. Sarscow Lane itself is a single-track private lane that serves Sarscow Farm, the agricultural land on either side and to the south of it and a limited number of other properties. It is lined by a significant number of mature trees that are the subject of a Tree Preservation Order (TPO). Drainage ditches variously line one or both sides of the lane at different points along its length, which restricts the carriageway width within these areas.
4. It is noted that the older barns clustered around the farm house were subject to a recent application for planning permission for a change of use to offices (application ref. 17/01046/FUL). This was approved in March 2018.
5. The application site comprises an area of rough hardstanding to the east of the older barn buildings that have planning permission to be converted to offices.
6. There are no immediate neighbours to the site, the nearest being the property known as Oakfield located approximately 360 metres to the north, or Butterfly Hall that is approximately 380 metres to the north west. A public footpath, no.2, runs in a north to south direction along Sarscow Lane.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

7. This application seeks planning permission for the siting of six cabins to provide temporary office accommodation for use during the conversion of previously approved offices. The cabins measure 12m by 3m each and are supported on concrete blocks.

8. It is noted that the cabins have recently been installed on site.

## REPRESENTATIONS

9. Representations in objection have been received from the occupiers of 2 addresses. These relate to the following issues:

- The cabins would be located in the Green Belt.
- Work has already commenced.
- No temporary time limit has been provided.
- Impact on the character of the area.
- No details of drainage.
- Damage to trees and hedges.
- Encroachment through the extension of hardstanding.
- Impact on highway safety.
- No very special circumstances.

## CONSULTATIONS

10. Ecclestone Parish Council: No comments have been received.

## PLANNING CONSIDERATIONS

### Principle of development

11. The application site is located within the Green Belt, and the proposed development would result in the siting of three cabins on a temporary basis. 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.

12. 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:*

- a) buildings for agriculture and forestry;*
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*

*c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*  
*d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*  
*e) limited infilling in villages;*  
*f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*  
*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.*

13. The application site benefits from a planning permission to change the use of former barns to offices, although this has not yet been implemented. There are no buildings or structures in situ on the part of the site where it is proposed that the cabins would be located. The proposed development does not fall within any of the exceptions to inappropriate development in the Green Belt set out at paragraph 145 of the Framework. The proposed development must, therefore, be considered inappropriate, which is harmful by definition, and to which substantial weight must be attached.
14. There would be some engineering works required to stabilise the land on which the cabins would be sited. Paragraph 146 c) of the Framework sets out that engineering operations are not inappropriate in the Green Belt provided that they preserve its openness and do not conflict with the purposes of including land within it.
15. As it has been established that the development results in definitional harm to the Green Belt, through the siting of the cabins, any other harm caused by the development must also be considered and added to the definitional harm.
16. There are five purposes of the Green Belt as set out in the Framework and detailed above.
17. Considering each in turn:
  - Purpose 1 (to check the unrestricted sprawl of large built-up areas)  
The application site is located away from any large built up areas and would not, therefore, contribute to sprawl.
  - Purpose 2 (to prevent neighbouring towns merging into one another)  
The development of the site would not result in neighbouring towns merging into one another.
  - Purpose 3 (to assist in safeguarding the countryside from encroachment)  
The proposed development would result in a degree of encroachment into the countryside, albeit on a temporary basis.
  - Purpose 4 (preserve the setting and special character of historic towns)  
The site is not located within or near to a historic town, and the building is not located within the setting of any listed buildings.
  - Purpose 5 (to assist in urban regeneration by encouraging the recycling of derelict and other urban land)  
It is not considered that there would be any harm to this purpose.
18. On the basis of the above it is considered that there is other harm to the Green Belt from encroachment into the countryside.

19. As the development results in definitional harm to the Green Belt, in addition to other harm, there would have to be very special circumstances to justify the grant of planning permission that would outweigh this harm.

#### Appearance and visual impact

20. The proposed cabins would be low level structures of utilitarian appearance. The siting of the cabins would be to the east and rear of the farm buildings. As such only glimpses of the cabins would be possible from Sarscow Lane to the west. The cabins would be located some 450m from the main highway at Southport Road to the north, therefore, there would be limited visibility from public areas. The scale and siting of the cabins are such that there would be a limited impact on the appearance of the site, given the siting close to but behind the cluster of existing farm buildings.
21. On the basis of the above the proposed development would have a limited impact on the appearance of the site and character of the area. In addition the visual impact would be limited.

#### Impact on neighbour amenity

22. The proposed development would be located some considerable distance from any residential properties. As such there would be no impact on amenity from the physical presence of the cabins themselves. The use of the cabins is linked to the conversion of the agricultural buildings to offices and, therefore, any disturbance resulting from their use would reflect that which has already been accepted through planning permission 17/01046/FUL for the change of use to offices. The use of the cabins would cease once the offices become occupied and, therefore, it is considered that the proposed development would not result in any greater impact on amenity than has already been approved on the site.

#### Trees and hedgerows

23. Sarscow Lane is a narrow tree lined country lane that supports a public right of way linking Southport Road with a network of footpaths north of the River Yarrow. The trees along Sarscow Lane are mature and form an integral part of the character of the lane and public right of way that it provides. The trees are subject to a group Tree Preservation Order (TPO) Chorley BC TPO 1 (Eccleston) 2018.
24. Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that proposed for development should not have a detrimental impact on important natural habitats and landscape features such as historic landscapes, mature trees, hedgerows, ponds and watercourses. In some circumstances where on balance it is considered acceptable to remove one or more of these features then mitigation measures to replace the feature/s will be required either on or off-site.
25. Policy BNE10 of the Chorley Local Plan 2012 – 2026 deals more specifically with trees and hedgerows and states *Proposals that would result in the loss of trees, woodland areas or hedgerows which make a valuable contribution to the character of the landscape, a building, a settlement or the setting thereof will not be permitted.*
26. Policy 10 goes on to state that *replacement planting will be required where it is considered that the benefit of the development outweighs the loss of some trees or hedgerows.*
27. It is noted that the trees along Sarscow Lane were recently protected through the making of Chorley BC TPO 1 (Eccleston) 2018 and that this group TPO was used to protect the trees as they were considered to have landscape significance in this location, high public amenity value to those users of Sarscow Lane and that they were under threat from potential development. Given that the TPO was made recently it is not considered that the circumstances resulting in the TPO have changed and, therefore, the trees remain worthy or protection.
28. The trees and hedgerow contribute positively to the character of the lane and landscape in this location, and in doing so provide public amenity as they are highly visible along the lane

and right of way. Works to any trees in order to make way for the cabins to be transported onto the site would, therefore, have an impact on the character of the area.

29. The applicant was requested to provide some information to demonstrate that the units could be transported onto the site without damaging protected trees, or to identify any impact upon the trees. The applicant carried out a mock up exercise to show that the cabins could be transported safely down Sarscow Lane without damaging any protected trees. This demonstrated that there was not enough room to fit them down the lane on a standard trailer so this was adjusted to prove that it was possible on a low loader.
30. In the meantime the cabins have been transported onto the site without using the low-loader trailer, which has caused damage to branches and boughs of protected trees and apparent remedial works to prune the affected trees, without consent. This is being addressed by the Council's enforcement team.
31. As the cabins are now in situ and the damage to the trees has already occurred, any grant of planning permission for the siting of the cabins would not, therefore, result in any further harm to hedgerows or trees protected by TPO's.

#### Highway safety

32. The site is accessed via Sarscow Lane, which connects with Southport Road to the north. The proposed development would facilitate the relocation of a business from its present premises to the application site where planning permission has been granted to convert the existing farm buildings to offices (application ref. 17/01046/FUL). This previous consent was approved on the basis that passing places should be constructed to 4 locations along Sarscow Lane, including at the junction with Southport Road. Lancashire County Council Highways (LCC) raised no objection to the previously approved scheme in highway safety terms. The proposed cabins would in effect provide the same use and accommodation as the approved offices and, therefore, the highway impact would be similar. On the basis that the passing places are now in situ it is, therefore, considered that the proposed impact on highway safety is acceptable.
33. In consideration of the parking standards set out in the Chorley Local Plan 2012 – 2026 the proposed cabins would result in 8 spaces being required for the proposed use. Given the areas of hardstanding at the site it is considered that the required parking levels could be easily accommodated in addition to any parking and turning areas required throughout the duration of the conversion works.

#### Green Belt balancing exercise

34. It has been established that there is definitional harm to the Green Belt as the development is inappropriate development in the Green Belt and there would be other harm through encroachment.
35. With a view to demonstrating very special circumstances the applicant has set out the following;
  - Due to the conversion works taking place and financing the growth of the company we simply cannot afford to take on a 12-36 month tenancy on a facility that is similar to the one we have spent over £1m on. We are being evicted from our offices tomorrow and without the cabins being granted temporary use for a period of 18 months, 18 people would be out of a job and we would not have anywhere to run our company from. There are no offices locally that we can move into on Monday as the legal process would take much longer than a week to ensure we are adequately protected, and we would be tied in for a much longer period than we would like thus resulting in further expenditure that puts the company in jeopardy.
  - The disruption that this would cause is unthinkable as we would lose staff and would probably have to fold the company putting 70+ people out of work. We are looking to the council to help us with this, and grant us temporary use. Once the barn is finished the cabins will be removed from the farm and sold thus returning it as it was. Relocating a business is extremely expensive and disruptive, and can result in losing key staff so we

need to keep our movements to a minimum to ensure the financial stability of our company.

- Town and Country Vibro had been instructed to vacate their existing offices by 30<sup>th</sup> September 2018.
- We believe that we will have the works completed on the barn in around 18 months, and are starting work on it imminently and will remove the cabins when work is complete on the barns.

36. The circumstances put forward by the applicant in support of the application are essentially related to the viability of the business. Planning permission has been granted for the change of use of buildings at Sarscow Farm to offices. It is the intention of Town and Country Vibro that these buildings would become the administrative base of the business. The business was until recently based elsewhere in the borough, however, with the approval of the use at Sarscow Farm the business is planning to relocate following the necessary conversion works. In the meantime the lease arrangements have come to an end at the previous offices, and the cost of making alternative rental arrangements would clearly have a serious impact on the viability of the business whilst investment is being made in the conversion works and relation of the business. This prompted the business to consider the cheaper alternative of temporary cabins on-site, whilst the conversion works are underway.
37. The cabins themselves can be sited inconspicuously on the site and would be a temporary impact that could be alleviated once the conversion works had been completed. A condition could be attached to any grant of planning permission requiring their removal within a specific time limit.
38. The urgency with which the cabins were installed on site relates to the termination of the company's lease on their previous offices. Although this precedes the determination of this application the applicant and business are aware of the risk in doing so without planning permission but have done so in response to the situation that the business finds itself in.
39. Given that the impact of the proposed development would be temporary and linked to the conversion of the farm buildings to offices as previously approved, it is considered that the risks to the viability of the business amount to the very special circumstances required to overcome the temporary harm to the Green Belt, which can be alleviated within a fixed timescale.
40. It is, therefore, considered that the matters set out above when taken together amount to the very special circumstances required to overcome the definitional harm to the Green Belt and other harm through encroachment.

## **CONCLUSION**

41. The proposed cabins providing temporary office accommodation are inappropriate development in the Green Belt. The design and siting of the buildings is appropriate and there would be no visual harm arising from its siting. It is considered that in this instance there are very special circumstances to overcome the definitional harm to the Green Belt and other harm. It is, therefore, recommended that the application be approved subject to conditions.

## **RELEVANT HISTORY OF THE SITE**

**Ref:** 74/00290/S53 **Decision:** SEC53 **Decision Date:** 8 July 1974  
**Description:** Use of Building as Dwelling

**Ref:** 92/00070/FUL **Decision:** REFFPP **Decision Date:** 16 April 1992  
**Description:** Infilling of ditches and extension to farm yard

**Ref:** 94/00335/AGR **Decision:** PAAGR **Decision Date:** 18 May 1994  
**Description:** Application for agricultural determination for general purpose agricultural building

**Ref:** 17/00239/FUL **Decision:** PERFPP **Decision Date:** 4 May 2017  
**Description:** Conversion of existing barn to dwelling including part demolition, new extensions and external works.

**Ref:** 17/01046/FUL **Decision:** PERFPP **Decision Date:** 6 March 2018  
**Description:** Change of use of barn from agriculture to offices (use class B1), retention of farm house for residential (use class C3), retention of barns for agricultural use, provision of 19 parking spaces for use by office staff, and alterations to Sarscow Lane, to create 3 no. passing places.

**Ref:** 18/00521/FUL **Decision:** REFFPP **Decision Date:** 12 September 2018  
**Description:** Change of use of existing agricultural buildings to storage of plant and machinery in association with a groundwork contractors and alterations to Sarscow Lane, involving the construction of 4 no. passing places.

**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

To follow