

Agenda Item A6	Committee Date 19 th September 2011	Application Number 11/00603/FUL
Application Site Land Off A6 Scotland Road Warton Lancashire	Proposal Erection of proposed new workshop, parts store, showroom, display areas and associated landscaping, access, car parking and drainage works	
Name of Applicant Rickerby Limited	Name of Agent Mr Steven Abbott	
Decision Target Date 31 August 2011	Reason For Delay	
Case Officer	Ms Petra Williams	
Departure	Yes	
Summary of Recommendation	Approve subject to receipt of details regarding satisfactory external material, Arboricultural Impact Assessment and resolution of parking issues.	

1.0 The Site and its Surroundings

- 1.1 The site that forms the subject of this application is a low lying agricultural field with a site area of 0.65 hectares, that sits approximately 1m below the level of Scotland Road (A6). The western boundary of the site is marked by a raised embankment (approximately 6m above site level) which carries the West Coast Mainline. This creates a thin ribbon of land running north-south between these two transport corridors. The site boundaries comprise a mature field hedge on the northern boundary, post and wire fencing alongside the railway embankment and a post and wire fence along the eastern boundary with a mixed tree and hedgerow scrubland occupying an area between the field boundary and the A6 footway. The eastern boundary of the site abuts the A6 which is intersected by the A601(M) Junction 35a roundabout. The existing access to the site is via a field gate off the A6 at the northern end of the eastern boundary. Substantial tree coverage on the roundabout provides screening of the site from the eastern approach.
- 1.2 The site is located approximately 1.5km north of the centre of Carnforth and is disconnected from the town's urban area. The Pine Lake holiday complex is situated to the north east of the site on the opposite side of the A6. To the immediate south there is an area of low-lying wetland which in turn abuts the Local Authority Recycling Centre. Opposite the Recycling Centre, on the other side of the A6 there is a transport service station (Truckhaven). Agricultural land lies to the north of the site and to the west of the railway line.
- 1.3 There is a public footpath running in a south-west/north-east direction along the eastern boundary of the site and the adjacent A6 is served by buses running to and from Lancaster via Carnforth to the south, and to and from Keswick via Kendal to the north. The site is approximately 1.9km from National Cycle Network Route 6 and Regional Route 90. The nearby A601 (M) provides access to the M6 motorway which is approximately 1.5km to the south.

- 1.4 The site is identified as being within the Countryside Area on the Lancaster District Local Plan proposals map. The site itself does not fall within any built conservation or nature conversation areas but it is immediately adjacent to the Arnside and Silverdale Area of Outstanding Natural Beauty which is situated to the west of the site with its eastern boundary abutting the West Coast Railway line.

2.0 The Proposal

- 2.1 The applicant, Rickerby Ltd is an established agricultural machinery and equipment sales and servicing company. They have a network of branches incorporating machinery maintenance workshops, from which they serve the agricultural industry throughout the North of England and Southern Scotland.

It is the applicant's case that this type of business supports the rural economy and in particular the agricultural industry. They now require new and improved larger premises to replace their existing but inadequate rented base in Holme. This is necessary to enable Rickerbys to better serve their established customers in South Cumbria and Lancashire. In terms of a development site the applicant's stated requirements are:

- Minimum 1.5 acre site;
- On or close to main highway network, within the M6 corridor; and,
- Rural or edge of town location for access by the agricultural industry.

- 2.2 The proposal is for the creation of new buildings for both employment and sales purposes in relation to the agricultural machinery repair and sales, in particular the sale and repair of tractors and combines. The development proposals have been put forward in order to relocate an existing Rickerby outlet from approximately 6km away in Holme (Cumbria) to the Carnforth area. The development will operate on a 24/7 basis and will comprise:

- A workshop building (655sqm ground floor area) which includes a showroom area of 123.75 sqm. This building will include a mezzanine floor providing parts and tool storage as well as a managers office;
- An open fronted, covered display area building (296sqm ground floor area);
- An open display area;
- New access and roadway;
- Car parking (8 customer parking spaces (including 1 disabled bay), 5 staff parking bays, 3 internal van bays;
- Hard and gravel surfaced yards; and
- Vehicle washing bay.

The application states that the area to the immediate south of the site will be purchased by the applicant should planning permission be granted. The application describes this as a wetland area which is unsuitable for development and would be retained as a biodiversity habitat. However this piece of land is not within the submitted red edge plan.

- 2.3 The proposal will also necessitate the redesign of part of the roundabout adjacent to the site. This will involve the applicant working in conjunction with the Highway Authority (Lancashire County Council) to alter the design of the junction. This would involve realigning the A6 northbound carriageway to the east so that it would have a shape more consistent with a roundabout (rather than the almost straight approach lane it currently enjoys, which permits faster vehicle speeds). This would force vehicles arriving from the south to slow down on the approach the junction, thereby improving highway safety.

3.0 Site History

- 3.1 The applicant previously submitted an application for a screening opinion from the Local Planning Authority (LPA) regarding the proposed scheme. The screening opinion established that the proposal would not have significant effects on the environment in the context of the Environmental Impact Assessment Regulations, and as such an Environmental Statement is not required to accompany this application. The applicant has also engaged in pre-application discussions with the LPA over the course of a number of meetings.

4.0 Consultation Responses

4.1 The following responses have been received from statutory consultees:

Statutory Consultee	Response
United Utilities	No objections.
National Grid	No comments received within consultation timescale.
Network Rail	No objections.
Forward Plans (Policy Officer)	<p>Satisfied with letter dated 31st August 2011. This letter explains why the Carnforth area is preferable to other locations in the Lancashire area and also identifies that there are no other suitable sites in the Carnforth area which could be utilised for their business.</p> <p>Proposal is acceptable provided that the following issues are addressed:</p> <ul style="list-style-type: none"> • That conditions are considered to ensure that the premises are retained in the future for business which has some relation to the rural economy; • That the proposal considers the protection of land to the south of the site from future ribbon development, at pre-application stage the idea of protecting this land for its nature conservation was discussed. There no reference to this in the planning application this issue should be pursued with the applicant; • That the highway improvements proposed in this application are satisfactory to the County Council Highways Authority;
Environmental Management Team	No objection to this development providing surface water flow rate is not increased and remains as 'Greenfield runoff'. The yard indicates gravel, therefore must applicant must confirm is permeable. Building surface water drainage must be either soak-away or restricted.
Environmental Health	<p>No objections subject to the addition of conditions relating to:</p> <ul style="list-style-type: none"> • Noise assessment and control • Unexpected land contamination
Environment Agency	No objections in principle subject to the addition of conditions relating to a scheme for the provision of surface water drainage works
Tree Protection Officer	Object to the planning application pending submission of a detailed Arboricultural Implications Assessment.
County Ecologist	No comments received within consultation timescale
County Landscape Officer	No comments received within consultation timescale
Natural England	Awaiting comments.
Arnsdale & Silverdale AONB Unit	Awaiting comments.
County Highways	No objection in principle subject to clarification of parking provision, swept path analysis and the addition of conditions. The proposed re-alignment will require the applicant to enter into a legal agreement with the Highway Authority.

Carnforth Town Council	No objections – recommends approval in principle.
Warton Parish Council	No adverse comments. Points raised regarding the following: <ul style="list-style-type: none"> • Foul water drainage • Highlights some weaknesses in the Ecological Survey • Lack of information regarding how the wetland site will be managed • The wetland must not be used as a “biological filter bed”

5.0 Neighbour Representations

5.1 No comments received within consultation timescale.

6.0 Principal Development Plan Policies

6.1 National, Regional and Local planning policy are relevant to this proposal. The following list is of particular relevance and forms the principle policy framework for assessing the application:

6.2 National Planning Statements (NPS), Planning Policy Statements (PPS) and Planning Guidance Notes (PPG)

PPS1 (Delivering Sustainable Development) - Sets out Key Principles to ensure that decisions taken on planning applications contribute to the delivery of sustainable development. The key principles include : -

- 1 – Development plans should ensure that sustainable development is pursued in an integrated manner in line with core principles.
- 2 – Seeks to reduce energy use by the encouraging patterns of development, reducing the need to travel, reduce freight transport.
- 3 – Spatial approach to be at the heart of planning for sustainable development
- 4 – Promote high quality design

The Government is committed to promoting a strong, stable, and productive economy that aims to bring jobs and prosperity for all. In considering applications the Local Planning Authority should recognise the wider benefits economic development can bring, ensure that locations are available for economic development. Policies should promote mixed use developments for locations that allow the creation of linkages between different uses and can thereby create more vibrant places. Provide improved access for all to jobs, health, education, shops, leisure and community facilities, open space, sport and recreation, by ensuring that new development is located where everyone can access services or facilities on foot, bicycle or public transport rather than having to rely on access by car. Reduce the need to travel and encourage accessible public transport provision to secure more sustainable patterns of transport development. Planning should actively manage patterns of urban growth to make the fullest use of public transport and focus development in existing centres and near to major public transport interchanges; while recognising that this may be more difficult in rural areas.

With regard to design PPS1 advocates that good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.

PPS4 (Planning for Sustainable Economic Growth) - All planning applications for economic development should be assessed against the following impact considerations:

- Whether the proposal has been planned over the lifetime of the development to limit carbon dioxide emissions, and minimise vulnerability and provide resilience to, climate change;
- The accessibility of the proposal by a choice of means of transport including walking, cycling, public transport and the car, the effect on local traffic levels and congestion (especially to the trunk road network) after public transport and traffic management measures have been secured;
- Whether the proposal secures a high quality and inclusive design which takes the opportunities available for improving the character and quality of the area and the way it

- functions;
- The impact on economic and physical regeneration in the area including the impact on deprived areas and social inclusion objectives; and
- The impact on local employment.

Policy EC6 of this document refers specifically to Planning for Economic Development in Rural Areas and states that local planning authorities should ensure that the countryside is protected for the sake of its intrinsic character and beauty. Furthermore para EC6.2a advises that LPAs should strictly control economic development in open countryside away from existing settlements, or outside areas allocated for development in development plans.

PPS7 (Sustainable Development in Rural Areas) sets out the Government's overall aim is to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and so it may be enjoyed by all. This advice is also formally provided in PPS 4 – Planning for Sustainable Economic Growth, which supersedes certain paragraphs of PPS 7. When determining planning applications for development in the countryside, local planning authorities should continue to ensure that the quality and character of the wider countryside is protected and, where possible, enhanced. They should have particular regard to areas that have been afforded statutory designation for their landscape, wildlife or historic qualities. Major developments should not take place in these designated areas, except in exceptional circumstances. Key principles include:

1. Decisions on development proposals should be based on sustainable development principles, ensuring an integrated approach to the consideration of:

- Social inclusion, recognising the needs of everyone;
- Effective protection and enhancement of the environment;
- Prudent use of natural resources; and
- Maintaining high and stable levels of economic growth and employment.

2. Good quality, carefully-sited accessible development within existing towns and villages should be allowed where it benefits the local economy and/or community (e.g. affordable housing for identified local needs); maintains or enhances the local environment; and does not conflict with other planning policies.

3. Priority should be given to the re-use of previously developed ('brownfield') sites in preference to the development of greenfield sites, except in cases where there are no brownfield sites available, or these brownfield sites perform so poorly in terms of sustainability considerations (for example, in their remoteness from settlements and services) in comparison with greenfield sites.

4. Where urban development is planned to encroach into the countryside it would normally be expected to be planned through Development Plans. Exceptions in the form of departures need to be justified by very special circumstances.

PPS9 (Biodiversity and Geological Conservation) sets out planning policies on the protection and enhancement of biodiversity and geological conservation through the planning system. The aim of planning decisions should be to prevent harm to biodiversity and geological conservation interests. Where granting planning permission would result in significant harm to those interests, local planning authorities will need to be satisfied that the development cannot reasonably be located on any alternative sites that would result in less or no harm. In the absence of any such alternatives, local planning authorities should ensure that, before planning permission is granted adequate mitigation measures are put in place and appropriate compensation measures sought.

PPS25 (Development and Flood Risk) requires flood risk to be taken into account at all stages of the development process. PPS25 recognises that flooding cannot be wholly prevented, but its impacts can be avoided and reduced through good planning and management. A sequential risk-based approach should be applied to determining the suitability of land for development in flood risk areas is central to the policy statement and should be applied at all levels of the planning process.

Planning for Growth – Ministerial Statement from the Minister of State for Decentralisation, 23 March 2011. The Statement is capable of regarded as material planning consideration and carries

significant weight in determining planning applications. The Statement identifies that planning has a key role in rebuilding Britain's economy. The Government's top priority in reforming the planning system is to promote sustainable economic growth and jobs. The answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy.

Local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Consider likely economic, environmental and social benefits of the proposal including long term and indirect benefits such as consumer choice, more viable communities and more robust local economies.

The Draft National Planning Policy Framework - sets out the Government's economic, environmental and social planning policies for England. Taken together, these policies articulate the Government's vision of sustainable development, which should be interpreted and applied locally to meet local aspirations. Whilst it is a consultation document and therefore subject to potential amendment it nevertheless gives a clear indication of the Government's 'direction of travel' in planning policy. Therefore the Draft National Planning Policy Framework is capable of being a material consideration although the weight to be given to it will be a matter for the decision-maker's planning judgement in each particular case.

6.3 North West Regional Spatial Strategy (RSS) - adopted September 2008.

It is Government intention to revoke the RSS as part of the Localism Bill and as such this intention is a material consideration.

Policy DP7 (Promote Environmental Quality) seeks to protect environmental quality by, amongst other means, respecting the character and distinctiveness of places and landscapes; maintaining and enhancing the quantity and quality of biodiversity and habitat; the protection and enhancement of the historic environment; and maintaining tranquillity of the open countryside and rural areas.

Policy EM1 (Integrated Enhancement and Protection of the Region's Environmental Assets) - The Region's environmental assets should be identified, protected, enhanced and managed. Schemes should deliver an integrated approach to conserving and enhancing the landscape, natural environment, historic environment and woodlands, and where proposals affect these assets then mitigation and compensation for loss or damage should be a minimum requirement. Of particular relevance is Policy EM1 (A) which states that planning proposals should identify, protect and maintain distinctive features that contribute to landscape character in the Region. This approach recognises the importance of landscape character assessments undertaken by local authorities.

6.4 Saved Policies of the Lancaster District Local Plan (LDLP)- adopted April 2004

Policy E3 (Area of Outstanding Natural Beauty) – development within and adjacent to Areas of Outstanding Natural Beauty which would either directly or indirectly have a significant adverse effect upon the character or harm the landscape quality, nature conservation interests, or features of geological importance will not be permitted. Any development must be of an appropriate scale and use materials appropriate to the area.

Policy E4 (Countryside Area) – within the countryside development will only be permitted where it is in scale and keeping with the character and natural beauty of the landscape, is appropriate to its surroundings in terms of siting, scale, design, materials, external appearance and landscaping, would not result in a significant adverse effect on nature conservation or geological interests, and makes satisfactory arrangements for access, servicing, cycle and car parking.

Policy EC6 (Criteria for new Employment Development) - New employment development must maintain or improve the quality of the business environment and cannot be allowed to worsen local environmental conditions. Safeguards are also required to ensure that adjoining land-uses are not adversely affected by employment related activity. In Lancaster, Morecambe, Heysham and Carnforth new employment will be permitted which;

- Makes satisfactory provision for access, servicing, cycle and car parking;
- Is easily accessible to pedestrians and cyclists;

- Is appropriate to its surroundings in terms of siting, scale, design and external appearance;
- Uses high quality facing materials and landscaping treatment to frontages visible from roads and other public places;
- Provides for the screening of servicing and open storage areas from public frontages and from adjoining countryside;
- Makes satisfactory arrangements for the disposal of sewage and wastewater and does not have a significant adverse effect on water quality;
- Does not have significant adverse impact on the amenities of residents and businesses by reason of noise, smell, grit, visual intrusion, light, traffic generation or parking;
- Upgrades environmental conditions where these are unsatisfactory.

6.5 Lancaster District Core Strategy (LDCS) - adopted July 2008

Policy SC1 (Sustainable Development) - seeks to ensure new development proposals are as sustainable as possible, minimise greenhouse gas emissions and are adaptable to the likely effects of climate change. This policy requires development proposals to be integrated with the character of the landscape and where appropriate enhances biodiversity. The use of renewable energy technologies and the efficient use of land (previously developed land) are measures promoted by this policy.

Policy SC3 (Rural Communities) - seeks to build healthy sustainable communities by empowering rural communities to develop local vision and identity, identify and need local needs and manage change in the rural economy and landscape. Development should protect, conserve and enhance rural landscapes and the distinctive characteristics of rural settlements.

Policy SC5 (Achieving Quality in Design) – proposals should maintain and improve the quality of development in Areas of Outstanding Natural Beauty, Conservation Areas and other rural areas. New development should reflect the positive characteristics of its surroundings including the quality of the landscape.

Policy SC7 (Development and the Risk of Flooding) – Requires development proposals to be assessed in accordance with the search sequence set out in PPS25.

Policy ER2 (Regeneration Priority Areas) – Identifies Carnforth as a priority area which will be developed as a local service centre with the development of large derelict sites, relocation of poorly located uses and new pedestrian links.

Policy ER3 (Employment Land Allocations) – does not identify the site as being allocated for employment. Also provides an overview of how employment land is allocated and give six key criteria:

- Located within the main urban areas (Lancaster Morecambe and Carnforth);
- Be attractive to key sectors;
- Be located on previously developed land “as far as possible”;
- Be accessible to shops/ community facilities;
- Be connected to the M6 via suitable roads that do not pass through residential areas.

Policy ER5 (New Retail Development) – aims to focus need on regeneration and reinforcing the vitality and viability of existing centres.

Policy ER7 (Renewable Energy) - seeks to maximise the proportion of energy generated in the District from renewable sources where compatible with other sustainability objectives. The need for renewable energy must be balanced against landscape impacts, local amenity, habitats and species, farming and land based industries and local transport networks.

Policy E1 (Environmental Capital) – its purpose is to improve the District’s environment by:

- protecting and enhancing nature conservation sites and landscapes of national importance, Listed buildings, conservation areas and archaeological sites
- minimise the use of land and non-renewable energy
- resist development which would have a detrimental effect on environmental quality and properly manage environmental risks such as flooding
- ensuring that development in the city of Lancaster and other historic areas conserves and

enhances their sense of place

- protect and where possible enhance habitats and the diversity of wildlife species, and conserve and enhance landscape

Policy E2 (Transportation Measures) – ensuring all major development proposals are accompanied by enforceable measures to minimise and mitigate the transport impacts of development.

7.0 Comment and Analysis

7.1 The main issues for Members to consider in the determination of this application are:

1. Policy Implications (the principle of development) and whether the applicant has made the exceptional case necessary to make a departure from planning policy acceptable;
2. Design, Setting, Character (design merits/landscape);
3. Tree/Hedgerow (environmental) Implications;
4. The highway implications of the proposal;
5. Flood Implications.

7.2 Principle of Development in this Location

Carnforth has been identified by the applicant as an ideal strategic location from which to serve the agricultural community in South Cumbria and Lancashire. The application states that the company has spent in excess of two years searching for commercial sites within the Carnforth area that are available for industrial use, and they have not found any that are suitable for their agricultural operation or readily available. The current site has been chosen due to good road connections to south Cumbria and north Lancashire. This is considered essential to the applicant's business not only for machinery delivery but also for ease of access to and from their farming customers. This site is also close to existing commercial uses along Scotland Road and other essential services (e.g. Booths Supermarket, Carnforth Town Centre). Although the proposal relates to a previously undeveloped site and is therefore a departure from planning policy, it is acknowledged that the specific requirements of the business in question (i.e. the sale and repair of agricultural machinery) is bespoke and would be more appropriately located in a position outside of an urban centre.

7.3 National planning guidance and the recent "Planning for Growth" Ministerial statement identifies that planning has a key role in rebuilding Britain's economy. The answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy. The guidance seeks to direct economic development towards the main urban area with 5% of business directed to the rural areas. The location of such development should be close to one of the main village settlements laid down in policy SC3 of the Lancaster Core Strategy. Planning policy does however acknowledge that it can be difficult to locate all forms of rural enterprises in such locations. The type and nature of the economic proposal must also be considered; in this case, the application seeks to develop a workshop, showroom and display area in association for repair and sale of large agricultural machinery and vehicles. By its very nature this type of business serves a large radius of local farming enterprises, particularly in the Lune Valley and it is considered that the type of the business is one which demands a rural or rural fringe location.

7.4 The general principle for either a sales (retail) or employment proposal would be to find a suitable and appropriate site in a central and accessible location which can be accessed by variety of means of transport; for instance a town centre location or a site allocated for a specific employment use. However, the information provided does set out a number of reasons as to why the application site may be more suitable and that in this circumstance the general principles applied to employment proposals should be afforded less weight. Particularly that the nature of the business generates significant movement of farm traffic from rural areas, which would make it inappropriate to locate such a business in a centre of town location. An accessible location outside of the main settlement is seen as the most preferable for the future growth of this business.

7.5 The site is outside areas of land allocated for industrial development within the Lancaster District Local Plan. Whilst the site is well screened from its surroundings and is relatively self-contained, any proposal here would effectively create an isolated development on this side of the A6. The site is however close to existing industrial development, including Lancashire County Council's own depot to the south, the Transport Service Area to the East (Truckhaven) and also the Pine Lake Hotel,

Chalet complex. It is argued that the application site is relatively poor low-lying agricultural land and is difficult to farm economically due to the field's small size, awkward shape and difficult access for today's forage harvesters and other agricultural machines. Nevertheless the issue of uncontrolled development to the north of Carnforth is a concern and should Rickerby Ltd vacate the premises in the future then the Local Authority may fall under pressure to allow an alternative use. However each case must be determined on its own merits in accordance with planning policies and it is not appropriate to prejudge the outcome of any future proposals for this site.

7.6 Consideration of Other Sites

Throughout the pre-application process the applicant was advised to investigate alternatives to greenfield site development. The overriding desire of Rickerbys is to be sited within the Carnforth area, due to its good transport connections and its desire to be at the heart of the Cumbria/Lancashire area that it needs to serve.

One option involved the potential relocation to Carnforth (Kellet Road) Business Park, which has a part-outline, part-full planning permission. Development of the 'full' elements has recently commenced on site, although it is understood that the units that benefit from the full planning permission have already been allocated to end users. The site was investigated and the applicant advises that the agents acting for the landowner informed that it would be approximately 2 years before land would be available on site. This would also be subject to a Reserved Matters application too. The cost of the land was also cited as a reason why the site would not be financially viable. The applicant has produced figures quoted to them per acre, and these are clearly figures associated with higher-end 'business park' uses rather than an agricultural-related enterprise

7.7 The other major location considered was the TDG site on Warton Road, Carnforth. This site is imminently due to be marketed and the LPA has aspirations for a mixed use development in this location, taking advantage of its central position within Carnforth. It was not considered appropriate for the Rickerbys business due to the transport constraints posed by Market Street, particular with regard to large vehicles. Although it is anticipated by the applicant that the development would not generate high volumes of traffic, it would generate trips by large commercial vehicles from time-to-time as well as agricultural vehicles. District Core Strategy Policy ER2 already acknowledges existing problems faced by HGVs dealing with poor access through Carnforth. This site was dismissed for these reasons.

7.8 The applicant has also submitted marketing information for an existing commercial site (Rogerson's) at Yealand Conyers. However this is office space within existing buildings which are available for rent and as such the site would not be suitable for the business operations of Rickerby Ltd.

7.9 Other allocated employment sites within Carnforth which were considered by the applicant include Millhead, where there is no land currently available and which would present similar highway issues as the TDG site given its location. Lodge Quarry is fully-occupied at the present time; and Carnforth Levels, where again there is no land presently available. Having reviewed each of the sites outlined above the LPA is satisfied that none of them is suitable, available and viable to accommodate the proposed development (or a variant thereof).

7.10 It is argued in the application that the nearby developments (Pine Lake, Truckhaven and Keer Bridge Recycling Centre) already have a significant physical impact on the A6 'corridor' and were all granted permission in a similar development plan policy context as now; i.e. all are in the 'open countryside', but have appropriate justification of being located in their current position, and all are located outside the AONB which is on the opposite side of the railway embankment. The submitted Planning Statement point out that planning permission was granted for Pine Lakes and Truckhaven in 1986 and 1990 respectively. This was under the previous development plan. Also highlighted is the recycling depot which was granted consent in 1998. However this application was determined at County level rather than the Local Authority. The application also highlights three other business developments in the general locality which have been permitted by the Council since the year 2000 (although these are located in Yealand Conyers and Dock Acres, rather than in the immediate surrounds).

However it is argued that although situated within a rural location each of these examples involved redevelopment or change of use of previously developed sites.

7.11 Conclusion Regarding Principle of Location

In terms of location the proposal must be balanced against the provisions of PPS1, PPS4 and PPS 7 as well as the more recent Ministerial Statement "Planning for Growth". It is acknowledged that LPAs should strictly control economic development in the countryside away from existing settlements. However LPAs must also ensure that appropriate weight is given to the need to support economic recovery and that applications which secure sustainable growth are treated favourably (consistent with policy in PPS4) where this would not compromise the key sustainable development principles set out in national planning policy.

7.12 The proposal site is an agricultural field on the outskirts of a main urban area and would be developed for a specific end user for a use associated with agricultural activities. The site is reasonably well served by various transport modes and within a 10-15 minute walking distances of shops and services within Carnforth. Furthermore the site has excellent connectivity to the motorway network. The applicant has expressed a specific need to establish a business outlet within the Carnforth area and has satisfactorily demonstrated that other sites have been considered and that there are no other suitable and viable sites in the Carnforth area which could be utilised for their business.

7.13 It is therefore considered that the submitted information satisfies concerns over site location, although it should be noted that this view has been reached taking into account the applicant's agricultural-related business. This site would not satisfy the locational tests if it were for a non-agricultural business and this should be borne in mind if ever the site becomes vacated in the future.

Therefore, whilst the proposal constitutes a departure from planning policy the LPA accepts the case made by the applicant in terms of locational requirements.

7.14 Design, Setting and Character

Despite the presence of the adjacent road network and railway line, as well as the existing built development referred to in paragraph 1.2, the site itself is an agricultural field within the Countryside Area and adjacent to the boundary of the AONB. As such any development must be sensitive to its surroundings and should incorporate suitable materials and design in order to comply with saved Local Plan policies E3 and E4 as well as District Core Strategy policies EC6, SC3 and SC5. PPS 7 states (paragraph 12) that planning authorities should take a positive approach to innovative, high-quality contemporary designs that are sensitive to their immediate setting.

7.15 The proposed development consists of a single storey workshop building with an associated parts store and sales reception for the servicing, repair and sales of large agricultural machinery. The workshop building will be built next to the eastern boundary and will have a low pitched roof (7.1m to pitch and 6m to eaves). The workshop will be accessed by three sectional overhead doors, one to each workshop bay whilst the store are will have its own sectional overhead delivery door together with a main customer entrance to the sales reception at the front of the office. Adjacent to the workshop building will be a machinery storage building built along the northern elevation which will be open on one side (6.5m to pitch and 5.7m to eaves). Adjacent to the machinery storage building it is proposed to site a vehicle wash-bay with its associated silt trap. Externally it is proposed to provide a concrete pavior apron to the workshop and parts store within the remaining area of the secure yard having an open gravel finish. In general design terms the proposal is considered to represent an appropriate form and scale.

7.16 The proposed materials for the workshop and sales building are white profile clad walls, profiled dark grey roofing sheets, white aluminum framed windows, dark grey doors and white rainwater goods. The open, covered display building will have vertical timber open jointed weatherboarding to two sides with one (western) gable profiled dark grey wall sheets and profiled dark grey roofing sheets

7.17 The application points to existing tree and hedge screening around the site and the lower site levels compared to the adjacent A6 and railway line. Nevertheless the policies referred to in 7.14 above seek to protect it from any development that may directly or indirectly have a significant adverse effect upon their character, or harm the landscape quality, nature conservation or important geological features. Whilst the general design of the buildings and site arrangement is acceptable, the proposed use of white cladding to the exterior of the development would not reflect the typical characteristics of buildings within the rural landscape. Officers are concerned that the development

would present itself as a stark and incongruous feature. The application argues that the proposed use of white is necessary as it is part of the company's 'house' colours which are an important business consideration. However in planning terms the use of white cladding remains inappropriate in this location and is an issue of significant concern. Therefore Members are advised that in order for the application to be considered favorably this issue regarding external materials must be addressed to the satisfaction of the LPA. A remedy was proposed during pre-application which would see the introduction of a more appropriate colour (e.g. green, brown etc) but the retention of a 'white strip' around the building with the Rickerbys name contained therein. Members will be advised of developments regarding this issue at the meeting.

7.18 Trees and Hedgerow

The submitted Design and Access Statement (DAS) acknowledges the importance of the screening offered by the existing trees and hedgerow within the site. The DAS states that the existing mature field hedgerow along the northern boundary will be retained and that the only break in the existing boundary planting will be where the new access is proposed, which will involve the removal of a 30m stretch of planting. It is proposed that native species hedging is extended into the site for a short distance on each side of the new access road.

7.19 There are no tree preservation orders or conservation area constraints affecting trees within or immediately adjacent to the proposed development site. However there are important mixed species hedgerows and mature trees principally to the south of the site and along traditional boundary lines. The trees and hedgerows act as an important buffer zone between the greenfield site and the public domain. They have the potential to provide extremely important screening again between the proposed development and the busy A6 public highway to the east and West Coast mainline that is immediately west of the site.

7.20 Trees and hedgerows include species of beech, hawthorn, maple, cherry, goat willow, crab apple rowan, elder and lime; an important resource for a range of wildlife communities. The DAS outlines an intention to retain existing trees and hedgerows within and around the site and undertake additional tree planting to maintain the existing greening and screening benefits. However an Arboricultural Impact Assessment (AIA) has not been submitted. This is considered essential as trees and hedgerows are implicated by the development proposals. There is potential for damage to trees as a result of a number of different construction works and activities which may result in the loss of tree health, stability, vitality and sustainability beyond the development period leading to a significant loss in amenity. The need for an AIA has been raised with the agent who has indicated an intention to submit the necessary information for review by the Tree Protection Officer prior to application determination. An update on tree issues will be provided to Members at Committee, but it is envisaged that a satisfactory AIA can be presented by the applicant.

7.21 Highway and Transport Matters

The development is in close proximity to the public highway network, bus routes, and public footway, whilst Carnforth Railway Station is approximately 2km away. Access to the development will be relocated to a central point within the eastern boundary while the existing access will be gated and used for emergency access only. The vehicle access must be able to accommodate a wide range of agricultural vehicles to manoeuvre safely to and from the site. The proposed development will be accessed from a new arm to the A6/A601(M) roundabout junction on its western side. The realignment of the northbound Scotland Road has been agreed in principle with Lancashire County Highways Officers (pre-application) and will provide much improved deflection on this approach, allowing the safe provision of the new access on the west side of the roundabout and benefitting other users of this junction. The design, procurement and supervision of works within the public highway will be carried out by the highway authority (County via a legal agreement entered into with the applicant).

7.22 It is considered that the visitors to the site will be not just specific to the agricultural related business, but will be pre-determined visits (i.e. to repair or purchase agricultural equipment) and therefore the site will not appeal to the general public. As such the submitted Transport Statement predicts that the development will have minimal impact on traffic generation. This prediction is based on a traffic survey of an existing branch of Rickerbys in Penrith, which is similar to that proposed at Carnforth in terms of building size and parking spaces. This demonstrated a low number of vehicle movements within peak hours.

7.23 The development will include 8 customer parking spaces (including 1 disabled bay), 5 staff parking bays, cycle parking and 3 internal van bays. However the development is likely to be car-reliant and therefore adequate parking must be provided for staff and visitors. As such the Highways consultee has requested an increase in on-site parking provision to a total of 24. The agent has argued that although the applicant is willing to provide more on-site parking space, this is not necessary due to the breakdown of how people will work on the site:

- 2 salesmen – spend the majority of time out on farms, where most sales take place;
- 2-3 storemen – work in the in the parts store; and
- 7-11 technicians – work in the workshop and out on site repairing machinery. Their vans will be parked in the yard and will not use the staff parking area.

The LPA is minded to side with the applicant in this regard, given the working arrangements above and the potential for the business to influence travel patterns. To this end a condition is imposed requiring a Staff Travel Plan to be submitted and approved by the LPA prior to the business first operating from the site.

7.24 Flood Risk Issues

The application site lies within Flood Zone 3, which is defined as having a high probability of flooding. However the proposed development is classified as “less vulnerable” within PPS25. The submitted Flood Risk Assessment (FRA) is considered acceptable by the Environment Agency who are satisfied that the proposed development does not pose an unacceptable risk of flooding or exacerbate flood risk elsewhere, provided that the mitigation measures identified within the FRA are implemented. It is proposed to drain the site via a sustainable urban drainage system, and a detailed drainage scheme has been submitted.

7.25 The site drains naturally from North to South with the southern half of the site from the narrow point southwards being relatively wet. There is an open culvert under the railway embankment at the narrow point of the field and a ditch adjacent to the railway embankment at the southern end of the site which leads to a second culvert under the railway embankment. Both these culverts lead to ditches on the West of the railway embankment which in turn lead to the River Keer. The proposed finished ground floor level throughout the occupied building is 300mm above the existing surrounding ground level which places the proposed floor at 7.1m Above Ordnance Datum (AOD), which is above the contingency level of the possible rise in sea level and is above the 1:100 year flood level of the River Keer. It is considered that the development therefore would satisfactorily comply with the provisions of PPS25 and Core Strategy Policies E1 and SC7.

7.26 Biodiversity

PPS9 outlines the Government’s objectives with regard to biological and geological diversity and seeks to ensure that it is conserved and enhanced so that development can integrate biodiversity and geological diversity with other considerations. In this case geological diversity is not an issue with regard to the application site. However, wetland area to the south between the development site and the Council Depot has some ecological value (albeit it is not designated, even at the local level). Nevertheless an ecological survey of this area has been submitted and it concludes that the proposed development will not detrimentally impact the biodiversity of the wetland area. The application states that this area of land will be purchased by the applicant and will remain undeveloped. Although the site does not fall within the red edge of the submitted plans it is envisaged that the management of this land as a biodiversity resource can be controlled via a Grampian-style planning condition.

7.27 Renewable Energy

The DAS gives consideration to alternative energy sources and relevant green building issues and proposes that the development will incorporate low-energy lighting. High efficiency oil boilers will be installed incorporating automatic controls that will shut down the workshop heating when the overhead doors are opened. It is also proposed that the building will be highly insulated and the low pitch roof design will minimise thermal heating demand and maximise efficiency. Rainwater harvesting was also considered as an option but considered to be an unviable option due to the

predicted low water usage on site.

7.28 Rural Employment

When considering schemes involving economic developments in rural areas, PPS4 states that local planning authorities should adopt a positive approach to proposals which secure sustainable economic growth with particular regard to accessibility, quality of design, impact on the economic and physical regeneration of an area and the impact on local employment. It is acknowledged that in terms of rural employment the scheme will be beneficial to the Carnforth area it is proposed to initially employ 11 people with a view to this figure increasing to 16.

8.0 Planning Obligations

- 8.1 As outlined in paragraph 7.17 of this report the development will necessitate the realignment of the adjacent A6/A601 (M) roundabout junction. As the measures proposed relate to works on highway land they should be secured by way of a Section 278 agreement and this package of highway improvements is offered as part of the submission.

9.0 Conclusions

- 9.1 The subject site is currently undeveloped and falls outside the urban area. The amount of development proposed would urbanise an area of greenfield land on the main approach to the market town of Carnforth. The proposed development will constitute a limited, but welcome rural employment opportunity and to a degree lessen the need for commuting out of the locality. The applicant is an existing employer in an agricultural related business who is unable to relocate to an alternative site which is available and viable within the Carnforth Area.
- 9.2 The key issues focus on the principle of the location and the proposed materials of the buildings. Other matters of concern relate to the area of land to the south of the site, parking provision and tree protection matters. It is anticipated that the latter issues can be satisfactorily resolved prior to Committee, although the former issues are primary considerations.
- 9.3 In seeking to balance the relevant policy drivers associated with this application it is considered that significant weight should be given to the provisions of PPS4 and 'Planning for Growth', provided other development principles are not compromised. In planning policy terms, it is accepted that there are no available allocated employment sites that could accommodate the proposed development and due to the nature of agricultural-related enterprise and the operational requirements of the applicant's business, an exceptional case has been made. However the development is within the Countryside Area and adjacent to an AONB and as such the external materials should reflect the character and quality of the rural area. It is considered that if this, along with the outstanding tree assessment issue can be satisfactorily addressed the application can be recommended for approval.

Recommendation

That **PLANNING PERMISSION BE GRANTED** subject to the following conditions:

1. Time limit – 3 years
2. Approved plans
3. External materials
4. Surfacing treatment
5. The level of the access at the application site shall be constructed 0.150m above the crown level of the carriageway of Scotland Road.
6. Before the access is used for vehicular purposes, that part of the access extending from the highway boundary, for a minimum distance of 10m into the site shall be appropriately paved in bituminous macadam, concrete, block pavers or other approved materials.
7. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and the vehicular turning space shall be laid out and be available for use before the development is brought into use.
8. Wheel cleaning facilities
9. Any external source of lighting shall be effectively screened from the view of a driver on the adjoining public highway.

10. Luminance Limits condition
11. No part of the development shall be commenced until all the highway works have been constructed in accordance with a scheme which shall be submitted to and approved by the LPA in consultation with the Highway Authority.
12. Staff Travel Plan to be agreed
13. Scheme for construction of site access and off site works
14. Noise impact assessment
15. Hours of vehicle repair and maintenance work outside the buildings shall restricted to 0700-1800
- 16.. Unforeseen land contamination
17. Implementation of flood risk mitigation measures identified within the FRA
18. Maintenance/management of the wetland area south of the site.
19. Implementation of tree protection plan
20. Implementation of arboricultural method statement (subject to receipt of details prior to Committee)
21. Landscaping (new tree planting)
22. Maintenance regime for trees
23. Scheme for the provision of surface water drainage works

Human Rights Act

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

Background Papers

None.