
Appeal Decision

Site visit made on 10 December 2019

by R Cooper BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th February 2020

Appeal Ref: APP/M2325/W/19/3237814

Land south of Mile Road, Greenhalgh, Greenhalgh with Thistleton PR4 3YA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Edward Ashton against the decision of Fylde Borough Council.
 - The application Ref 19/0428, dated 24 May 2019, was refused by notice dated 14 August 2019.
 - The development proposed is the erection of an agricultural storage building.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of an agricultural storage building at land south of Mile Road, Greenhalgh, Greenhalgh with Thistleton PR4 3YA in accordance with the terms of the application, Ref 19/0428, dated 24 May 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following plans: Location plan – Scale 1:2500 and Drawing no. ML/EA/5824.
 - 3) The development shall be carried out in accordance with the recommendations in the ecology report (envirotech, Ref 4732, dated 25 July 2018).

Main Issues

2. The main issues are whether the appeal site is a suitable location for the proposed development, having regard to the Council's policies for the distribution of development in the countryside; and the effect of the proposed development on the character and appearance of the area.

Reasons

Location of Development

3. The appeal site is located within the countryside. Policy GD4 of the Fylde Local Plan to 2032 (the Local Plan) allows for certain types of development, which are considered to be acceptable in countryside locations. The policy, among other things, supports development needed for purposes of agriculture, horticulture or forestry.

4. The appellant's statement explains that the appeal site forms part of 3.6 hectares of agricultural grassland, and that the land previously formed part of a larger agricultural holding known as Summerer Farm. The appellant's proposal is to continue the agricultural use of the land, and to utilise the building for the storage of agricultural machinery, equipment and hay produced from the associated land.
5. I have considered local resident's and the Council's concerns in relation to the need for a building of this size, that the appellant has failed to demonstrate it is needed for the purposes of agriculture, and whether it is a commercially viable agricultural enterprise, and that the building could be re-utilised for an unsuitable use if the agricultural enterprise fails. However, these are not specific requirements of Policy GD4 of the Local Plan or the guidance provided in paragraph 83 of the National Planning Policy Framework (the Framework). Indeed, the above policies support the development and diversification of agricultural and other land-based rural businesses to support a prosperous rural economy.
6. I have considered the financial information provided by the appellant, and the Council's concerns in relation to the level of detail, and the profits estimated in the business plan. However, even I accept the limitations highlighted by the Council, the additional information does go beyond what is reasonably required by the relevant policies. Furthermore, its preparation by the appellant demonstrates that he has considered the running costs of the proposal, supporting his intentions to use the building for agriculture. I also note that the evidence suggests that there are no existing buildings associated with the appellant's land to support the agricultural use.
7. Based on the evidence before me the proposal would be consistent with this approach of supporting the rural economy. I am satisfied that the proposed agricultural storage building accords with Policy GD4 of the Local Plan and paragraph 83 of the Framework, and that there are no other material considerations in this particular case that indicate that the plan should not be followed. I have considered the High Court decision¹ referred to by the Council, however this does not alter my findings in relation to the proposal's consistency with the Local Plan and the Framework.
8. Therefore, the proposed countryside location of the agricultural building is considered to be acceptable. The development accords with Policy GD4, which amongst other things, limits new development in the countryside to that for purposes of agriculture, horticulture or forestry. Furthermore, the proposal is also consistent with paragraph 83 of the Framework which supports development that contributes to a prosperous rural economy.

Character and Appearance

9. The appeal site is located within an existing agricultural field. The field is bounded along all sides by mature hedgerow, with a pond located to the southeast of the site. The proposed building would be functional in design and appearance. The elevations would be constructed in blockwork to the lower levels, with timber boarding to the upper levels. The overall building would have an agricultural character and appearance, typical of its countryside location.

¹ Broughton v SSE [1992] JPL 550

10. The building would be positioned near the existing field access off Mile Road, its entrance doors facing towards the road. Due to its scale, location, and the flat topography of surrounding land, the building would be prominent to passers-by, travelling in both directions along Mile Road (B5269) and from a greater distance along Fleetwood Road (Fleetwood Road). However, the lower levels would be screened offsite by the existing hedgerow, and the timber upper elevations would provide a natural finish that would be sympathetic to the surrounding rural landscape. I am satisfied that the agricultural design and appearance would respect the site's countryside setting.
11. Therefore, I conclude that the proposed building would have regard to its countryside location and would not cause harm to the character and appearance of the area. The proposal accords with Policy GD7 of the Local Plan which seeks to ensure development is of high quality design that responds positively to its context and setting. The proposal is also consistent with paragraphs 84, 127, 130 and 170 of the Framework which support rural development that is sensitive to its surroundings, and sympathetic to local character.

Conditions

12. The Council have suggested planning conditions in the event of this appeal being allowed. I also have considered the use of planning conditions following the guidance set out in the Planning Practice Guidance and the Framework. In addition to the standard time limit condition, I have included a condition that specifies approved drawings to provide certainty. I have not imposed a separate condition for materials, as these are shown on the approved drawings. I have also included a condition that the development is carried out in accordance with the recommendations of the ecology report to prevent risk to protected species.

Other Matters

13. There are three ponds within 250m of the appeal site, and the appellant has submitted a Great Crested Newt survey report (envirotech, Ref 4732, dated 25 July 2018). The report concludes that the risk to Great Crested Newts at the site is low. Recommendations are made to further reduce the risk to amphibians. The Council and its ecology advisor (Greater Manchester Ecology Unit) have accepted these findings. Based on this evidence I am satisfied that the measures proposed would prevent harm to protected species, and the proposal accords with Policy ENV2 of the Local Plan.
14. I understand concerns have been raised by a local resident in relation to another temporary building, used for motorcycle club events. These do not form part of the proposals before me, and therefore do not affect my findings.
15. A local resident raised concerns that the planning application did not identify the location of the building. Details of the buildings location and appearance have been provided with the appeal, and from the information before me, I am satisfied that the necessary public consultation has been carried out.
16. I have considered the concerns raised in relation to the provision of services such as electricity, water, foul sewerage and drainage, and it is reasonable to expect that certain services may be required. However, I note from the application form that the appellant does not intend to connect to the existing

drainage system. Should any new separate systems be required in the future these may require planning permission. This does not alter my findings on the main issues above.

Conclusion

17. For the reasons given above, the appeal is allowed.

R Cooper

INSPECTOR