

No.2	APPLICATION NO.	2021/0153/FUL
	LOCATION	Spencers Farm Rufford Road Bispham Ormskirk Lancashire L40 3SA
	PROPOSAL	The creation of an agricultural access track (retrospective).
	APPLICANT	E Ashcroft & Sons
	WARD	Parbold
	PARISH	Bispham
	TARGET DATE	26th April 2021

1.0 REFERRAL

- 1.1 This application was to be determined under the Council's delegation scheme however Councillor Blake has requested it be referred to Committee to consider the impact on the openness of the greenbelt and the impact on highways.

2.0 SUMMARY

- 2.1 It is considered that the principle of agricultural development at this site is acceptable. I am satisfied that there will be no significant detrimental impact upon the character of the area, amenity of neighbouring properties, biodiversity, trees or highway implications. The development is considered to be compliant with relevant national and local planning policies and the application is therefore recommended for approval.

3.0 RECOMMENDATION: APPROVE with conditions.

4.0 THE SITE

- 4.1 Spencers Farm is situated at the corner of Rufford Road and Daub Lane and comprises a farmhouse and farm buildings some of which have been converted to alternative uses. The application site is located to the north-east of the cluster of buildings. One of the barns is a Grade II listed building.

5.0 THE PROPOSAL

- 5.1 The application is retrospective in form and proposes the creation of a new agricultural track which would provide access for farm vehicles onto Daub Lane and link to the existing farmyard and buildings. The track would be 12 metres wide and 82 metres in length extending from Daub Lane up to the existing farmyard area.

6.0 PREVIOUS RELEVANT DECISIONS

- 6.1 2021/0154/FUL - Change of use of an existing agricultural access track and yard area to an access and car parking (staff and customer overflow) associated with the approved commercial business uses at Spencer's Farm (retrospective) - Pending Consideration
- 6.2 2019/0425/FUL - External alterations including new cladding, window, doors, rooflights and external escape staircase - Granted
- 6.3 2019/0424/PNC - Prior Approval application (under Class R) for change of use to flexible uses. Classes A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes), B1 (business), B8 (storage or distribution), C1 (hotels) or D2 (assembly and leisure) - Prior Approval Not Required

- 6.4 2001/0460 - Use of ground floor part of barn as tea rooms and first floor as office - Listed Building Consent Granted
- 6.5 2001/0459 - Use of ground floor part of barn as tea rooms and first floor as office - Granted
- 6.6 2000/0885 - Erection of agricultural building - Details for Prior Approval
- 6.7 2000/0039 - Use of barn for the sale of animal foodstuffs, hay, straw, home produced corn and ancillary items in connection with agriculture and horsiculture enterprises - Granted
- 6.8 1994/0806 - Change of use of part of barn to craft shop - Granted

7.0 CONSULTEE RESPONSES

- 7.1 LCC Highways – no objections in principle.

The application is a retrospective application and the applicant has already widened the existing agricultural access. The widening of the agricultural access will reduce the risk of conflict between agricultural vehicles and vehicles/customers visiting the commercial businesses on the Spencers Farm development.

LCC Highways has no objections to the planning application and is of the opinion that the nature and scale of the proposals should have a negligible impact on highway safety and capacity within the immediate vicinity of the site.

- 7.2 Environmental Health officer - No objections

8.0 OTHER REPRESENTATIONS

- 8.1 Letters of representation have been received which can be summarised as follows:

- Note that the use has already begun
- Highway safety concerns in particular the impact on Daub Lane
- Consider the development represents encroachment into the Green Belt
- Concern that the hardstanding could be used to provide more parking for the other businesses on the site
- Concern about nature and extent of non-agricultural businesses at the site.

9.0 SUPPORTING INFORMATION

- 9.1 The application has been supported by the following documents:
- Planning Statement.

10.0 RELEVANT PLANNING POLICIES

- 10.1 The application site is located within the Green Belt as designated in the West Lancashire Local Plan Proposal Map.
- 10.2 National Planning Policy Framework (NPPF)

West Lancashire Local Plan 2012-2027 DPD
GN1 - Settlement Boundaries
GN3 - Criteria for Sustainable Development

11.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

Principle of development - Green Belt

- 11.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan 2012-2027 DPD provide the policy framework against which the development proposals will be assessed.
- 11.2 Paragraph 146 sets out that certain forms of development are not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. One such form of development is “*engineering operations*”.
- 11.3 The development proposes engineering operations in connection with an existing agricultural use. The new track has been designed to be wide enough to accommodate large modern machinery and wagons which visit the site. The track is seen in the context of the existing farm complex and runs alongside the buildings and other areas of hardstanding. Having regard to the location of the new track it is my view that it does not result in adverse harm to the openness of the Green Belt and does not conflict with any of the purposes of including land within it.

Design

- 11.4 Policy GN3 supported by the Council's SPD Design Guide requires that new development should be of a scale, mass and built form, which responds to the characteristics of the site and its surroundings.
- 11.5 The proposed track has been installed to replace an existing access track and hardstanding within the wider site. The existing access track and hardstanding has been used for the parking of vehicles connected with the other businesses operating from the site. This matter is subject of planning application ref: 2021/0154/FUL. As part of that application it is proposed the new track would be separated from the old track (now car park) by fencing.
- 11.6 The size of the new track has been determined by the width of modern farm machinery and vehicles which visit the site to collect agricultural produce. The new track provides sufficient space for agricultural vehicles and wagons to pass one another which is important especially in busy periods of the farming calendar, such as harvest time so that vehicles do not have to wait on Daub Lane. I am satisfied that the materials which have been used are appropriate and that the size and extent of the track is in keeping with the character of the area.

Impact on heritage assets

- 11.7 LPA's should in coming to decisions refer to the P(LBCA) Act 1990 which requires having special regard to the desirability of preserving listed buildings or their setting (s.66). Local plan policy EN4 is therefore relevant.

11.8 The track is situated to the east of modern farm buildings and a further hardstanding area currently used for car parking. The modern structures sit between the application site and the listed barn. Given the distance from the listed barn and the intervening development I consider the proposal would not impact on the setting of the Grade II listed building. The proposal is considered to comply with the requirements of policy EN4.

Impact on residential amenity

11.9 Paragraph 17 of the NPPF requires that planning should always seek to ensure a good standard of amenity for all existing and future residents. The application must also be assessed in terms of Policy GN3 of the West Lancashire Local Plan (2012-2027), which states that development should retain or create reasonable levels of privacy and amenity for occupiers of the neighbouring properties.

11.10 In my view the proposed development would not increase the level of agricultural activity on the farm complex. As this application is for a replacement access to agricultural land on the farm holding, I am satisfied that there would be no adverse impact on neighbouring properties as a result of this development. Whilst I note the concerns expressed by local residents regarding the level of vehicular movements to the site, these appear to be generated by commercial uses in the former barns, rather than the agricultural activity on the farm holding. I have consulted the Environmental Health Officer who raises no objection in this regard. On that basis I am satisfied the development complies with the requirements of policy GN3 (iii).

Highways

11.11 Policy GN3 of the West Lancashire Local Plan 2012-2027 DPD states that development should incorporate suitable and safe access and road layout design in line with latest standards.

11.12 I have consulted the Highway Authority in respect of the proposal who have raised no objection to the principle of the works. It is my view that retention of the agricultural track will have a negligible impact on highway capacity and highway safety within the immediate vicinity of the site.

Drainage

11.13 The Council's drainage engineer has reviewed the application with regard to the disposal of surface water drainage and the flood risk associated with this application.

11.14 It is noted that the surface of the track is compacted stone which is not as free draining as the land would have been prior to the construction of the track. Nonetheless, the drainage engineer is of the view that as surface water will run off into the open free draining fields surrounding the site there is no significant risk of flooding arising as a result of the development. I am therefore satisfied that the scheme complies with the NPPF in that it will not result in increased flood risk in the vicinity of the site.

12.0 CONCLUSION

12.1 The proposed development is considered compliant with the NPPF and the relevant policies in the West Lancashire Local Plan 2012-27. The proposal has no significant impact on the openness of the green belt, the amenity of neighbouring properties or highway conditions in the vicinity of the site and is therefore recommended for approval.

13.0 RECOMMENDATION

13.1 That planning permission be GRANTED subject to conditions.

Conditions

1. The development hereby approved shall be carried out in accordance with details shown on the following plans:
Plan reference C-592-5 Location Plan received by the Local Planning Authority on 5th February 2021 and Site Plan received on 24th June 2021.
Reason: 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.
2. The track shall only be used for access and agrees of vehicles in connection with the agricultural use of the site and shall at no time be used for car parking in association with non-agricultural activities at Spencers Farm.
Reason: 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.

Note

1. The development hereby approved includes the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 (Vehicle crossings over footways and verges) Lancashire County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. The applicant is advised to complete the online quotation form found on Lancashire County Council's website using the A-Z search facility for vehicle crossings at <http://www.lancashire.gov.uk/roadsparking-and-travel/roads/vehicle-crossings.aspx> (For multiple vehicular crossings please ring 0300 123 6780 and ask for a bespoke quotation).

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:

GN1 - Settlement Boundaries

GN3 - Criteria for Sustainable Development

EN4 - Preserving and Enhancing West Lancashire's Cultural and Heritage Assets

EC2 - The Rural Economy

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.