

<b>No.3</b>	<b>APPLICATION NO.</b>	2021/0154/FUL
	<b>LOCATION</b>	Spencers Farm Rufford Road Bispham Ormskirk Lancashire L40 3SA
	<b>PROPOSAL</b>	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)
	<b>APPLICANT</b>	E Ashcroft & Sons
	<b>WARD</b>	Parbold
	<b>PARISH</b>	Bispham
	<b>TARGET DATE</b>	5th May 2021

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## **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 Planning Committee to consider the impact on the openness of the Green Belt and the impact on highways.

## **2.0 SUMMARY**

- 2.1 It is considered that the principle of the change of use of land at this site is acceptable. I am satisfied that there will be no significant detrimental impact upon the openness of the Green Belt, the character of the area or the amenities of nearby residents. Subject to recommended conditions there would be no adverse highway implications as a result of the proposal. 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. One of the barns is a Grade II listed building. The application site is located to the north-east of the cluster of buildings.

## **5.0 THE PROPOSAL**

- 5.1 The application is retrospective in form and proposes the change of use of the existing access track to a car park for use in association with the retail and commercial business operating within the Spencers Farm site. It is proposed that a fence would be erected to form a boundary between the car park and the adjoining agricultural land. The fence would continue alongside Daub Lane to enclose the car park area so that users of the car park can only gain access via the existing entrance closer to Rufford Road. A hedgerow is proposed to be planted alongside the road facing fence to soften views.

## **6.0 PREVIOUS RELEVANT DECISIONS**

- 6.1 2021/0153/FUL - Creation of an agricultural track (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 (13/04/21) - no objections in principle to the planning application. The Highway Authority 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 (07.07. 2021) – no objections in principle.

## **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 and concern that the site is currently being used for parking without planning permission
- Highway safety concerns in particular the impact on Daub Lane
- Consider the development represents encroachment into the Green Belt
- Concern about nature and extent of non-agricultural businesses at the site
- Consider that the extra parking is required to support the businesses on 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

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

## **11.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY**

### *Principle of development*

- 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. Local Plan Policy GN1 states that development proposals within the Green Belt will be assessed against national policy and any relevant Local Plan policies.
- 11.2 Paragraph 146 sets out that certain forms of development are not inappropriate in 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 “*material changes in the use of land*”.
- 11.3 The proposal is considered to be a material change in the use of the land and the principle of the development is therefore acceptable. The area is located adjacent to modern farm buildings and the existing car park. Having regard to the location of the car park and the context of the site it is my view that it does not result in any adverse harm to the openness of the Green Belt and does not conflict with any of the purposes of including land within it.
- 11.4 Policy EC2 seeks to protect the continued use of employment sites in the rural areas of the borough. The on-site businesses provide facilities in an area that would otherwise be ill-served for such day-to-day services. At busy times the applicant indicates that the limited level of parking was causing problems for the existing businesses as customers could not park in order to visit them. The continued use of the former agricultural track for parking will allow additional parking to be provided for customers thereby supporting these rural businesses.
- 11.5 I am satisfied the development complies with the requirements of the NPPF and local plan policies GN1 and EC2.

### *Design/Layout*

- 11.6 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.
- 11.7 The site comprises an area of existing hardstanding that has been used for the parking of vehicles connected with the commercial businesses operating from the site. It is considered that the change of use of the land does not have an adverse impact on the character and appearance of the area.
- 11.8 In order to ensure that users of the car park do not stray onto the adjacent agricultural track it is proposed that a post and rail fence, to match that already within the site, would be erected between the two areas and alongside the highway. A hedgerow is proposed to be planted adjacent to the highway part of the fence to soften views from outside the site. I am satisfied that details of the proposed fence and hedgerow are acceptable.

## Impact on heritage assets

- 11.9 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.
- 11.10 The hardstanding is an existing feature that lies adjacent to a modern farm building. The listed barn is separated from the hardstanding by the modern buildings and 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 and the Council's statutory duty to preserve the setting of listed buildings.

## *Impact on residential amenity*

- 11.11 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.
- 11.12 The submission does not include any alterations to the number of businesses at the site and does not propose any changes to their ways of operating. Such matters were approved under ref: 2019/0424/PNC.
- 11.13 It is my view that there will be no significant noise and disturbance due to the separation distance between the new parking area and the nearest neighbours. Customers will use the existing entrance to access the car parking area thereby limiting impacts from car movements onto the public roads. In addition the proposal does allow more room for parking within the site in association with those businesses and discourages any on-street parking or waiting in the area thereby reducing impacts on neighbouring properties. I am satisfied that providing on-site parking during opening times of the businesses would not have any significant adverse impact on neighbouring properties. On that basis I am satisfied the development complies with the requirements of policy GN3 (iii).

## *Highways*

- 11.14 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.
- 11.15 I note concerns raised regarding the use of Daub Lane and the lack of passing places along that road. The site is served by an existing car park with the existing access located on Daub Lane at its junction with Rufford Road. A vehicular link between the existing car park and the agricultural access has already been constructed by the applicant. Following the receipt of comments by the Highway Authority the proposal has been amended to include the provision of a fence and hedge across the existing entrance to the new car parking area at Daub Lane. This will ensure that all vehicles have to use the existing access closer to the corner of Daub Lane / Rufford Road instead of travelling further along narrow Daub Lane.
- 11.16 The provision of additional staff and customer overflow car parking within the site will prevent the need for customers to park on the highway. Subject to a condition requiring the fence and hedge to be erected I consider the use of this land as a car park would have

a negligible impact on highway capacity and highway safety within the immediate vicinity of the site.

### *Drainage*

- 11.17 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 and raises no objections.
- 11.18 Given that the development comprises the re-use of an existing hardstanding area I do not consider that there would be any increase in or adverse impacts on surface water flows within the site.

## **12.0 CONCLUSION**

- 12.1 The principle of the change of use of land at this site is acceptable. I am satisfied that there will be no significant detrimental impact upon the openness of the Green Belt, the character of the area or the amenities of nearby residents. Subject to recommended conditions there would be no adverse highway implications. The development is considered to be compliant with relevant national and local planning policies EC2, IF2, EN4, GN1 and GN3.

## **13.0 RECOMMENDATION**

- 13.1 That planning permission 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 C592-5 Site Location Plan received by the Local Planning Authority on 5th February 2021,  
Photograph of existing fencing and emails from agent received on 9th June 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. Within two months of the date of this permission the fencing shown on drawing named Site Plan received by the Local Planning Authority on 24th June 2021 and detailed within the agent's emails dated 9th June 2021 shall be constructed and completed in accordance with the scheme details.  
The hedgerow alongside the fence and highway as shown on the drawing named Site Plan received by the Local Planning Authority on 24th June 2021 and document named Indicative Hedge Planting Plan received on 9th June 2021 shall be planted within the first planting season following the grant of permission.  
Both elements shall be retained thereafter.  
Reason: To safeguard the safety and interests of the users of the highway and to ensure that the development complies with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

## **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

IF2 - Enhancing Sustainable Transport Choice

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.