



**PLANNING COMMITTEE: Thursday,
3 October 2024**

Report of: Assistant Director Planning & Regulatory Services

Contact for further information: Nicola Cook (Extn. 5140) (E-mail: nicola.cook@westlancs.gov.uk)

SUBJECT: PLANNING APPLICATION REF: 2024/0639/FUL - BRUFFS FARM, DRUMMERSDALE LANE, SCARISBRICK

PROPOSAL: Retention of shed used for keeping chickens and enclosure fence - RETROSPECTIVE

ADDRESS: Bruffs Farm, Drummersdale Lane, Scarisbrick

REASON FOR CALL IN: Application has been called in by Councillor Blundell to consider the impact on neighbour amenity and the Green Belt.

Wards affected: Rural West;

1.0 PURPOSE OF THE REPORT

1.1 To advise Planning Committee on an application seeking planning permission for the erection of a chicken shed with enclosure fence

2.0 RECOMMENDATION TO PLANNING COMMITTEE

2.1 That planning permission is granted subject to conditions set out at paragraph 12.

3.0 THE SITE

3.1 The site is located approx. 110m to the south of Drummersdale Lane and sits within a wider site which is in agricultural use. Adjacent to the site there is a water tank set onto sleepers. This is required to provide fresh water to the site. Two other timber buildings are also located on the wider site which the applicant confirms have been in situ for in excess of 15 years.

4.0 PROPOSAL

- 4.1 The application is retrospective and seeks planning permission for the erection of a timber building used as a chicken shed and an attached timber framed enclosure forming a chicken run.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 None

6.0 OBSERVATION OF CONSULTees

- 6.1 WLBC Drainage Officer (10/09/24)

No objections.

- 6.2 WLBC Environmental Protection Officer (11/09/24)

No objections.

7.0 OTHER REPRESENTATIONS

- 7.1 Scarisbrick Parish Council

This application was discussed at the meeting of Scarisbrick Parish Council on the 2nd September 2024. The Parish Council had no comment to make.

- 7.2 One letter of representation has been received which is summarised as follows:

- The application should be refused to protect spread of development and protect Green Belt
- Location of the new building and steel tank spreads the form of built development across the site and results in encroachment by virtue of the loss of openness
- Changes to the access of the building have to be taken into account as this further spreads the form of built development across the site.
- Noise complaints regarding engineering development on the site have been reported to the environmental department over a long period of time.

8.0 SUPPORTING INFORMATION

- 8.1 The application has been supported by the following documents:

Planning Statement

9.0 RELEVANT PLANNING POLICIES

- 9.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan 2012-2027 Development Plan Document (DPD) provide the policy framework against which the development proposals will be assessed.

- 9.2 The site is located within the Green Belt as designated in the West Lancashire Local Plan 2012-2027 DPD.

National Planning Policy Framework
Protecting Green Belt Land

West Lancashire Local Plan Policies

SP1 - A Sustainable Development Framework for West Lancashire

GN1 - Settlement Boundaries

GN3 - Criteria for Sustainable Development

Supplementary Planning Document - Design Guide (January 2008)

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

10.0 OBSERVATIONS OF ASSISTANT DIRECTOR OF PLANNING AND REGULATORY SERVICES

Principle of Development

- 10.1 The National Planning Policy Framework (NPPF) is a key material consideration in assessing the principle of the development. Paragraph 154 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*"
- 10.2 It is acknowledged that agriculture is defined within section 336 of the TCPA 1990 as including the breeding and keeping of livestock. As a result of this, the proposal is considered as agricultural in nature and will be assessed on that basis. The proposal is for a relatively small shed providing shelter for chickens with access to the enclosed run adjacent and also onto the field. The applicant has another existing building on site where younger birds are housed once hatched before being moved to the application building.
- 10.3 The building is required for agricultural purposes and therefore the principle of the development is acceptable in the Green Belt. On that basis the proposal complies with the requirements of the NPPF and Local Plan policy GN1.

Design/Impact on listed building

- 10.4 The NPPF and policy GN3 of the West Lancashire Local Plan 2012-2027 DPD together with the Council's Supplementary Planning Document on Design require that development should be of a high-quality design, integrate well with its surroundings, promote sustainable development principles and respect its setting.
- 10.5 The building is set well back from the roadside adjacent to another building and the water tank. The site is well screened by existing hedgerow and trees. Having regard to the location of the building it is not considered to have any adverse impact on the street scene and is constructed of appropriate materials for its use and location. A Listed Building is located at Box Tree Barn, which is situated approx. 200m away from the site, separated by fields and interspersed with vegetation. As such it is not considered that the proposal will impact the setting of the Listed

Building. It is considered that the development complies with the requirements of Local Plan policy GN3.

Impact on residential amenity

- 10.6 Paragraph 135 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, amenity and sufficient garden / outdoor spaces for occupiers of the neighbouring and proposed properties”.
- 10.7 Due to the distance from the nearest residential property, approx. 150m, and the uses of the building it is considered that the proposal would not result in harm to the residential amenity of neighbouring properties. It is noted that concerns are raised in regard to previous noise complaints made in respect of the site. However, the Council's Environmental Health officer has been consulted and raises no objection to the proposal. Noise complaints are investigated by the Environmental Health department under legislation that is outside of planning control. It is considered the development complies with the requirements of local plan policy GN3.

Highway matters

- 10.8 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. Parking should be provided in accordance with policy IF2.
- 10.9 The site is in an existing agricultural use and there is existing vehicular access at the north of the site onto Drummorsdale Lane and adequate space for parking within the site. The proposed development is not considered to raise any issues in relation to highway matters.

Drainage

- 10.10 The application has been considered by the Council's drainage engineer who raises no objection to the proposal.

11.0 CONCLUSION

- 11.1 The principle of the development in the Green Belt is considered acceptable. The proposal is considered acceptable in terms of its design and layout and would not result in any significant impact on highway safety, residential amenity or the character and appearance of the local area. On that basis, it is considered that the proposal meets the requirements of the NPPF and Policies GN1 and GN3 of the West Lancashire Local Plan 2012-2027 DPD.

12.0 RECOMMENDATION

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

1. The development is hereby approved in accordance with details shown on the following plans:

Site Location Plan received on 16th August 2024

Mixed plans drawing no. BF 01 Rev A received on 17th September 2024.

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.

13.0 SUSTAINABILITY IMPLICATIONS

- 13.01 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder.

14.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 14.1 There are no significant financial or resource implications arising from this report.

15.0 RISK ASSESSMENT

- 15.1 The actions referred to in this report are covered by the scheme of delegation to officers and any necessary changes have been made in the relevant risk registers.

16.0 HEALTH AND WELLBEING IMPLICATIONS

- 16.1 There are no health and wellbeing implications arising from this report.

Background Documents

In accordance with Section 100D of the Local Government Act 1972 the background papers used in the compilation of reports relating to planning applications are listed within the text of each report and are available for inspection in the Planning Division, except for such documents as contain exempt or confidential information defined in Schedule 12A of the Act.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore, no Equality Impact Assessment is required.

Human Rights

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from Article 8 (the right to respect for private and family life, home and correspondence) and Article 1 of Protocol 1 (the right of peaceful enjoyment of possessions and protection of property).

Appendices

None.