

No.10 APPLICATION NO.	2019/0803/FUL
LOCATION	Blackhurst Barn 396 Blackgate Lane Tarleton Preston Lancashire PR4 6JJ
PROPOSAL	Construction of a replacement portal frame building for B1/B8 uses under the use classes order and change of use of land in part for B1/B8 uses under the use classes order.
APPLICANT	Tarleton Estates Limited
WARD	Tarleton
PARISH	Tarleton
TARGET DATE	1st October 2019

1.0 REFERRAL/DEFERRAL

- 1.1 Councillor Mee has requested the application be called in to Planning Committee to consider the impact on Green Belt and amenity as a result of increased noise and visual impact.

2.0 SUMMARY

- 2.1 The application is for the erection of a building to be used in connection with a B1/B8 use following demolition of existing buildings on site, and the change of use of a portion of the site to B1/B8 use. The principle of the development in this Green Belt location is considered acceptable, and I am satisfied that the proposed development is of an appropriate design and would not cause unacceptable harm to visual or residential amenity or highway safety.

3.0 RECOMMENDATION: APPROVE subject to conditions.

4.0 THE SITE

- 4.1 The site is located to the south of Blackgate Lane. The site contains a barn, portacabin building and two mono-pitched sheds which are arranged in a 'u' shape and set around an area of hardstanding. Access to the site is taken from Blackgate Lane.
- 4.2 To the north, on the opposite side of Blackgate Lane there are barns which have been converted into residential dwellings; to the east, south and west is open land.

5.0 THE PROPOSAL

- 5.1 The application is for the construction of a portal framed building which would be used for class B1/B8 uses, and change of use of the land in part for B1/B8 uses. B1 uses are business uses, for example offices, research and development of products or processes and light industry. B8 uses relate to storage and distribution uses.
- 5.2 The existing structures on the site would be demolished and a new portal framed building would largely sit on the footprint of the existing barn, and would have a floor area of approximately 196.98m, and be approximately 18.761m x 10.51m and be 4.5m to eaves and 5.9m to ridge height. The remainder of the site would be developed for a yard area and hardstanding for car parking, all in connection with use of the land for B1/B8 uses.

- 5.3 It is proposed to change the use of a section of the site (to the south east, on the site of the mono-pitched sheds) to B1/B8 purposes. This part of the site would be used for staff car parking and as a storage area, following demolition of the sheds.

6.0 PREVIOUS RELEVANT DECISIONS

- 6.1 1992/0779 – Continuation of use as agricultural research laboratory re: planning permission 8/89/559. GRANTED.

7.0 CONSULTEE RESPONSES

- 7.1 Highway Authority (27.08.19) – No objection.
7.2 Principal Engineer (01.11.19) – No objection.

8.0 OTHER REPRESENTATIONS

- 8.1 One letter of objection has been received, the grounds of objection can be summarised as:

The site has always been used for agricultural purposes which does not detract from the surrounding Green Belt and local countryside.
Impact on wildlife and native trees/plants.
Impact on highway safety and condition of local roads.
Increased noise and disturbance.

9.0 SUPPORTING INFORMATION

- 9.1 Planning Supporting Statement
Design and Access Statement
Transport Statement
Drainage Strategy
Ecological Appraisal

10.0 RELEVANT PLANNING POLICIES

- 10.1 The National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG) and the West Lancashire Local Plan 2012-2027 provide the policy framework against which the development proposals will be assessed.
10.2 The site is located within the Green Belt the following policies are therefore relevant:

The National Planning Policy Framework (NPPF)

Building a strong competitive economy
Achieving well-designed places
Protecting Green Belt Land
Conserving and enhancing the natural environment
Meeting the challenge of climate change, flooding and coastal change

West Lancashire Local Plan

SP1 – A Sustainable Development Framework for West Lancashire
GN1 – Settlement Boundaries
GN3 – Criteria for Sustainable Development

11.0 OBSERVATIONS OF DIRECTOR OF PLACE AND COMMUNITY

Principle – Green Belt

- 11.1 Policy GN1 of the Local Plan states that development proposals within the Green Belt will be assessed against national policy and any relevant Local Plan policies. Paragraph 133 of the NPPF retains the government’s view that great importance is attached to Green Belts. It states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; essential characteristics of Green Belts are their openness and their permanence. Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 11.2 The NPPF at paragraph 145 indicates that the construction of new buildings in the Green Belt is inappropriate other than for a number of identified exceptions. One of these exceptions is found at paragraph 145(g) and allows for ‘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.
- 11.3 The existing barn building (to the south west of the site) and its associated curtilage currently benefits from a B1 (business) and a B8 (storage and distribution) use, and the existing portacabin building (to the north east of the site) currently benefits from a B1 (business) use through the exercising of permitted development rights under Class R, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. It is therefore accepted that this part of the site could be defined as ‘previously developed land’, and as such the principle of allowing development on the site of the existing barn and portacabin buildings (including their associated curtilages) is acceptable in principle provided there is no greater impact on openness than that which currently exists.
- 11.4 The building would be erected following demolition of existing buildings on the site, which includes a barn, porta-cabin office building, and two mono-pitched sheds; the proposed building would be sited largely on the footprint of the existing barn building and would lead to an overall reduction in built development on the site. I consider that the removal of structures to the south and east of the site would have the effect of increasing openness in this Green Belt location and allow greater views across the site.
- 11.5 The application also involves change of use of the land to the south-east of the site (the sheds are currently sited in this location) to be used in connection with the B1/B8 use on site; this portion of land would be used for car parking and storage. Paragraph 146 (e) of the NPPF allows for the material change of use of land within the Green Belt provided it preserves openness and does not conflict with the purposes of including land within it. In this particular case there are currently sheds on the site and these would be demolished to make way for loose gravel hardstanding. I am satisfied that the removal of the sheds and the laying of loose gravel would allow views across the site and improve openness in this location.
- 11.6 I am satisfied that the proposed development is not inappropriate development in the Green Belt and would have the effect of increasing openness across the site.

Design and appearance

- 11.7 The site currently comprises a collection of buildings of various styles and designs, in varying states of repair. The proposed development involves the removal of the existing buildings on site and the erection of 1no. 3-bay portal frame construction building, clad in 40mm thick composite box profile sheeting to the sides. There would be skylights in the roof, a roller shutter door to the eastern elevation and a personnel door to the west and eastern elevation. The proposed building would be sited on the footprint of the existing barn building on site, and would be typical of other commercial buildings in the local area. The development would remove existing unsightly buildings from the site and include some landscaping to the site frontage which would soften the appearance of the site when viewed from the road. The landscaping would be secured by planning condition.
- 11.8 I am satisfied that the proposed development would not have a detrimental impact on visual amenity, in accordance with Policy GN3 of the Local Plan.

Impact on residential amenity

- 11.9 The site has previously been used for the storage and distribution of potatoes and other agricultural produce. The site currently benefits from a B1/B8 use across two buildings on the site, and as a result of this application being approved the site would operate within the B1/B8 use class.
- 11.10 In its former use as a place for the storage and distribution of potatoes the activities and operations on the site would have been unrestricted, the same would be true of a B1/B8 use obtained through the use of permitted development rights. The building and yard area is relatively small for a commercial operation and as such the potential for disturbance from activities on site would be limited, and can be controlled through the imposition of appropriate planning conditions. In terms of potential impact from the building itself, I am satisfied that it would be sufficient distance from the nearest residential dwellings on the opposite side of Blackgate Lane to ensure that there would be no impact from overshadowing or creation of poor outlook.
- 11.11 I am satisfied that the proposed development will be acceptable in terms of impact on residential amenity in accordance with Policy GN3 of the Local Plan.

Drainage

- 11.12 It is proposed that surface water from the new building and associated hardstanding will be collected within a hydraulic sub base storage tank below the tarmac yard area. The attenuated flow would be restricted to 3 l/s before discharging into the existing drainage ditch to the east of the site. This approach has been considered by the Council's Principal Engineer and is considered acceptable in principle.
- 11.13 I am satisfied that the proposed surface water drainage strategy is acceptable and in accordance with Policy GN3 of the Local Plan.

Ecology

- 11.14 An ecological survey including; a Phase 1 Habitat Survey; Preliminary Bat Roost Evaluation; Evaluation on the potential effects on Great Crested Newts; Water Vole Survey; and Breeding and Wintering Bird Evaluation, has been submitted as part of the application. The findings of which are that there would be no significant impact on biodiversity as a result of the development.

11.15 I am satisfied with the findings of the ecological surveys, including potential impacts on protected species, in accordance with Policy EN2 of the Local Plan.

Highways

11.16 The application has been accompanied by a Transport Statement (TS) which concludes that compared to the former use of the site, the proposals would not result in any additional staff on site, and there would be no significant increases in car or HGV trips generated as part of the proposals. The Highway Authority has reviewed the application and is satisfied that the proposed development would have a negligible impact on the local highway network.

Conclusion

11.17 I am satisfied that the principle of the proposed development is acceptable in this Green Belt location, and that the appearance of the development would be appropriate and it would not have a detrimental impact on residential amenity, biodiversity and highway safety. I consider that the proposed development complies with all relevant policies in the Local Plan.

12.0 RECOMMENDATION

12.1 That planning permission be GRANTED subject to the following conditions and reasons:

Condition(s)

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:-
Plan reference 'Site Location Plan', 'Proposed Site Plan – SK/00/01', received by the Local Planning Authority on 02.08.19.
Plan reference 'Plans and Elevations – P6197-01', received by the Local Planning Authority 06.08.19.
3. The development shall be constructed from the materials detailed in question 9 on the planning application form received by the Local Planning Authority 02.08.19.
4. Within 9 months from the date when any part of the development hereby approved is first brought into use the approved landscaping scheme shall be carried out. All trees and shrubs planted shall comply with BS. 3936 (Specification of Nursery Stock) and shall be planted in accordance with BS. 4428 (General Landscape Operations). All planting shall be maintained and dead or dying material shall be replaced for a period of seven years from the agreed date of planting.
5. The proposed drainage scheme shall be implemented in accordance with the details provided in the Drainage Strategy received by the Local Planning Authority 02.08.1, prior to the hereby approved building being brought into use.
6. The car park shall be surfaced or paved and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the premises hereby permitted becomes operative.
7. Prior to commencement of the use of any fixed plant, a scheme shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the rating level of noise from fixed plant shall not exceed 5dB(A) below the existing LA90 background noise level at the boundary of any of the nearby residential premises. All measurements and assessments shall be done in accordance with BS4142:2014 Methods for rating and assessing industrial and commercial sound.

8. There shall be no loading or unloading of goods vehicles on site and no mobile plant vehicles shall be operated on the external yard outside the hours of 07:30 and 18:00 Monday- Friday and 08:00- 13:00 on Saturdays, nor any time on Sundays, Bank or Public Holidays.
9. No deliveries shall be received or dispatched from the site outside the hours of 07:30 and 18:00 Monday - Friday and 08:00-1300 Saturday, nor at any time on Sundays, Bank or Public Holidays.
10. Prior to its installation, a scheme detailing all the external lighting to be installed on the site shall be submitted to and approved in writing by the local planning authority. All external lighting shall be installed and maintained in accordance with the agreed scheme and as per manufacturer's instructions.
11. The proposed development shall not be operated in a manner which gives rise to noise levels greater than 55dBA LAeq when measured at the boundary of any dwelling in the vicinity of the site.

Reason(s)

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
3. To ensure that the external appearance of the building(s) is satisfactory and that the development therefore complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
4. To assimilate the proposed development into its surroundings and to ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
5. To ensure that the site is properly drained in the interest of local amenity and that the development, therefore, complies with the provisions of Policies GN3 & IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
6. To allow for the effective use of parking areas and to ensure that the development complies with the provisions of Policies GN3 & IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
7. To safeguard the amenity of adjacent properties and the area generally and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
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Reason for Approval

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policy/Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:
SP1 - A Sustainable Development Framework for West Lancashire
GN1 - Settlement Boundaries
GN3 - Criteria for Sustainable Development

EN2 - Preserving and Enhancing West Lancashire's Natural Environment together with Supplementary Planning Guidance and all relevant material considerations. The Local Planning Authority considers that the proposal complies with the relevant Policy criteria and is acceptable in the context of all relevant material considerations as set out in the Officer's Report. This report can be viewed or a copy provided on request to the Local Planning Authority.