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## Appeal Decision

Site visit made on 9 May 2017

**by John Dowsett MA DipURP DipUD MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 16 June 2017**

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**Appeal Ref: APP/N2345/W/17/3168802**

**Oakfield Barn, Mill Lane, Goosnargh, Preston PR3 2JX**

- 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 Ian Cookson against the decision of Preston City Council.
  - The application Ref: 06/2016/1146, dated 14 November 2016, was refused by notice dated 19 January 2017.
  - The development proposed is a change of use from agricultural land to wood storage (Class B8) to include a wood storage building.
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### Decision

1. The appeal is allowed and planning permission is granted for a change of use from agricultural land to wood storage (Class B8) to include a wood storage building at Oakfield Barn, Mill Lane, Goosnargh, Preston PR3 2JX in accordance with the terms of the application, Ref: 06/2016/1146, dated 14 November 2016, 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 approved plans: Location Plan at scale 1:12500; Site Plan at scale 1:500; Floor Plan at scale 1:50; and Proposed Elevations at scale 1:100 (received 28 November 2016).

### Procedural matter

2. The planning application form describes the proposed development as 'Wood storage building' and the decision notice issued by the Council uses the description 'Change of use from agricultural land to wood storage (Class B8) to include wood storage building'. The description used by the Council more accurately describes the development proposed and I note that the appellant has adopted this on the appeal form. I have therefore used this description for the purposes of the appeal.

### Main Issue

3. The main issue in this appeal is whether the appeal site is a suitable location for the development proposed, having regard to the development plan.

## Reasons

4. Policy 1 of the Central Lancashire Core Strategy 2012 (Core Strategy) sets out the broad spatial strategy for the three districts that it covers. This seeks to direct the majority of new development to a number of main towns, local service centres and identified strategic sites. The appeal site does not fall within any of these locations. Core Strategy Policy 1 makes no explicit reference to development in the countryside, although paragraph (f) relating to "other places" states that development will typically be small scale, and limited to appropriate infilling, conversion of buildings and proposals to meet local need, unless there are exceptional reasons for larger scale redevelopment schemes.
5. Policy EN1 of the Preston Local Plan Site Allocation and Development Management Policies 2015 (Local Plan) relates specifically to development in the open countryside, and seeks to limit this to development that is needed for purposes of agriculture or forestry, or other uses appropriate to a rural area, including uses which help to diversify the rural economy. It is not in dispute between the parties that the appeal site is located in the open countryside.
6. The appeal site is an area of land approximately 0.4 hectares in area, located adjacent to the west side of Mill Lane, opposite the dwelling known as Oakfield Barn, approximately 2 miles north of the village of Goosnargh. The appeal proposal is to erect a timber framed building, 9.2 metres long, 4.7 metres wide and a maximum 3.1 metres high, clad in timber with a metal sheeting roof, on the land. This would be used for the storage of timber derived from the appellants own land and from a tree surgery business operated by the appellant's son-in-law who resides in Goosnargh. Although it is stated that the timber is sold locally, it is also stated that customers would not visit the site.
7. The Council suggest that the proposed development does not satisfy the provisions of Core Policy 1 as it is new build development and a change of use of existing agricultural land in the open countryside. However, Policy 1 does not specifically preclude development in the countryside, nor does it require that any development is solely limited to appropriate infilling, conversion of buildings or proposals to meet a local need, only that it will typically be so.
8. The appellant has also brought to my attention Core Strategy Policy 13, which is referred to as a relevant Policy in the Council officer's report. Policy 13 seeks to encourage appropriate growth of rural businesses by supporting rural based businesses and storage activities. This also indicates that not all development has to occur in the locations set out in Policy 1.
9. The supporting text to Policy 1 does recognise that sites in "other areas" are generally not in the most accessible locations and so are normally not appropriate for uses that would generate large numbers of trips to access off-site services.
10. From the appellant's submissions, the operation would be small in scale and linked to an existing, locally based, small business. There is no evidence from either party in respect of the number of vehicles that would access the site or the frequency of visits to it. However, the other evidence submitted indicates that the appellant's son-in-law is a sole trader receiving occasional assistance from the appellant, and that customers would not visit the site. This is not

- disputed by the Council. On this basis, I have no reason to conclude that the appeal proposal would generate significant numbers of vehicle movements.
11. The modest scale of the proposed operation would not, in my view, prejudice the strategic aims of Policy 1, and I cannot see any inherent conflict between the appeal proposal and the requirements of that Policy.
  12. Local Plan Policy EN1 is permissive of other uses that are appropriate to a rural area. Neither the policy nor its supporting text provide examples of what these other uses might be. The supporting text states, however, that it is important that the designated Areas of Open Countryside are protected from unacceptable development which would harm its open and rural character. Other than to say that the proposal does not fall into any of the categories set out in Policy EN1 the Council have not elaborated on why the proposal is not a use that is appropriate in a rural area. The only harm identified by the Council is the visual impact of the use of the proposed building, and that its location is considered isolated.
  13. The Central Lancashire Rural Development Supplementary Planning Document 2012 (the SPD), which is to be read alongside Policy EN1, sets out a number of criteria for development in the rural areas of Central Lancashire. It seeks to ensure that rural communities thrive; rural economic development is supported and encouraged within clearly defined parameters; development helps places become more sustainable; and existing services in rural areas are supported and maintained. The SPD also recognises that economic activity in the countryside differs from that in urban areas, that smaller businesses will generally require premises, and that there is often a lack of choice in this respect. Whilst the SPD gives guidance on particular types of development there is nothing in it which is directly relevant to the use proposed by the appeal proposal.
  14. The appellant states that the building would be used in connection with the tree surgery business run by his son-in-law from his house in Goosnargh, where there is not space at the premises to store wood that could potentially be sold to help support the business. It is also stated that the scale of the business is such that leasing premises is not a viable option. This is not disputed by the Council, nor are any alternative, locations that are considered more appropriate put forward.
  15. In the absence of any substantive evidence to the contrary, and the lack of any definitive guidance from either Policy EN1 or the SPD on what constitutes a use that is appropriate to a rural area, I consider that the small scale storage of timber generated from a locally based tree surgery business would be such a use.
  16. I saw when I visited the site that the appeal site is located next to a road, approximately 2 miles north of Goosnargh and opposite two dwelling houses with associated outbuildings. There are further houses and buildings a short distance to the south on Mill Lane and Broadith Lane and a group of farm buildings to the north on Mill Lane. In this respect the appeal site, although it is not within a settlement, is not isolated.
  17. It is common ground between the parties that the proposed building would be agricultural in scale and appearance, and that a degree of screening would be provided by the trees to the south and the hedge on the boundary of the

appeal site. Whilst the proposed building would have an effect on the appearance of the area by introducing a new building where there was not one previously, due to its modest scale and agricultural appearance, together with its proximity to an existing group of buildings on the opposite side of Mill Lane and the limited activity that would be associated with it, the effect on the open and rural character of the area would be minimal.

18. Paragraph 28 of the National Planning Policy Framework (the Framework) seeks to promote a strong rural economy through the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversions of buildings and well designed new buildings. It is not in dispute that the design of the building is appropriate to the area or that the proposal would support an established small scale business in a rural area. This would represent a modest economic benefit.
19. Although the appeal site is located away from the main base of the business that it would be used in connection with, the appellant has stated that the alternative is that the timber would have to be stored at other premises owned by the family which are located further from the operating base of the business. The use of the appeal site for this purpose would, consequently, contribute in a small way to reducing the need to travel.
20. I therefore find that the site would be a suitable location for the development proposed, having regard to the development plan. It would comply with the relevant requirements of Core Strategy Policy 1 and Local Plan Policy EN1 which set out the spatial strategy for new development and seek to ensure that the countryside is protected. It would also be consistent with the Guidance in the Framework which seeks to promote a strong rural economy and to recognise the intrinsic character and beauty of the countryside.

### **Other matters**

21. I note that the Council have no objection to the proposal on highway grounds and do not consider that it would have adverse effect on living conditions of local residents. From what I have read, and from what I saw when I visited the site, I have no reason to reach a different conclusion on these points.

### **Conditions**

22. I have had regard to the conditions that have been suggested by the Council. In order to provide certainty as to what has been granted planning permission, I have attached a condition specifying the approved drawings. The Council have not suggested that any further conditions are required.
23. The appellant has stated that he would accept a condition requiring additional planting on the site boundary. As the appeal site is currently partly screened and the proposed building is not large, I do not consider that such a condition would be necessary.
24. The appellant has also suggested that any planning permission could be made personal to himself and his son-in-law. The Planning Practice Guidance advises that there may be exceptional occasions where granting planning permission for development that would not normally be permitted on the site could be justified on planning grounds because of who would benefit from the permission. However, in this case, I have found that the proposed development would not result in any specific harm that requires special

justification. I therefore do not consider that a personal planning permission is necessary.

**Conclusion**

25. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be allowed.

*John Dowsett*

INSPECTOR