

Planning Statement

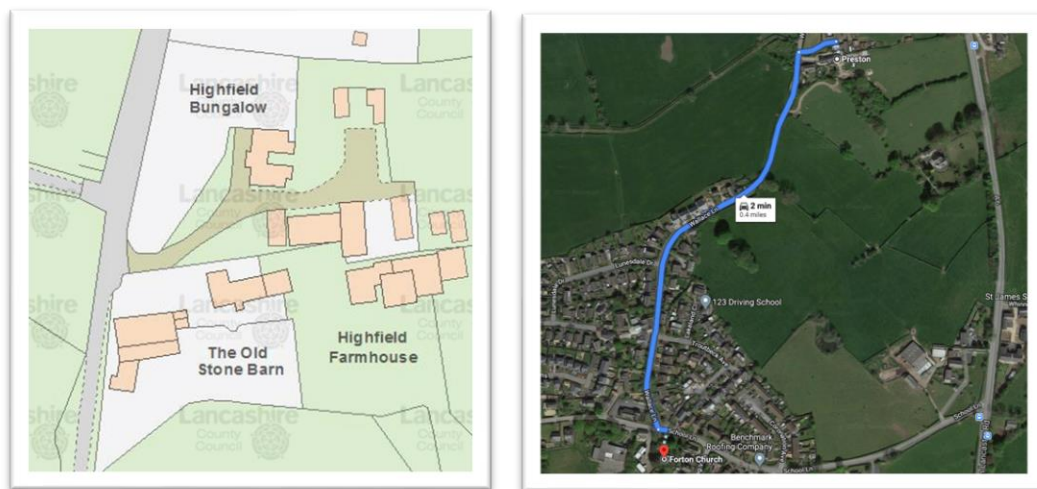
Proposal: Removal of existing agricultural building and replacement with building for domestic and agricultural use (proposed). Change of use of agricultural access gate and track to access dwelling and extension to domestic curtilage (retrospective).

Location: Highfield Farm, Wallace Lane, Forton, Preston, Lancashire, PR3 0BA

Applicant: Mr Steve Arnold

The Site Location

The application is located on the western side of Wallace Lane, approximately half a mile north from the centre of Forton village. The dwelling, Highfield Farm, is a stone-built dwelling which has been recently extended, there are dormers in the roof slope and the changes to the farmhouse are sympathetic and contemporary. To the south is a separate barn conversion property, to the north is one other separate property. The grouping clearly relates to a cluster of buildings serving an agricultural unit, which have been separated and renovated as individual homes. The surroundings are open agricultural fields with hedgerow boundaries and wooded areas.



Images to show site location.

The site is in the countryside and rural area, outside of a defined settlement. In terms of its situation on the local plan policy map, the site is defined as being in countryside and as such planning policy SP4 of the local plan would be most relevant to an assessment of a planning application. There are no other designations or allocations directly affecting the site.



Image of policy map with countryside area designation washing over site.

Access Arrangements



Image to show existing dwelling and neighbours site location.

There is only one access point onto the highway to serve the four properties. This is a double width bell-mouth giving access to Highfield Farmhouse and the sperate barn conversion property. The existing access for the property is exceptionally narrow and does not permit two way flows for vehicles. Furthermore, there is very limited parking space within the curtilage of the dwelling here and with minimal to no turning space, cars have to reverse out of the access point onto Wallace lane, which is a very narrow country lane.



Image of access point onto Wallace Lane.



Access to the existing agricultural building and land has historically been via an access point on Wallace lane approx. 70 metres south of the access point at the dwelling. The track hugs closely to the northern boundary line of the field and leads eastwards into the vicinity of the building. Access routes then lead eastwards and into the building and land beyond.

The applicant has continued to use this track as a means to access the dwelling and the track has recently been surfaced in gravel to facilitate the use. Planning permission is sought for the use of the access point as a permanent, secondary means of access to the property, including land forming an extension to the curtilage which intervenes the track and dwelling.

The access point and further tracks across the site have been observed during Case Officer site visits in the past and described as follows:-

application and the existing garden of Highfield Farmhouse. There is an access to the eastern and southern boundaries of the land subject to the application which appear to be vehicular access for farm vehicles to access different fields. The applicant has stated in his supporting statement that the land is currently used / required to allow access to the highway for a two wheeled flat car trailer and a caravan. This amount of infrequent use of the land for access is not sufficient justification to define the land as part of domestic curtilage.

Excerpt from Case officers report for 16/00095/LAWE

Although the officer's assessment was dealing with a separate matter (which was an assessment of evidence submitted to claim the extension to the domestic curtilage was immune from enforcement action due to the passage of time) the evidence is clear that the access track identified in this current submission, has been used for domestic purposes. The planning application does not seek to alter that but instead seeks the relevant consent for it.

Due to its historic use and without any accidents or incidents reported by the landowner, it is considered that authority engineers will raise no objection to the use of the access point, subject to achieving safe visibility. The

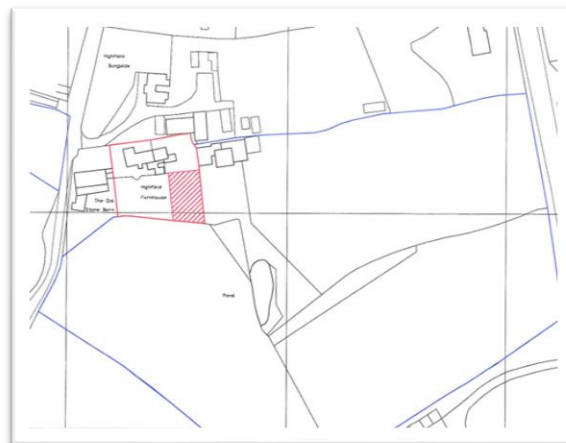
access point at the dwelling will remain and the additional one included in this application will be secondary. The access point will also be used for agricultural purposes and it is evident that this activity is already happening.

Planning History

18/00670/FUL | Amendments to previously approved application 18/00336/FUL - addition of proposed cinema room & study – Approved and implemented. This resulted in the dwelling being closer to the agricultural building and area of extended garden.



16/00095/LAWE - Certificate of lawful use for existing garden at the rear of the property – Not Lawful



Location plan accompanying 16/00095/LAWE – note that the area hatched in red is included in this submission.

The Certificate of lawful use application sought to establish the lawfulness of an existing garden at the rear of the property. The statements supplied by the applicant at that time state the use began in 1995. The piece of land is located to the south east of the dwelling at Highfield Farm and measures 14m wide by between 42m and 28m long. This is an area of land which was formerly agricultural land but has since been incorporated in the domestic use of the land.

The Council deemed this certificate to not be lawful, due to a lack of precise or verifiable evidence. The view could be taken that the veracity of the claim of lawfulness was undermined by the lack of specialist or professional assistance. Indeed, a lot of information was given regarding the use of the area of land and indeed it remains the case that this area has been used domestically and is included in this planning application.

The Existing Building

The proposal will be situated on the footprint of an existing agricultural building which is dilapidated and in need of replacement. The building is to the east of an existing dwelling, Highfield Farmhouse, and relates to an agricultural land holding associated with the dwelling. The use of the building has wound down as it was occupied by the former owner of the property, the applicants father. Since this time, it has been hard to maintain and fallen into a state of

disrepair. A new building is required, and the existing building provides a site which is logical and with minimal impact on its surroundings.

The existing building is largely timber construction and appears more as a range of adjoining sheds, than a single building envelope. The frontage to the range both projects and recedes and the rear follows the northern boundary line, continuing eastwards away from the dwelling on site. There is open land to the east which continues to rise in elevation; similarly land to the south is open but does feature wooded and naturalised areas which provide screening from Wallace Lane to the southwest.

In total the building range is around 26 metres in length, the ground levels rise eastwards, with the section closest to the dwelling to the west having an external ground level of around 2 metres above ground levels at the dwelling. The rise in levels increase to a maximum of around 3 metres difference to those at the dwelling. The building range differs in height, from around 2 metres above ground level, to 3 metres. The width of the building range varies, from between 10 metres (at its section closest to the dwelling) to around 5 metres.

As discussed, the building is mainly timber construction, with sheeting to the roof. The appearance of the building, albeit in disrepair, is recessive and appears as a vernacular building. However, this does not mean that it is fit for purpose or in line with modern standards for agricultural buildings or domestic storage buildings for that matter.

The existing building range is set lower than the neighbour property to the north, the height of the building is around 4 metres lower than the height of the neighbouring dwelling. There is an intervening hedge and fence line with some trees which defines the boundary and provides screening; the height of this boundary is at almost the same height of the existing building. Due to being set lower than land to the north and with screening along this boundary, the replacement building will utilise a positive relationship between the development and neighbours and ensures that the new building introduced will not be overbearing or obtrusive.

The Proposal

The proposed building will measure 27.1 metres in length and 9.144 metres in width. The ridge line will run east to west with a finished height of 4.2 metres, eaves will be at 3 metres. Internally the building will be divided into four bays with an area at the eastern end which will have a roof covering but open on three sides. The building appearance is derived from its portal frame and will have a profile suitable for rural buildings. Materials will be timber cladding (Cedral Plank) down to rubble stone facing for lower walls on 3 elevations; the rear elevation against the northern boundary will have timber cladding down to a concrete block wall. Roof covering will be grey Eternit Corrugated sheeting in a grey colour with solar panels on the southern roof slope.



Image of internal layout.

Bay 1 will be used for domestic use in connection to the existing dwelling. This will feature pedestrian entrance at the side, with a roller shutter door at the front. The main use will be for general domestic storage and a garage with electric vehicle charging point.

Bay 2 will be a combined domestic and agricultural workshop used for general repair and maintenance and storage of vehicles and equipment used on the land.

Bay 3 will be used for the storage of two tractors associated with the farm and a variety of grass cutting, fencing and general land maintenance equipment used on the holding.

Bay 4 will be the principle area of the building used in connection to the agricultural use and will involve animal husbandry – vets visits, animal welfare checks etc. This will also be served by 'Bay 5' that is the covered, open sided area.

Agricultural Use

Agricultural Land associated with Highfield farm comprises around 2.8 hectares/7 acres across three fields and a separate orchard on the western side of Wallace lane. Additional land forming the site of the dwelling, garden area including the extended part of the curtilage, the existing building and areas of land around it, including the section of woodland to the south, total around 1 acre. This is set out on the image below; areas in red are the dwelling, garden and extended curtilage, orchard and woodland, the applicant intends to extend the woodland area to the east with naturalised planting. Areas edge in blue are under an agricultural access agreement.



The applicant provides an agricultural use and access agreement relating to this land. There is a current active holding number. The agreement details 3 separate fields comprising 7 acres in total, which are all located on the Highfield Farm holding. The agreement allows for the grazing of up to 40 animals on this land: including sheep (either Rams, Ewes, Ewes in lamb, Ewes and lambs, lambs, Hoggs) and, horses (Mare and foal, foals, ponies only).

The agreement hands over the animal husbandry to the third party. The third party is a farmer based in Winmarleigh who previously had access to land and buildings on a tenancy basis at a site elsewhere. That provision, grazing land and use for a building for storage in association with the animal husbandry, has now come to an end. The previous owner of Highfield Farm utilised the agricultural land, as is evident with the existing building, the current owner has no livestock or use for the associated agricultural land and as such has made this agreement with a local farmer, to make positive use of the land and keep it in agricultural use. The agricultural component to the proposed building will be used for storage of machinery and equipment to the use of the land.

Relevant Planning Policy

The Wyre Local Plan 2011-2031 (WLP31) was adopted on 28 February 2019 and forms the development plan for Wyre. To the extent that development plan policies are material to the application, and in accordance with the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

The following policies contained within Local Plan are of most relevance:-

SP2 Sustainable Development

SP4 Development in the Countryside

CDMP1 Environmental Protection

CDMP2 Flood Risk and Surface Water Management

CDMP3 Design

HP5 Residential Curtilages

NATIONAL PLANNING POLICY FRAMEWORK

Section 12 Achieving well designed places.

Section 15 Conserving and enhancing the natural environment.

RELEVANT SITE CONSTRAINTS

The site is constrained by the following:

Tree Preservation Order (TPO) - N/A

Listed Building - N/A

Conservation Area -N/A

Flood Risk Zone N/A

Assessment

The site is within the countryside outside of any defined settlement. Policy SP4 is therefore the overarching policy, which prescribes a range of developments considered appropriate for countryside, subject to consideration of other relevant parts of the development plan. Policy SP4 aims to protect the countryside for its natural character and open, undeveloped nature.

This application proposes the replacement of an existing agricultural building range which are dilapidated and no longer fit for their original purpose. The existing development is approximately 27 metres in length and is between 2.5 to 3.5 metres in height. The proposal to replace this building therefore makes use of an area occupied by existing development and in turn safeguards undeveloped land. The site also benefits from land levels which place the building in a low position and thereby avoids an overbearing or obtrusive in the landscape. Furthermore, screening and softening of the development by trees and vegetation particularly to the south reduces the perceived impact on the locality. The site topography, surrounding development, natural landscape features and siting on previously developed land all work together in protecting the intrinsic character of the countryside, and so the aims of SP4 are not harmed.

In terms of the types of development accommodated by SP4 and the proposed use for this building; 50% of the building proposed will be used for agricultural purposes associated with 7 acres and the activities described. The remainder of the building will be used for domestic purposes, as described.

Whilst SP4 does not specifically list domestic outbuildings as an appropriate form of development in the countryside, it would be unreasonable to say that where these are appropriately sited, ancillary in scale to the main dwelling and

would not result in unacceptable environmental impacts, that a proposal of this nature would be in direct conflict with the objective of this policy.

This is consistent with policy HP5, which allows residential curtilage extensions where there is no unacceptable impact on the character or appearance of the area. The portion of the building used for domestic purposes along with the extension to the curtilage and the existing track to access it, are all outside of the historically established curtilage, and so the proposal represents an expansion under the terms of HP5.

To address SP2 it is necessary to demonstrate how the proposal would respond to the challenges of climate change; solar panels are proposed on the building and the building will house an Electric Vehicle Charging point. The proposal is for private domestic use and agricultural use with the associated land on the same holding. Therefore, the proposal will not result in intensive activity or carbon consumption, there will be limited vehicle trips and the overall activity will be low-key.

Policy CDMP1 Environmental Protection deals with residential amenity and in this case, it would be neighbouring residential amenity that needs to be assessed. Discussion has dealt with the siting and impact of the building and it is concluded that it will not have an overbearing effect, as it is set lower than neighbouring land to the north and there is intervening vegetation and boundaries. The nature of the use is either domestic or agricultural and both uses are established on the site. There is no need to store manure in the building and the building will not be used for animal housing; therefore, it is considered that there will be no detrimental impact on neighbours in terms of smell or noise.

The proposed use for domestic garage and storage would not result in additional vehicle movements which would impact on highway safety. No highway safety issues are envisaged. Visibility splays are shown on the submitted details in order for LCC Highways to make a judgment on the acceptability of the new access point.

Summary

There is an argument to say that use of the existing timber building which will be removed, was historically used by the applicant's father as part and parcel of both living there and farming the associated land, the lines between domestic and agricultural use very much blur in this sort of circumstance. Since 1990 up until a couple of years ago, the farmhouse, the agricultural land, and the building, involving the use of the track and unauthorised curtilage extension which they tried to claim lawfulness on in 2016, was used as a whole. The new building and extension to curtilage adjoin the lawful curtilage and are contained within the confines of the application site and ultimately do not encroach on the countryside. Significant screening exists to the south of the site and views into the site are extremely limited. Overall, it is considered that there is no harm to HP5 or SP4.