



Appeal Decision

Site visit made on 12 October 2022

by R Morgan BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2022

Appeal Ref: APP/M2325/W/22/3298742

Larbreck Farmhouse Well Lane, Larbreck, PRESTON, PR3 0XR

- 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 B & M Cornthwaite against the decision of Fylde Borough Council.
 - The application Ref 20/0858, dated 24 November 2020, was refused by notice dated 17 November 2021.
 - The development proposed is new access to the highway and new internal track.
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Decision

1. The appeal is allowed and planning permission is granted for new access to the highway and new internal track at Larbreck Farmhouse, Well Lane, Preston PR3 0XR, in accordance with the terms of the application, Ref 20/0858, dated 23 November 2020, subject to the attached schedule of conditions.

Main Issues

2. The main issues are:
 - i) Whether the proposed access to Garstang Road is justified by the needs of the existing agricultural business, and
 - ii) The effect of the proposal on the character and appearance of the area.

Reasons

Whether the proposed access is justified

3. The proposed track would provide direct vehicular access from Garstang Road (A586) to a large agricultural building, which is set back from the road by around 100m. The appellant has a holding of some 75 hectares at Larbreck, and the agricultural building is used to store agricultural machinery and products including seeds and fertiliser, which are required to farm the land.
4. Deliveries to the agricultural building are made using large lorries or transit type vans. Although sited close to buildings on Well Lane, ownership constraints mean that the agricultural building can no longer be accessed via that road. Instead, the building is reached via an L-shaped track which follows the field edge, joining Garstang Road some 250m to the west.
5. The existing track is some 0.5km in length with a sharp bend. I saw at my site visit that the access appeared waterlogged and rutted, and the appellant has explained that the open ditched track can be difficult for larger agricultural and

- delivery vehicles to negotiate. Problems with the track have been confirmed by one contractor, who described the existing track as unsuitable and unsafe for their fleet of HGVs, who make deliveries of chemical fertiliser to the building.
6. The condition of the track is particularly challenging during the autumn and winter months, which tend to be the wettest time of the year, when the track can become very muddy. This has become a particular problem in recent years, as the farm has switched from growing wheat and barley to maize. The maize provides high quality silage for the cows, but is harvested in autumn.
 7. Owing to its length and condition, the existing track is difficult to maintain and keep clear of mud, and the cost of upgrading it would be high. Information has not been provided about the frequency of deliveries to and from the building, but it is evident that the existing track is unsuitable for the purposes required by a modern agricultural operation.
 8. The proposed alternative, shorter track would provide an easier and safer access for delivery and agricultural vehicles, which would also represent a more cost-effective solution for the business. The appellant has indicated that government grant funding may be available, and materials could be sourced at low cost.
 9. The existing lawful use of the building is agricultural, and the appellant has explained how the proposed access would support the existing farm business. I have assessed the appeal on that basis. Any alternative, non-agricultural use for the building would need separate consent, and any future application would need to be determined on its merits, and in accordance with relevant local plan policies.
 10. The crops grown at Larbreck are used as animal feed for the appellant's large dairy herd, which is based at Hambleton, some 5 miles away. It is not uncommon for agricultural businesses to farm disparate areas of land, and the Council has not explained its concerns about logistical problems resulting from the split site nature of the enterprise.
 11. The submitted plan shows that the route would incorporate a layby, which the appellant says is a requirement of the highways authority. The need for the layby is not entirely clear, given the likely low level of use of the track, and the potential for deliveries to be scheduled at different times so as to avoid the need for vehicles to meet. However, the proposal would support the existing business, and the inclusion of the layby is not a reason to dismiss the appeal.
 12. Based on the information provided, I am satisfied that the proposed development is justified by the needs of the existing farm business. As it would be needed for the purposes of agriculture, the proposal would be consistent with the requirements of Policy GD4 of the Fylde Local Plan to 2032 (incorporating Partial Review).

Character and appearance

13. The appeal site is within an area of gently undulating, open countryside characterised by large fields bounded by hedgerows, with isolated groups of trees. Buildings are few and far between, and aside from Garstang Road itself and a row of pylons, the landscape is largely free of man-made features.

14. There are relatively few accesses off this section of Garstang Road, which is formed of a single carriageway lined with hedgerows on both sides. These features, together with the lack of built form, means that the road has a rural character, even though it is a main A road.
15. The road is fairly straight and fast, and in order to meet the highway authority's safety requirements, the proposed access would require a 13.5m bell mouth junction. This would undoubtedly introduce an urbanising feature along this section of road, and would be more prominent than the existing access serving the agricultural building. That said, for travellers along the road, the visual impact would be perceived only very briefly, with the topography significantly limiting any long distance views when approaching from the west, and roadside vegetation providing screening from the east.
16. The proposed access onto Garstang Road would require the removal of a section of roadside hedgerow, with regular maintenance of a further section at an appropriate height to ensure adequate visibility splays. The mixed species hedgerow is reasonably thick in places, but it is not continuous. The existing condition of the hedgerow, which varies in height and has a number of gaps, means that removing a relatively short section, as proposed, would not cause undue harm to the character of this stretch of the road.
17. The track itself would follow the field boundary to the agricultural building, a distance of some 100 metres. As it would be flat, it would not be particularly noticeable from the main road, despite the rise in landform in this location. There are no other public vantage points in the vicinity from which it would be seen.
18. Proposed hedgerow planting along the route would further help to assimilate the track into the landscape. I acknowledge that the proposed planting would take some time to become fully established, but a double layer of planting would provide a useful degree of screening from the outset, which would increase over time.
19. It is unclear why the plan shows a gap in the proposed hedgerow planting along the edge of the layby. A continuous hedgerow would provide ecological benefits and would provide also better screening, particularly along this section where the track itself would be wider. The Council has suggested a condition requiring planting along the full length of the track, on both sites, and I agree that this would be appropriate.
20. The proposed access track would be some 6m in width for much of its length, and the planting would follow its route along the field boundary. When viewed from Garstang Road to the west, the development would be screened by adjacent vegetation on higher ground, and from the east, it would be seen in the context of rising, well treed land to the rear. Owing to these factors, the proposed track, and planting along it, would not unduly disrupt the open character of the field, nor would the planting appear particularly contrived.
21. Furthermore, the effect of the proposal on the wider landscape would be less pronounced than that which would be associated with upgrading the existing track, which is significantly longer.
22. Overall, the proposal would not cause unacceptable harm to the character and appearance of the area. The proposed access would alter the appearance of the

immediately surrounding area, but the impact would be limited in extent, and the proposed planting would help it to assimilate into the wider landscape.

23. As a result of its siting along the field edge, with planting alongside, the proposal would be sensitive to its surroundings, and so would accord with Local Plan Policy GD4. The proposal has been designed to meet highway safety requirements whilst avoiding demonstrable harm to the visual amenities of the area, so would meet the design requirements contained in Policy GD7. It would also comply with Policy ENV1, which requires development to have regard to its visual impact within its landscape context, with additional planting where appropriate.

Other Matters

24. The proposed access and internal track would be close to, but outside of, the Well Lane Conservation Area (CA). The proposal would not be visible from Well Lane itself, and views from nearby buildings within the CA would be screened by existing mature trees. Views into the CA from Garstang Road are already limited, being largely obscured by the modern agricultural building.
25. The proposed development would not affect sensitive views into the CA, and would not be readily visible from locations within it. As such, it would have a neutral effect on the setting of the CA.

Conditions

26. In addition to the standard implementation and plans conditions, a condition requiring hedgerows to be planted along the length of the access track is required to safeguard the character of the area. I have made minor adjustments to the Council's suggested wording in the interests of precision.
27. The highways officer has suggested a number of conditions which I have reviewed and imposed as appropriate. Given that the scheme is considered acceptable, the justification for the suggested pre-commencement condition requiring final details of the scheme is unclear, so I have not imposed it. The agricultural building which the access would serve is already in use, so the second suggested condition is not required.
28. The highways officer's third suggested condition sets out requirements for appropriate use of materials for the first 10m of the access. I have imposed this condition, which is more specific than the materials condition suggested by the Council.
29. In the interests of highway safety, I have imposed the suggested condition requiring maintenance of visibility splays. I have added reference to the approved plan, in the interests of certainty.
30. The highways officer's fifth suggested condition requires wheel-washing facilities, but this would be unreasonable, given the existing agricultural use of the site, and the likelihood that use of the proposed track would result in less mud on the road than the existing situation.

Conclusion

31. The proposal complies with the development plan, and so there is no conflict with paragraphs 2, 12 and 15 of the National Planning Policy Framework (the Framework), all of which refer to the importance of the plan-led system.
32. The appeal is therefore allowed, subject to the conditions.

R Morgan

INSPECTOR

Schedule of 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 submitted with application
 - drawing no. ML/MC/5926 Rev B
- 3) Notwithstanding the details shown on drawing no. ML/MC/5926 Rev B, during the first planting season that occurs following the formation of the access hereby approved, a native species hedgerow shall be planted to both sides of the track for its entire length in a double staggered row to the standards specified in BS4428:1989. The hedges shall be maintained as such thereafter.

If, within a period of 5 years from the date of planting, any hedges or shrubs are removed, die, become severely damaged or seriously diseased shall be replaced by hedges or shrubs of a similar size and species.
- 4) Before the access hereby permitted is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 10m shall be appropriately paved in tarmacadam, concrete or block pavements. The access shall be maintained as such thereafter.

Before the access hereby permitted is used for vehicular purposes, the existing hedgerow within the visibility splays shown on drawing no. ML/MC/5926 Rev B shall be reduced to, and permanently maintained at, a height not greater than 1m above the crown level of the carriageway of the highway.