

<b>No.5</b>	<b>APPLICATION NO.</b>	2017/1198/FUL
	<b>LOCATION</b>	Land To The North-West Of Mere Farm Holmeswood Road Rufford Lancashire
	<b>PROPOSAL</b>	Construction of an agricultural storage building.
	<b>APPLICANT</b>	Riccadonna Produce
	<b>WARD</b>	Rufford
	<b>PARISH</b>	Rufford
	<b>TARGET DATE</b>	10th January 2018

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## **1.0 DEFERRAL**

- 1.1 This application was considered by the Planning Committee at their April meeting and was deferred to allow officers to explore with the applicant whether the siting of the building could be revised to move it further away from residential accommodation on the adjoining site. Amended plans have now been received to show the proposed building being further away from the dwelling at Mere Farm.

## **2.0 REFERRAL**

- 2.1 This application was to be determined under the Councils delegation scheme, however, Councillor Gordon has requested it be referred to Committee to consider the siting of the development and its impact upon the occupants of neighbouring properties.

## **3.0 SUMMARY**

- 3.1 The proposal is for an agricultural building on an agricultural holding which is acceptable development within the green belt. Subject to conditions, I consider that the proposal is in accordance with Policies GN1, GN3, EC2 and EN2 in the WLLP and the NPPF and recommend that planning permission be granted.

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

## **5.0 THE SITE**

- 5.1 The site comprises an agricultural field located to the north-east of Holmeswood Road, Rufford. It is characterised by extensive open flat agricultural land. There is an existing field access off Holmeswood Road. The site is located within the Green Belt.

### THE PROPOSAL

- 5.2 Planning permission is sought for the erection of an agricultural storage building. This will have dimensions of 36.7m x 18.3m x 6m (eaves) x 8.5m (ridge). The building will be a steel portal frame construction, clad with Laurel Green composite panel sheeting to both the roof and sides, together with one overhead door on the west elevation.

## **6.0 PREVIOUS RELEVANT DECISIONS**

- 6.1 2015/1194/FUL Proposed access for agricultural vehicles. GRANTED
- 6.2 2014/1399/FUL Conversion of existing barn and agricultural building to dwelling including new link extension. GRANTED 12.03.2015

- 6.3 2014/0233/PNP Application for Determination as to Whether Prior Approval is required for Details - New road. WITHDRAWN 20.05.2014
- 6.4 2010/0596/COU Change of use of land to facilitate camping and re-use of redundant farm buildings to provide two holiday cottages, reception, shop, WC, washing and laundry facilities. WITHDRAWN 04.10.2010

## **7.0 CONSULTEE RESPONSES**

- 7.1 Lancashire Archaeology Advisory Service (18/01/18) No objection in principle. Conditions recommended to secure a programme of archaeological work.
- 7.2 LCC Highways (06/12/17) and (19/02/18) (12.03.18) No objection in principle. The development should have a negligible impact on highway safety and highway capacity in the vicinity of the site. Conditions recommended.
- 7.3 Director of Leisure and Wellbeing (02/03/18) No objection in principle. Conditions recommended to prevent noise and disturbance to nearby residents.

## **8.0 OTHER REPRESENTATIONS**

- 8.1 Parish Council (13/12/17)

Traffic issues at Holmeswood Road;  
Concerns regarding drainage;  
Development could be sited more sympathetically to benefit immediate neighbours.

- 8.2 The Council has received 33 letters objecting to the original proposal on the following grounds:

Inaccuracies, vagaries and misinformation;  
The plan is inaccurate as changes to the access road were made by the applicant when the land was purchased;  
The plan shows the applicant's farm road ending next to the proposed building when in fact it continues into the remaining 85 acres;  
Agent suggests the applicant has 180 acres but 85 acres at this site;  
The proposed development would alter the character of Holmeswood Village;  
The proposal is detrimental to the Green Belt;  
The site is visible from the road;  
The proposal would have an overbearing impact on the adjacent domestic dwelling house;  
The proposal would have a detrimental impact on light;  
The proposal would be highly visible in the landscape;  
The proposed building is approximately 10/12 metres from the domestic boundary of Mere farmhouse;  
The proposal would result in a loss of privacy;  
The proposal would result in a loss of view;  
The proposal would have a negative impact on the value of properties;  
The proposal would result in odours, vermin, noise, and light pollution;  
Toxic materials may be stored/mixed with risk of spillage/fumes/explosion;  
Entrance onto Holmeswood Road not wide enough for large machines and present risk of accidents;  
The proposal would result in a substantial increase in the number agricultural machines; articulated lorries; cars and workers;  
Increase in volume of traffic in this locality will have detrimental impact on condition of roadway necessitating road repairs;

Detrimental to both pedestrian (particularly young children) and road safety;  
Workers arrive early hours and are taken to various sites by mini bus;  
During summer months more than 30 vehicle movements per day into and out of site;  
Increase in activity;  
24 hour operation detrimental to amenity;  
Surface water drainage would not drain into a sluice /drainage ditch. The excavation was made to demarcate domestic dwelling and farm land;  
Development would result in flooding;  
No mention of water sewerage and electricity;  
Detrimental impact on wildlife including deer; birds and barn owls;  
Detrimental impact on flora/fauna;  
No social or economic benefits to Holmeswood;  
Development is purely for commercial gain and should not be allowed to have detrimental impact on the character of Holmeswood village or its residents;  
A condition should be attached preventing the site becoming a commercial centre for processing, packing and distribution;  
Increase in number of transient migrant works;  
Site could be used for 'temporary accommodation';  
What is the long term plan;  
The building and hardstanding is too big;  
The application forms do not state the hardstanding will not be used for outside storage of crops not originating from the 85 acres;  
No provision for car parking;  
Disturbance from machinery in mornings/evenings;  
What are arrangements for waste disposal;  
Jet cleaning agricultural machinery;  
Proposal should include landscaping;  
The site may be used 24 hours a day for processing, packing and distribution of produce;  
No noise impact assessment to provide factual evidence on noise;  
Without a noise assessment the development should be deemed harmful to residential amenity;  
If allowed the development would result in justified complaints. The Council would have to respond to complaints, which would be a restraint on the use of the building;  
It would be in the applicant's interest to move building;  
The visual impact cannot be softened by landscaping as there is insufficient space for landscaping;  
No space for articulated vehicles to turn around;  
Given the nature of the proposed use the restriction of hours of use by condition would not be reasonable. The only recourse is the Council refuse the application;  
The assertion the planning benefit to grouping buildings cannot apply because the agricultural use is incompatible with residential use.

Comments received in response to the revised plans will be reported in the late information paper.

## **9.0 SUPPORTING INFORMATION**

9.1 The applicant has submitted the following information in support of this planning application:

Design and Access Statement including Supporting Statement;  
Highways and Transport Statement;  
Additional Supporting Information received 11/01/18 and 07/02/18;  
Extended Phase 1 Survey and Evaluation;

Email (14/12/17) advising the land associated with the application site was recently acquired by the applicant and extends to approximately 85 acres. The proposed building at this site will serve as a satellite site, in support of the applicant's main holding located on Boundary Meanygate, Hundred End.

## **10.0 RELEVANT PLANNING POLICY**

- 10.1 National Planning Policy Framework (NPPF), National Planning Policy Guidance (NPPG) and the West Lancashire Local Plan 2012-2027 DPD (WLLP) 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:

### **NPPF**

Supporting a prosperous rural economy  
Requiring good design  
Protecting Green Belt land  
Conserving and enhancing the natural environment

### **West Lancashire Local Plan 2012-2027 DPD**

SP1 – A Sustainable Development Framework for West Lancashire  
GN1 – Settlement Boundaries  
GN3 – Criteria for Sustainable Development  
EC2 – The Rural Economy  
EN2 – Preserving and Enhancing West Lancashire's Natural Environment

- 10.3 Supplementary Planning Document - Design Guide (2008)
- 10.4 Supplementary Planning Document, Development in the Green Belt (October 2015)

## **11.0 ASSESSMENT**

### Principle of Development

- 11.1 National policy for the control of development in the Green Belt is set out in paragraphs 89 and 90 of the NPPF. This lists the types of development which are considered to be appropriate within the Green Belt.

### *Erection of Agricultural Building*

- 11.2 Paragraph 89 in the National Planning Policy Framework states that local planning authorities should regard the construction of new buildings as inappropriate in Green Belt. There are 6 exceptions to this rule including "*buildings for agriculture and forestry*".
- 11.3 The applicant has submitted a Design and Access Statement including Supporting Statement. The information states the land associated with the application site consists of approximately 80 to 85 acres. However, the applicant farms a total of 180 acres over 5 separate sites, with double cropping occurring on two of the sites, therefore providing a total of 265-270 acres of planted /growing acreage. Currently agricultural machinery is stored at the Riccadonna site at Hundred End and within a rented, third party building in Halsall. The applicant indicates there is no alternative but to store some valuable equipment outside. Generally, the machinery and equipment has to be transported from the Riccadonna site to each satellite site on a daily basis. The applicant indicates that the building will not be used for refrigeration or cold storage but will be a general purpose agricultural building used for the storage of agricultural machinery and equipment,

produce (predominantly leeks and lettuce), fertiliser and boxes for the produce. Based on the information provided, I am satisfied that the proposed building is for agricultural purposes and is acceptable in principle in the green belt.

#### *Extension to driveway/access and creation of hardstanding area*

- 11.4 Paragraph 90 of the NPPF states that certain forms of development are not inappropriate within the Green Belt provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The creation of the hardstanding is an engineering operation which will result in limited harm to openness. Consequently, very special circumstances should be demonstrated for its provision.
- 11.5 In this instance, the main aspect of the proposed development is the erection of a building for agricultural use which is appropriate development within the Green Belt. It would therefore be perverse if such appropriate development was unable to have a hardstanding area to serve it. The hardstanding area has been kept as small as possible to allow HGV's to turn and manoeuvre within the site and allow the applicant to manoeuvre machinery such as an iceberg lettuce rig into and out of the building. Consequently, I consider the proposed hardstanding to be acceptable in principle and that very special circumstances have been demonstrated, to outweigh the limited harm to the green belt.

#### Siting, scale, design and Impact upon Visual Amenity

- 11.6 The building is proposed to be sited in the southern tip of the land it will serve. The applicant indicates that the location has been chosen due to its positioning alongside the existing access track and manoeuvring area and its close proximity to the existing buildings on the neighbouring site to the south. In my view locating the development within a group of buildings will assist in minimising its visual impact. The scale of the building is commensurate for its use and the land it will serve. The materials proposed are typical of similar agricultural development elsewhere in the Borough. I consider the siting, scale and design of the building appropriate.
- 10.7 The proposed hardstanding has been reduced and moved to the western elevation. I am satisfied this has been kept to the minimum necessary for operational purposes. Overall I am satisfied that the proposed development will not have a detrimental impact upon the visual amenity of the area.

#### Impact upon Residential Amenity

- 11.8 The nearest residential property to the proposed development is the property known as Mere Farm, which is located approximately 70m to the south-east. It is also noted that the redundant farm buildings approx. 40m to the south east have an extant planning permission ref 2014/1399/FUL for conversion to a dwelling. Given the separation distance between the existing and proposed dwelling houses and proposed agricultural building, I am satisfied there would not be poor outlook or loss of light. Concern has been expressed about noise and loss of privacy from workers arriving/leaving the premises during early and late hours. To address these concerns the applicant has amended the plans and moved the access from the east elevation to the west elevation. This amendment moves the main entrance door and activity further away from the existing and proposed residential properties. The building has also been relocated to the west so that the rear of the building lines up with the rear of an existing agricultural building on the adjacent farmstead. In my opinion the existing agricultural building at Mere Farm will act as a barrier to sound and reduce the potential for noise disturbance and loss of privacy.

- 11.9 The Council's Environmental Health Officer has given due consideration to the fact that the development would be positioned fairly close to an unrelated dwelling and a barn with planning permission for conversion to a dwelling. Whilst the application is for agricultural storage there are concerns the building may generate noise from movements to and from the facility and could in the future be used for other agricultural purposes such as cold storage which may require additional equipment. To control the potential for noise and light disturbance, conditions are recommended in respect of hours of delivery/collection of goods; number of HGV's visiting the site; noise from plant/machinery; and the submission external lighting details.

#### Biodiversity and Trees

- 11.10 Policy EN2 of the WLLP states that where there is reason to suspect that there may be a priority species, or their habitat, on or close to a proposed development site, planning applications should be accompanied by a survey assessing the presence of such species and, where appropriate, making provision for their needs. This allows the LPA to screen the project against the Habitats Regulations and relevant national and local policy.
- 11.11 The applicant has submitted an Extended Phase 1 Survey Evaluation which recommended no further surveys are required in respect of vegetation/habitats; water voles; bats; nesting/wintering birds; badgers; and Great Crested Newts. The report did include a recommendation advising if Great Crested Newts are observed construction work must stop and an ecologist called for advice on how to proceed. The recommendations in the report have been included as a condition.
- 11.12 The supporting information advises the applicant is willing to provide a landscaping scheme to provide screening for the proposed building. In my opinion landscaping would help to assimilate the development into the surroundings and an appropriate condition is therefore recommended to secure the submission of a suitable scheme.

#### Archaeology

- 11.13 The proposed development lies on the southern edge of Holmeswood Moss, to the east of the former Martin Mere, in an area examined by the North West Wetland Survey in the 'The Wetlands of South West Lancashire' (2013). Such areas have the potential to contain intact archaeological material, undisturbed surfaces and waterlogged remains.

Lancashire Archaeological Advisory Service has recommended a programme of archaeological work, which can be secured by condition.

#### Drainage

- 11.14 Limited details have been submitted within the planning application on how the drainage of surface water would be dealt with. I have therefore attached a condition requiring details of surface water drainage.

#### Highways

- 11.15 Residents have expressed concern about the impact on highway safety. I have consulted with the Highway Authority on this matter and they are of the opinion that the proposal is acceptable in principle and should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site. The hardstanding is of sufficient dimensions to enable vehicles to enter and leave the site in a forward gear.

## Summary

- 11.16 The proposal represents appropriate development in the Green Belt that would not be detrimental to highway safety or have a significant impact on visual or residential amenity. It therefore complies with policies GN1, GN3, EC2 and EN2 in the WLLP and the NPPF.

## **12.0 RECOMMENDATION**

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

### **Condition(s)**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. All external finishes shall be as shown on the approved plans. If the applicant or developer has any doubts as to whether the proposed materials do match they should check with the Local Planning Authority before commencement of the building works.
3. The development hereby approved shall be carried out in accordance with details shown on the following plans:-  
Plan reference P6017-01 received by the Local Planning Authority on 09/11/17 and site location plan received by the Local Planning Authority on 07/02/18
4. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.
5. No development shall commence until details of the design, based on sustainable drainage principles have been submitted to and approved in writing by the local planning authority.  
Those details should include:
  - a) A drainage strategy confirming the proposed means of surface water disposal together with a SuDS management and maintenance plan, if applicable;
  - b) Evidence of the existing site topography to include any existing surface water flow routes, drains, sewers and watercourses in a readable 3D Autocad .dwg format;
  - c) Evidence of site investigation, test results to confirm soil infiltrations rates and calculations to indicate existing SW runoff rates and volumes;
  - d) Demonstration that SW run-off will not exceed pre-development run-off rates and volumes - note: the discharge rate for this site should not exceed 3 l/s;
  - e) Demonstration that existing natural land drainage water (e.g. spring water, ground water or surface runoff) from surrounding areas that enters the site is managed in such a way to have no material impact by leaving the site in terms of nuisance (e.g. exacerbation of existing flooding) or damage;
  - f) Design calculations using relevant storm periods and intensities (e.g. 1 in 30 & 1 in 100 year + agreed allowance for climate change), runoff discharge rates and volumes (both pre and post development), facilities for temporary storage, the methods employed to delay and control SW discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in metres AOD;
  - g) Evidence that flood flows will be effectively managed within the site during the lifetime of the development including the construction period, will have no material impact by leaving the site in terms of nuisance or damage, or increase watercourse flows during periods of river flooding;
  - h) In addition to the normal printed input/output files supporting calculations for existing discharge rates (if applicable) and drainage proposals are to be submitted in an electronic format suitable for use in MicroDrainage software (e.g. mdx file format). Any

flow control details should be modelled using the Depth/ Flow Relationship for the Control Type for MicroDrainage version 2015 or earlier;

i) Existing and proposed 3D level data submitted in a suitable format i.e. CSV or Autocad .dwg; and

j) Existing and proposed catchment areas in a suitable format i.e. Autocad .dwg.

The scheme shall be implemented in accordance with the approved details prior to completion of the development. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

6. The recommendations contained within Section 3 of the Extended Phase 1 Survey and Evaluation Report received by the Local Planning Authority on 11/12/2017 shall be implemented in full throughout the duration of the development.
7. Other than agricultural vehicles there shall be no delivery and collection goods vehicles entering or leaving the site outside the hours of 08:00 to 18:00 Mondays to Friday and 08:00 to 13:00 Saturdays, nor any time on Sundays, Bank or Public Holidays.
8. Other than agricultural vehicles, there shall be no loading or unloading of delivery and collection vehicles on site and no mobile plant vehicles shall be operated on the external yard outside the hours of 08:00 and 18:00 Monday- Friday and 8:00- 13:00 on Saturdays, nor any time on Sundays, Bank or Public Holidays.
9. The number of large or medium goods vehicles of Class C, C+E, C1 or C1+E (as categorized by the LGV/HGV Driving Licence Categories) visiting the site shall not exceed 1 in any one day. A record of all large or medium goods vehicles visiting the site shall be kept up to date and be made available for inspection at any time by the Local Planning Authority. For the avoidance of doubt this shall exclude agricultural vehicles.
10. The engines of any vehicles on site shall be turned off and kept off, whilst the vehicle is stationary.
11. There shall be no diesel powered vehicle/trailer mounted refrigeration or freezer units operated on stationary vehicles or trailers.
12. No plant, machinery or equipment shall be installed or operated within or in association with the building, without the express consent of the Local Planning Authority.
13. No mobile plant vehicles shall be operated on the site other than those with a 'white noise' type of reversing warning alarm system set to self-adjust to no more than 5dB above the ambient noise level; or an alternative system approved in writing by the Local Planning Authority. For the avoidance of doubt, this condition shall not apply to goods vehicles collecting produce from site, agricultural vehicles or waste collection vehicles.
14. 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. There shall be no further lighting installed on site without the express consent of the Local Planning Authority.
15. No development shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. The landscaping scheme shall show the location, branch spread, and species of all existing trees and hedges; the location, species and number of all proposed trees, shrubs and hedges; and the location of all existing and proposed grassed and hard surfaced areas. 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). Within a period of 9 months from the date when any part of the development is brought into use the approved landscaping scheme shall be carried out. 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.
16. The building shall only be used for storage of agricultural equipment and machinery and for the storage of agricultural produce and packaging and for no other purpose.

#### **Reason(s)**

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.



2. 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.
3. 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. To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.
5. To ensure that the proposed development can be adequately drained;  
To ensure that there is no increase in flood risk on or off-the site resulting from the proposed development or resulting from inadequate maintenance of the proposed surface water drainage system including the SuDS;  
To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development for the ongoing maintenance of the proposed surface water drainage system including the SuDS;  
To identify the responsible organisation/body/company/undertaker for the proposed SuDS;  
To ensure that water quality is not detrimentally impacted by the development proposal; and so comply with policy GN3 in the West Lancashire Local Plan.
6. To ensure that the proposed development has no detrimental impact upon protected species or their habitats and is in accordance with Policy EN2 of the West Lancashire Local Plan.
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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13. 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.
14. 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.
15. 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.
16. To ensure that the development would not be harmful to the amenities of nearby residents and therefore complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

**Note(s)**

1. The applicants intention is to store some 41 items of farming machinery and equipment. Although the equipment is intended to be stored indoors I am concerned that without the right measures in place there is a risk of pollution to groundwater and the local land

drainage system. Consequently I would advise the applicant to consult the Pollution prevention for businesses Guidance published by the Department for Environment, Food & Rural Affairs and Environment Agency.

### **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

EC2 - The Rural Economy

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.