

<b>Agenda Item</b> A13	<b>Committee Date</b> 16 October 2017	<b>Application Number</b> 17/00947/FUL
<b>Application Site</b> Craggs Of Conder Green Thurnham Mill Thurnham Lancaster	<b>Proposal</b> Erection of extension to existing agricultural retail premises, and change of use of agricultural retail storage area to general self-storage units (B8)	
<b>Name of Applicant</b> Mr Richard Cragg	<b>Name of Agent</b> Mr Luke Godden	
<b>Decision Target Date</b> 3 October 2017	<b>Reason For Delay</b> Committee cycle and call in request from Member at 6 weeks	
<b>Case Officer</b>	Mrs Petra Williams	
<b>Departure</b>	No	
<b>Summary of Recommendation</b>	Refusal	

**(i) Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, a request has been made by Councillor Helen Helme for the application to be reported to the Planning Committee on the basis that the proposal supports a local business which should be encouraged in the countryside.

**1.0 The Site and its Surroundings**

- 1.1 The application site is an agricultural machinery sales and repairs business located in the rural area of Conder Green which is geographically dispersed. The subject building is double pitched and comprises brown metal cladding and rendered elevations. Craggs of Conder Green is a business aimed at farmers and deals with machinery sales, repairs and servicing. The premises include a forecourt, showroom and workshop for repairs and maintenance work as well as an area for the storage of stock associated with the existing site operations. To the front of the building there is a forecourt which accommodates parking for staff, visitors and deliveries. The forecourt is also used for the display and storage of machinery and equipment which the business either hires out or offers for sale.
- 1.2 Mill Cottages are located to the immediate west of the site and Mill Farm lies to the south. Lancaster Canal runs to the north-east of the site approximately 65 metres away. A restaurant/hotel (The Mill) is located 100 metres to the south. The site is approximately 250 metres to the south-east of Lancaster Road and approximately 1.7km from the village of Glasson Dock, 2km from the village of Galgate (as the crow flies) and approximately 5km from the centre of Lancaster.
- 1.3 The site is within the Countryside Area as designated on the Lancaster District Local Plan proposals map and is within Flood Zones 2 and 3.

## **2.0 The Proposal**

- 2.1 The plans propose a change of use to an existing agricultural retail storage area in order to house self-storage units (B8) for general storage purposes (i.e. not related to the agricultural business). Self-storage facilities generally provide space for rent to individuals on a short-term basis. An extension to the existing building is also proposed in order to move the existing agricultural retail stock into this new space, thereby freeing up the existing agricultural retail storage space for non-agricultural purposes.

## **3.0 Site History**

- 3.1 There is a limited planning history associated with the site as follows:

Application Number	Proposal	Decision
17/00451/FUL	Erection of an extension to existing agricultural machinery storage building, change of use of agricultural machinery workshop to general storage (B8) and resurfacing of external hardstanding to the north	Refused
04/00878/FUL	Erection of agricultural machinery sales and repairs building	Permitted
95/01309/FUL	Replacement of dilapidated building with new portal frame building	Permitted

## **4.0 Consultation Responses**

- 4.1 The following responses have been received from statutory and non-statutory consultees:

Consultee	Response
Environment Agency	<b>No objections</b> subject to a condition that ensures the development is constructed in accordance with the submitted plans which will provide an provides an unobstructed access strip of 10m from the base of the Environment Agency raised flood defence.
Environmental Health	<b>No comments received</b>
County Highways	<b>No objections</b>
Canal and Rivers Trust	<b>No comments</b> to make as the application falls outside their remit
Parish Council	<b>No comments received</b>

## **5.0 Neighbour Representations**

- 5.1 No comments received.

## **6.0 Principal National and Development Plan Policies**

### **6.1 National Planning Policy Framework (NPPF)**

Paragraphs 7, 14 and 17 – Sustainable Development and Core Principles  
Paragraph 28 – Supporting economic growth in rural areas  
Paragraph 32 – Access and Transport  
Paragraphs 56, 58 and 60 – Requiring Good Design  
Paragraphs 100 and 103 – Meeting the challenge of flooding.  
Paragraph 109 – Protecting valued landscapes and minimising impacts on biodiversity  
Paragraph 118 – Conserving and Enhancing Biodiversity

### **6.2 Local Planning Policy Overview – Current Position**

At the 14 December 2016 meeting of its Full Council, the local authority resolved to undertake public consultation on:

- (i) The Strategic Policies and Land Allocations Development Plan Document (DPD); and,
- (ii) A Review of the Development Management DPD.

This enabled progress to be made on the preparation of a Local Plan for the Lancaster District. Public consultation took place from 27 January 2017 to 24 March 2017. Whilst the consultation responses are currently being fully considered, the local authority remains in a position to make swift progress in moving towards the latter stages of: reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

#### 6.3 Lancaster District Core Strategy (adopted July 2008)

SC1 – Sustainable Development  
SC5 – Achieving Quality in Design

#### 6.4 Lancaster District Local Plan - saved policies (adopted 2004)

E4 – Countryside Area

#### 6.5 Development Management Development Plan Document (DM DPD) Policies

DM7 – Economic Development in Rural Areas  
DM15 – Proposals Involving Employment Land and Premises  
DM20 – Enhancing Accessibility and Transport Linkages  
DM21 – Walking and Cycling  
DM27 – Protection and Enhancement of Biodiversity  
DM28 – Development and Landscape Impact  
DM29 – Protection of Trees, Hedgerows and Woodland  
DM35 – Key Design Principles  
DM38 – Development and Flood Risk

### **7.0 Comment and Analysis**

#### 7.1 The main issues to be considered in the determination of this application are:

- Principle of the development
- Siting, scale and appearance
- Flood risk
- Highways and parking issues

#### 7.2 Principle of the development

##### 7.2.1 Policy SC1 of the Core Strategy promotes sustainable development, in terms of its location, and sets out that development should be located where it is convenient to travel to and from the site by walking, cycling and public transport. Policy DM20 of the Development Management DPD sets out

that proposals should minimise the need to travel, particularly by private car, and maximise opportunities for the use of walking, cycling and public transport. In relation to economic development in rural areas, Policy DM7 sets out that proposals which maintain and enhance rural vitality and character will be supported where it is demonstrated that they improve the sustainability of rural communities by bringing local economic, environmental and community benefits. The NPPF also places significant weight on supporting economic growth and encourages the expansion of existing rural businesses (paragraphs 19 and 28).

- 7.2.2 The existing operation is a rural business located within the geographically dispersed area of Conder Green. It is in the designated countryside, divorced from main settlements containing services and main public transport routes. The site does not have any formal allocation for employment purposes but has been operating since the 1970s as a business for agricultural machinery sales and repairs. The showroom and workshop are limited to the sale, repair and servicing of agricultural machinery and equipment by a planning condition attached to planning permission 04/00878/FUL. Given the rural nature of this business, the existing use is considered to be consistent with local planning policy, particularly in reference to Policy DM7 of the adopted Development Management DPD.
- 7.2.3 The proposal is in 2 parts - erection of an extension to the existing agricultural retail premises to serve the existing business and a change of use of the existing agricultural retail storage area to general storage (B8). The non-agricultural storage use would be a new element to the business on the site. The creation of self-storage units in this location is not considered to be consistent with Policy DM7 and in particular does not accord with the approach taken in criterion (i) of DM7 which sets out that development within the rural area will be supported in principle where it relates to essential operations for agriculture. Whilst diversification of rural business is supported in principle where it has been demonstrated that there are economic, environmental and community benefits, it is not considered that such benefits exist in this case. Although an extension in relation to the existing business operations would be acceptable, the development of non-agricultural storage and distribution uses (B8) should be directed towards allocated employment areas within sustainable urban areas of the District.
- 7.2.4 There would also be a degree of conflict with policies DM15 and DM20 due to the lack of accessibility for walking and cycling and the non-sustainable travel patterns that would result from the B8 use in this location. The submission sets out that the proposed operations would make use of existing business vehicles, in which a collection and delivery service of items in the self-storage units could be offered. However, this is not a sustainable solution and furthermore such an arrangement would be difficult to impose by condition. The supporting documents also highlight the proximity of a bus stop to the site, but this is currently only an hourly service and the nearest identified bus stop is by The Stork public house some 550m away.
- 7.2.5 The submission argues that the proposal falls under criteria VI of policy DM7 which offers support to economic development in rural areas where an extension or change of use accords with other local plan policies. However, for the reasons set out above this is not the case and it is considered that the principle of an open B8 use in this location is unacceptable.
- 7.2.6 The site is located in the open countryside in a relatively isolated position in terms of services and facilities. Whilst it is important that planning decisions support a strong and prosperous rural economy, in accordance with paragraph 28 of the NPPF, in terms of the economic and social dimensions of sustainability it is considered that the current proposal is unsustainable and no exceptional justification has been provided for the development of a B8 use in this location which is wholly unrelated to the existing business. The proposal is therefore considered to be contrary to the Core Strategy and Development Management Policies set out above in addition to the aims and objectives of the NPPF and therefore the principle of the scheme is unacceptable.
- 7.3 Siting, scale and appearance
- 7.3.1 The proposed extension would be located to the rear (south-east elevation) of the existing building with a footprint of 23 metres by 12 metres. The profile of the extension will reflect that of existing with an eaves height of 4.2 metres and a ridge height of 5.8 metres. Materials will match existing. It is considered that in terms of siting, scale and appearance the proposal would be acceptable and would not result in adverse impacts on the surrounding Countryside Area.

#### 7.4 Flood risk

7.4.1 The site is within Flood Zones 2 and 3. The existing and proposed uses are classed as less vulnerable which is acceptable within Flood Zone 3a. The finished floor levels of the proposed development would be set a minimum of 600mm above the general ground level and flood proofing measures could be implemented to ensure future visitors would not be at an unacceptable level of risk from flood water. The existing ground level of the site is 6 metres AOD. Finished floor levels of the buildings are therefore to be set at 6.6 metres AOD. The submission has been considered by the Environment Agency consultee who is satisfied with the layout of the submitted plan which provides an unobstructed access strip of 10 metres from the base of the Environment Agency's raised flood defence. The submission is considered to accord with the provisions of policy DM38.

#### 7.5 Highways and parking issues

7.5.1 The site is accessed via a narrow lane off Lancaster Road to the north-west. This lane also serves Thurnham Mill Cottages, Mill Farm and The Mill Inn. As highlighted above there is an existing forecourt to the front of the site which at the time of the site visit was occupied by some items of farm equipment but also provided parking for at least 8 vehicles.

7.5.2 The proposal has been considered by the County Highways consultee who is satisfied that sufficient parking facilities (including turning provision) would be available within the application site to accommodate the increased level of parking which the self-storage facility is likely to generate, in addition to existing parking facilities relating to the established business. It is therefore considered that the scheme is acceptable from a highways and parking perspective.

### **8.0 Planning Obligations**

8.1 There are no planning obligations to consider as part of this application.

### **9.0 Conclusions**

9.1 Whilst a small scale extension to accommodate an expansion of the existing business may be acceptable, the proposal in its current form seeks to incorporate a B8 use which is unacceptable in this rural location. Therefore, in terms of the economic and social dimensions of sustainability, the site is not considered to be sustainable and no exceptional justification has been provided for the proposal in this location. The scheme is therefore considered to be contrary to the Development Management DPD policies in addition to the aims and objectives of the NPPF and as such the application cannot be viewed favourably.

### **Recommendation**

That Planning Permission **BE REFUSED** for the following reasons:

1. The site is in an unsustainable location within the open countryside, remote from services. The submission does not provide sufficient justification to warrant the creation of a B8 use in this isolated rural location. As a consequence, the proposal is contrary to the aims and objectives of Policy SC1 of the Lancaster District Core Strategy, Policies DM7, DM15 and DM20 of the Development Management Development Plan Document and the National Planning Policy Framework, in particular the Core Principles and Section 3.

### **Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015**

In accordance with the above legislation, the City Council can confirm the following: Lancaster City Council takes a positive and proactive approach to development proposals, in the interests of delivering sustainable development. As part of this approach the Council offers a pre-application service, aimed at positively influencing development proposals. Regrettably the applicant has failed to take advantage of this service and the resulting proposal is unacceptable for the reasons prescribed in this report. The applicant is encouraged to utilise the pre-application service prior to the submission of any future planning applications, in order to engage with the local planning authority to attempt to resolve the reasons for refusal.

**Background Papers**

None