

<b>No.1</b>	<b>APPLICATION NO.</b>	2021/0418/FUL
	<b>LOCATION</b>	Bank House Ayrefield Farm Bank Brow Roby Mill Up Holland Skelmersdale Lancashire
	<b>PROPOSAL</b>	General purpose agricultural building for straw and machinery storage.
	<b>APPLICANT</b>	Mr James Hodge
	<b>WARD</b>	Wrightington
	<b>PARISH</b>	Up Holland
	<b>TARGET DATE</b>	21st June 2021

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## **1.0 REFERRAL**

1.1 This application was to be determined under the Council's delegation scheme however Councillor Baybutt has requested it be referred to Committee to consider highway safety, traffic movements, flooding and environmental issues.

## **2.0 SUMMARY**

2.1 The proposed development of a building for agricultural storage purposes is acceptable in principle. The proposal is considered to be appropriate to the location and will not have a significant impact on the character or appearance of the area, the amenity of neighbouring properties or highway safety in the vicinity of the site. Subject to conditions the proposal would not result in adverse impacts on flooding/drainage within the local area. The proposed development is considered to be compliant with the NPPF and Policies EC2, GN1 and GN3 of the West Lancashire Local Plan 2012-2027 DPD.

## **3.0 RECOMMENDATION: APPROVE with conditions.**

## **4.0 THE SITE**

4.1 The site is located to the east of Bank Brow in Roby Mill and is accessed via a private track. There are two agricultural buildings situated at the end of the track: a covered silage clamp and a livestock building.

## **5.0 THE PROPOSAL**

5.1 The application proposes the erection of an open sided agricultural building which would be primarily used for the storage of straw which is used as bedding material and also as feed for the dairy cows. Agricultural machinery would also be stored in the building. The building would be situated between two existing buildings on the site at the end of the access track.

## **6.0 PREVIOUS RELEVANT DECISIONS**

6.1 2020/0246/PNP - Application for Determination as to Whether Prior Approval is Required for Details - Covered silage clamp for the storage of ensiled forages - Prior Approval Not Required

6.2 2016/0357/FUL - Dairy cow cubicle building - Granted

- 6.3 2015/0993/CON - Approval of details reserved by condition nos. 3 and 5 of planning permission 2014/0585/FUL relating to a Landscaping Scheme and a Scheme for the construction of the off-site speed reduction works - Details approved
- 6.4 2014/0585/FUL - Erection of milking parlour building and cow cubicle building including slurry store and dirty water store - Granted

## **7.0 CONSULTEE RESPONSES**

- 7.1 LCC Highways – No objections in principle. I note from the planning submissions that the proposed farm building will be accessed from the existing drive and no other access is required and no additional traffic will result due to the proposal.
- 7.2 Environmental Health Officer – No objections in principle. As this application is for storage of machinery and hay I do not envisage any increase in slurry pollution or farm traffic.

## **8.0 OTHER REPRESENTATIONS**

- 8.1 Up Holland Parish Council

Road Safety Concerns and ongoing flooding problems - There are already more movements each day to and from this farm than was stated by the site owner in previous planning applications. This has caused break-up of the track leading to debris being left on Bank Brow, causing a road safety hazard and excessive run-off from this track onto Bank Brow, which has, and still is, contributing to flooding issues on this stretch of road.

The size of the farm vehicles and trailers using this narrow entrance with poor visibility splays means poor visibility for vehicles leaving the track and motorists travelling in both direction along Bank Brow suddenly encountering farm traffic and being faced with farm vehicles and trailers which are on the “wrong” side of Bank Brow in order for them to manoeuvre through the narrow entrance.

The Parish Council cannot agree with the LCC Highway Officer’s response. He has accepted, without evidence, the applicant’s claim in respect of the number of traffic movements to and from the site. Residents of properties next to and opposite the entrance have disputed the low number of movements claimed. The Borough Council/LCC should consider asking for an independent traffic survey.

There are also concerns that developments have already taken place on the farm which have not made provision for rainwater etc which have also contributed to the flooding problems referred to above. Further building work will only add to these.

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

- Concerns regarding flooding on Bank Brow, Drainage and Water storage facilities
- Concern about current removal of slurry from site and pollution of watercourse
- Concerns about number of existing vehicular movements relating to the site
- Consider that access track is unsafe and that there has been damage to the road caused by heavy farm vehicles
- Consider visibility from track onto Bank Brow is limited and the farm access is dangerous.
- Consider that statements made in relation to planning application in 2014 have not been adhered to.
- The applicant cleared debris from Bank Brow prior to the Planning Committee site visit.
- Numerous reports of mud on the highway and potholes have been made to LCC

## **9.0 SUPPORTING INFORMATION**

- 9.1 The application has been supported by the following documents:  
- Design and Access 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  
IF2 - Enhancing Sustainable Transport Choices  
EC2 - The Rural Economy

Supplementary Planning Document - Design Guide (January 2008)

Supplementary Planning Document, Development in the Green Belt (October 2015)

## **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 145 in the National Planning Policy Framework states that “A local planning authority should regard the construction of new buildings as inappropriate in Green Belt.” There are 7 exceptions to this rule including a) “*buildings for agriculture and forestry*”. Policy EC2 of the Local Plan supports development associated with the agricultural use of the land.
- 11.3 The site is currently in agricultural use and the building would be situated between two buildings which are used for agricultural purposes. The building would be used for the storage of straw and machinery in connection with the existing cow herd which are part of this agricultural business. I am satisfied the building is required for agricultural purposes and on that basis is appropriate development in the Green Belt. The proposal complies with the requirements of the NPPF and with local plan policy EC2.

*Design/Layout*

- 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 design of the proposed agricultural building is typical of agricultural buildings on this site and in the local area. The building would be lower in height than the existing silage clamp and a similar height to the livestock building which would sit either side of it. The size and materials would be appropriate and I am satisfied the development would be in

keeping with the character of the area. The development would comply with the relevant requirements of local plan policy GN3.

#### *Impact on residential amenity*

- 11.6 Policy GN3 of the West Lancashire Local Plan (2012-2027) DPD allows development provided it retains or creates reasonable levels of privacy, amenity and sufficient garden/outdoor space for occupiers of the neighbouring and proposed properties.
- 11.7 I have consulted the Council's Environmental Health Officer who raises no objection to the proposed building subject to it being used for storage purposes related to the agricultural use of the land. A suitable condition can be imposed to control the use for this purpose. Due to the position of the building I am satisfied that there would be no impact on neighbouring properties caused by overshadowing, overlooking or loss of privacy.
- 11.8 I am satisfied the development would comply with the requirements of policy GN3 1(iii).

#### *Highways*

- 11.9 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. Adequate parking should be provided in accordance with policy IF2.
- 11.10 The building would be used in connection with the existing agricultural business that operates from the site. The applicant has indicated the proposal would not result in any additional vehicular movements and the building would be accessed using the existing access road. The proposal does not generate a need for additional parking on the site. I have consulted the Highway Authority who have indicated they have no objection to the scheme.
- 11.11 I am satisfied the proposal would comply with the relevant requirements of local plan policies GN3 and IF2.

#### *Drainage*

- 11.12 The Council's drainage engineer has reviewed the application with regard to the drainage of surface water and the flood risk associated with this application. The submission indicates that rainwater from the building will be kept separate and will drain to the farm's recycling system, using rainwater within the dairy for cleaning and drinking water. Any surplus will go to the existing drainage system.
- 11.13 In terms of flood risk the site is located in Flood Zone 1 and outside areas susceptible to surface water flooding so the risk of flooding is considered to be low. However the proposal includes a building to be constructed on an area that is currently open field.
- 11.14 In principle I have no objection to the proposed development however the proposal contains limited information regarding the proposed drainage scheme and how it will connect to the existing system. A condition is therefore recommended requiring full details of a surface water drainage scheme to be submitted for approval.

#### *Other matters*

- 11.15 Several of the neighbour concerns relate to issues regarding localised flooding in the vicinity of the site which have previously been investigated by LCC as Lead Local Flood Authority and remain a matter for the County Council. Comments also relate to pollution of

watercourses and the Council's Environmental Health Officer advises that historical issues to do with slurry pollution etc. would be dealt with by the Environment Agency as they are the enforcement body for this type of problem.

- 11.16 These matters cannot be resolved through the current planning application which is solely for the erection of a storage building. Subject to an appropriate condition to ensure adequate surface water drainage from the building, the proposed development will meet the tests in the NPPF as it will not result in increased off site flood risk.

## **12.0 RECOMMENDATION**

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

### **Conditions**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.  
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:  
Plans named Plan 1, Plan 3 and Plan 4 received by the Local Planning Authority on 30th March 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.
3. The building shall only be used for storage purposes in connection with the agricultural use of the site and for no other purpose.  
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.
4. No development shall take place until a strategy for the surface water drainage of the development is, including any necessary infiltration measures, attenuation measures, maintenance management proposals, and phasing of delivery if applicable, approved in writing by the Local Planning Authority. The surface water drainage strategy must take account of the relevant provisions of the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement standards. The drainage scheme must be completed in accordance with the approved details and, if applicable, the approved phasing of the scheme. The MicroDrainage mdx file, if available, is required to aid the checking of design calculations.  
Reason: These details are required prior to the commencement of development to ensure adequate drainage for the proposed development and to ensure that there is no flood risk on- or off-the site resulting from the proposed development and to ensure that the development complies with the provisions of Policy GN3 in the adopted 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  
IF2 - Enhancing Sustainable Transport Choices  
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.