



The countryside charity
Lancashire, Liverpool City Region
and Greater Manchester

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Patron
Her Majesty the Queen
President
Emma Bridgewater
Chair
Debra McConnell

29 September 2020

Dear Mrs Barnes,

2019/0747/FUL for the construction of a mushroom farm at address: Bungalow Farm, Heaton's Bridge Road, Scarisbrick, West Lancashire, L40 8JQ

1. Further to my letter dated 22 July 2020, I am writing on behalf of CPRE Lancashire, Liverpool City Region and Greater Manchester (Herein CPRE) with additional information supporting CPRE's objection.

Material considerations relating to Green Belt land in agricultural use – not an exception

2. Paragraph 133 of National Planning Policy Framework (NPPF) states that the essential characteristics of Green Belts are their openness and their permanence; its paragraph 145 states that, subject to certain exceptions, the construction of new buildings should be regarded as inappropriate in the Green belt; and, in paragraph 143, that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
3. Paragraph 145 of the NPPF states that new buildings for agricultural use are not inappropriate development in the Green Belt and the applicant has sought to take advantage of this exception by claiming that the proposed new buildings are intended for agricultural purposes. In my opinion, this claim is unjustified.
4. The proposed buildings in their design, their extremely large scale and their purpose are industrial in character, not agricultural. Further, their scale and the massive changes made to the site not only in the construction of the buildings but also the laying down of a very large area of hardcore, would make restoration of the site impossible. Implicit in the agricultural designation is the requirement that the change in the state of the land by the development must be reversible so that land can be

restored to its original use when it has fulfilled its development purpose. Thus, Annex 2: Glossary of the NPPF defines Previously developed land as follows:

Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; ...

Note that land developed for mineral extraction or waste disposal in landfill ceases to be brownfield only where provision for restoration has been made. For the restorability implicit in the designation “agricultural” see also the National Planning Practice Guidance paragraph 001 reference 64-001-20190722 which states.

What factors can be taken into account when considering the potential impact of development on the openness of the Green Belt?

Assessing the impact of a proposal on the openness of the Green Belt (<https://www.gov.uk/guidance/national-planning-policy-framework/13-protecting-green-belt-land>), where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;
- **the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness** [emphasis added];
- and the degree of activity likely to be generated, such as traffic generation

5. Having established that because changes to the site would be irreversible and therefore the site cannot be “classified as agricultural”, the proposed development would be inappropriate in the Green Belt and the applicant would have to demonstrate very special circumstances to justify the proposal.

Very Special Circumstances unjustified due to development harms outweighing benefit

6. In the NPPF, Paragraph 144 states:

144. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
7. In this case the harm from the development on best and most versatile land (grades 1-3a), and the landscape and visual impacts is substantial. Many residents and visitors come to West Lancashire to

enjoy the rural area and wildlife. Development harms from the introduction of built intrusions into the otherwise open countryside is counterproductive to the visitor economy. There are other examples of barns on farm premises, but these are much smaller in scale and they have degraded the local landscape in some cases. The harm derived from this much larger scale development would considerably outweigh the purported benefits to economic development and job creation. The development is footloose and could be located in nearby Burscough Industrial Estate, with far less harmful impacts arising.

Landscape and Visual Impact Appraisal

8. Appendix 1.0 to this letter I have provided a critical review of the Planning Supporting Statement Design & Access Statement, Section 14 Landscape and Visual Impact Assessment (LVIA) and accompanying technical appraisal Appendix XV. In my professional view the LVIA is flawed in a number of areas, and consequently leads to the wrong conclusion.
9. The lack of sketch illustrations makes understanding the true scale and mass of the development in situ impossible. The building will dwarf neighbouring buildings, as the ridge of the roof is up to 7.9 m high in places, and it extends 0.15km in length and 0.145km width. Indicative, Before and After images are located in Appendix 1.0. The building is double the scale of the local retail complex. See Appendix 1.0 Extract 3 which compares the scale of the development with the retail site.
10. In addition to the building footprint there is a hard surfaced footway around the building, 58 parking bays, internal HGV access roads and turning circles to accommodate HGV turning. The turning space to the west of the site is restricted and it is in close proximity to existing buildings, the occupants of who would be impacted by reversing alarms and hydraulic break noise. The access arrangement is difficult due to restricted visibility splays and is the matter of a highway safety issue. These are additional harms to be fully considered.
11. Important viewpoints from dwellings on Moorfield Lane and the Public Rights of Way to the south are not identified in the landscape appraisal, the visualisations are difficult to interpret due to the coloration and scanned pdf format. For a better understanding of the scale of the development I would recommend some improved visualisations are prepared.
12. I also query that there are no vertical structures. How will the sawdust and other materials and chemicals be stored? Control of Substances Hazardous to Health (COSHH) means this needs careful consideration. The Health and Safety Executive have guidance for the Safe collection of wood waste: Prevention of fire and explosion. It recommends the use of silos. At the scale of the operation implied these would be potentially taller than the 7.9m high buildings, and would certainly amount to a landmark.
13. The night security lighting would add significant light pollution to an area that although not designated as a dark sky area, is relatively dark and a place you can star gaze from. The noise from a 24 hour operation would be problematic to the residential amenity. The air quality would be negatively impacted by the volume of HGV movements along country lane not suited for such additional traffic.

14. My own assessment leads me to the opinion that the zone of visibility is extensive, and that the development would be prominent in the flat and relatively open agricultural landscape. The development would cause the site to become previously developed, with characteristics of an employment site, with large shed development and extensive hard standing for parking and HGV access and site servicing. As said, the site would cease to be rural unless a condition requiring the site to be returned to its original open productive farm field condition is enforced.
15. The current site characteristics are of open pasture (during my visit there was evidence of crop growing, an locally it is known to have crop rotation) bounded by hedgerow, the proposed would introduce a large industrial shed, parking and internal access roads that would be not in keeping with the site or its surroundings. The boundary treatment is a solid 2m fence, which is incongruous with the surrounding field boundaries, the development would be very intrusive.
16. My conclusion is that the proposed development would cause a major effect in a receiving environment of high sensitivity. The magnitude of change is, in fact, great. The Landscape Appraisal fails to properly record this.
17. In accordance with national and development plan policies and the West Lancashire Borough Council's Supplementary Planning Documents for Development in the Green Belt (October 2015) I recommend the development is refused.

Summary

18. For the reasons set out above, in addition to my letter dated 22 July CPRE recommends the Development Committee refuses the application.
19. If you require any further information, please do be in contact without hesitation.

Yours sincerely

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Appendix 1.0 Landscape and Visual Impact Appraisal – Critical Review

Qualification

20. I am a chartered town and country planner with over 25 year's professional experience. I have undertaken Landscape and Visual Impact Assessments. I studied a postgraduate in urban design in addition to my Masters in Town Planning. In private practice I produced development design codes, and when working for Manchester City Council I produced a city-wide design guide. For the past 8 years I have worked full time as Planning Manager for the Campaign to Protect Rural England Lancashire, Liverpool City Region and Greater Manchester (herein CPRE.) During this time I have produced Landscape Character Appraisals as part of local plan and neighbourhood plan evidence bases. Also I have commented on Green Belt proposals at Development Committee, Appeals and Planning Inquiry.

Critical Review

21. The Planning Supporting Statement Design & Access Statement, Section 14 Landscape and Visual Impact Assessment (LVIA) sets out the applicants summary of the LVIA, with accompanying technical appraisal Landscape and Visual Appraisal, progressed by BCA and included as Appendix XV of the Environmental Impact Statement. It concludes that the development has a minimal impact. I disagree with this conclusion, which I believed to rely on a flawed assessment.
22. I have considered the details, and I have visited the site to better understand the landscape characteristics of the site and views from different positions for myself. I set out below a concise critical appraisal following the same structure of the LVIA, highlighting the main shortcomings that in my view have led to the wrong conclusion. To aid illustration of my points I have used GoogleEarth extracts and site photographs as appropriate.

Introduction

23. I accept the Council of Europe, 2000 definition of Landscape:, as perceived by people, the character of which is the result of the action and interaction of natural and/or human factors.

Proposed Development Site

24. I agree that the site, (postcode L40 8JQ) marked in red on Extract 1 below, is currently open crop-rotation fields.

Visibility Assessment

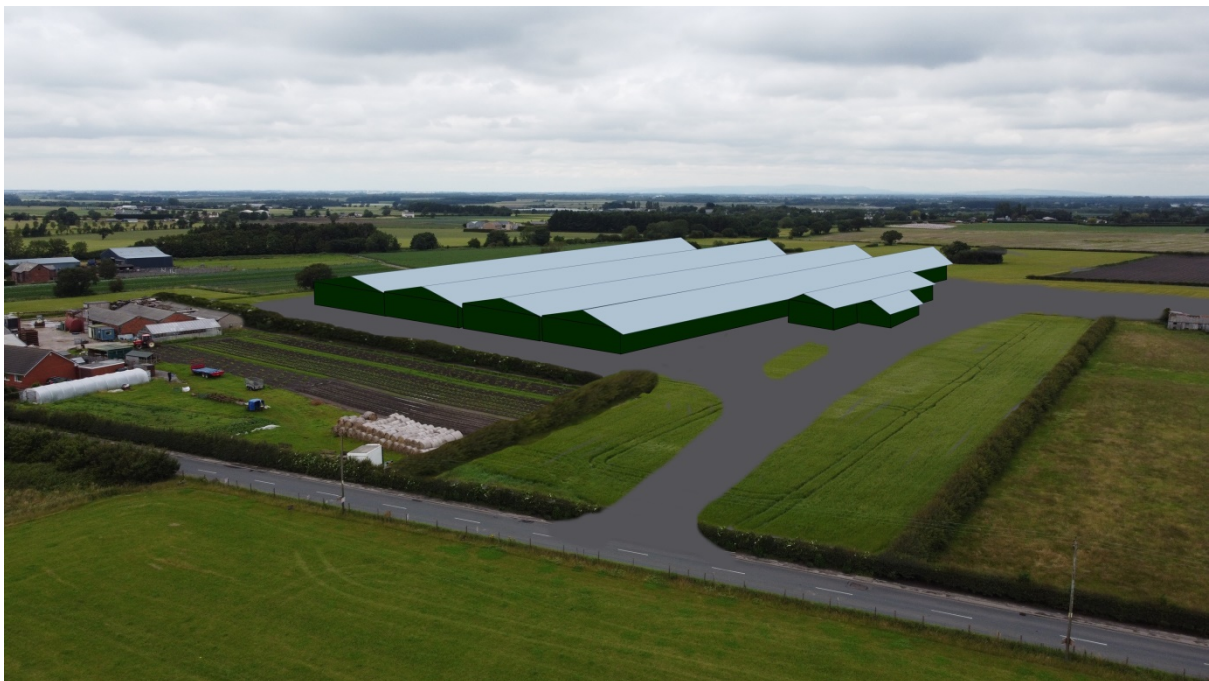
25. What stands out in particular is that there are no illustrations that show the true scale and mass of the development in situ, and therefore the full impact is impossible to understand fully. For example, on page 24, Fig 4, sets out the dimensions for the boiler room, office/plant room, incubation rooms, growing rooms, packing areas, and covered corridors in a tabular format, rather than helpfully providing the elevations or plan illustrations showing the development in locational context. From calculation, the building would dwarf neighbouring buildings, as the ridge of the roof

is up to 7.9 m high in places, and it extends 0.15km in length and 0.145km width. The building is double the scale of the local retail complex. See Appendix 1.0 Extract 3 which compares the scale of the development with the retail site. Below are indicative before and after images to aid understanding of what the impact will be. The Landscape Appraisal is clearly deficient in this regard.

Before Image



After Image



26. I am concerned that the assessment in Paragraph 14.3.1 refers to no vertical elements. One would expect there to be some sort of silo arrangement for the chemicals and sawdust products involved in the mushroom operations. As they are highly combustible, such materials are required to be stored

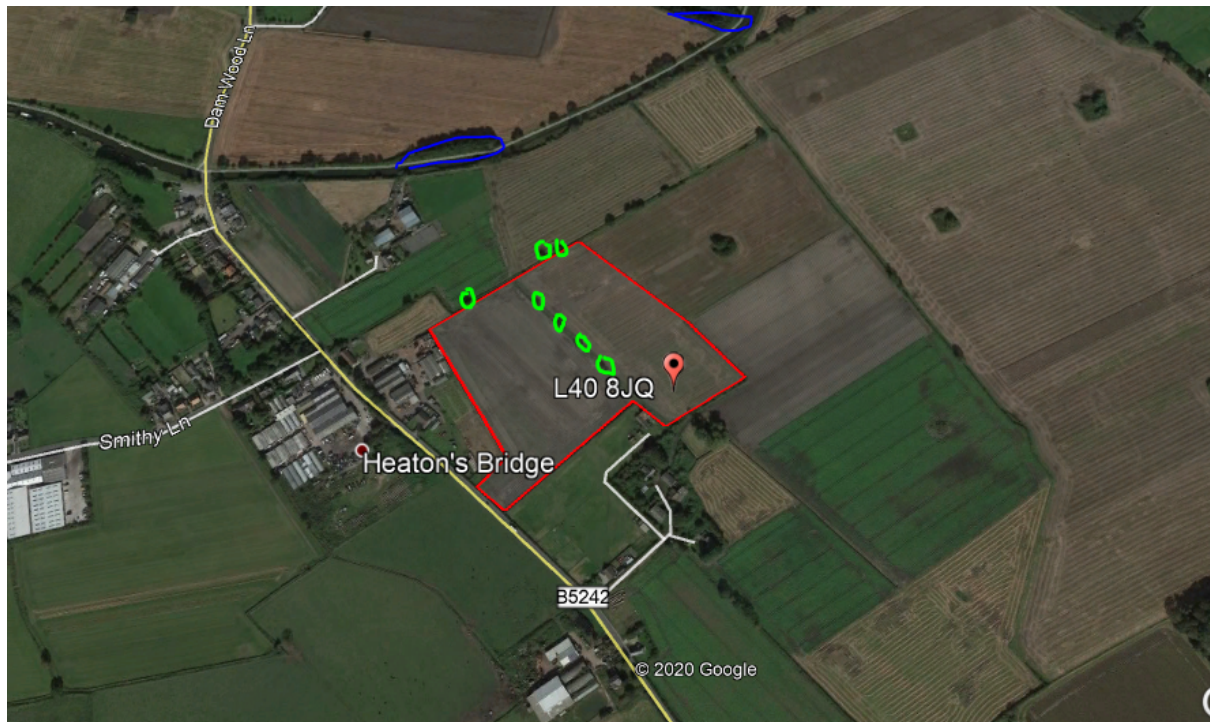
in compliance with the Control of Substances Hazardous to Health (COSHH). The health and Safety Executive have guidance for the Safe collection of wood waste: Prevention of fire and explosion. Such silos at the scale of the operation would be potentially taller than the 7.9m high buildings, and would certainly amount to a landmark.

27. The building is split into the boiler room, office/plant room, incubation rooms, growing rooms, and packing areas, and covered corridors. However, the building mass would present as a continuous façade to Heaton Bridge Road and along each elevation. The roof is a series of inclined elements to the highest point of the eaves at 7.9m height. The 2m solid boundary treatment would also be prominent in the context of an open agricultural area. This would be visible from near and far.
28. The site's Zone of Visual Influence and Visual Receptors at present as shown in Fig 2 is limited as it only is visible to the east, and this is open fields. Compared to when developed the site would have a much greater visibility, with the large scale shed scheme prominent, both to the east and west, as far as Moorfield Lane. Along Moorfield Lane there are a number of dwellings that would be receptors and these should have been considered for viewpoint montages. In Appendix XV, the images and illustrations contained are difficult to interpret due to poor graining on the photomontages and mixed hue coloration.
29. The LVIA summarises the effect on views to the north is marginal, which is due to the presence of the canal in a dip and existence of some wooded areas. There is acceptance that there will be some additional visibility in views south between Worthington's Farm and the canal bridge, and from the fields near West Bank Farm. But the impacts are said to be filtered by the hedgerow and mitigated by the new development being glimpsed through gaps in the current Heaton's Bridge roofscape as part of the built-up character of the village. There are issues here. During winter hedgerows do not provide complete coverage and there is no mention of the light spill at night time with the 24 hour operation. It is quite different to a typical farm, because this construction is not of a scale associated with a typical farm.

Impact Assessment

30. The cluster of buildings at Bungalow Farm to the west of the site is visible. You can see a lone tree on the northwest boundary, and four trees spaced along the north east boundary (green) and two clumps of woodland to the north (blue) that are situated 0.5km distance to the north side of the Leeds-Liverpool Canal. When stood outside the field gate on Heaton's Bridge Road facing north you can see the metal seven bar gate that secures the field and the hedgerow. The field topography is flat so you not only see the trees spaced along the field boundary (green), and beyond these the clumps of woodland (blue).
31. The landscape character is defined as 2A Clieve Hills and Scarisbrick in the Natural Areas and Areas of Landscape History Importance Supplementary Planning Guidance (August 2007). West Lancashire Borough Council has sought to ensure new development retains and enhances landscape character with regards to visual, ecological and historical factors.

Extracts 1 Before and After showing in plan view the red site boundary and key trees (green) and woodland (blue)

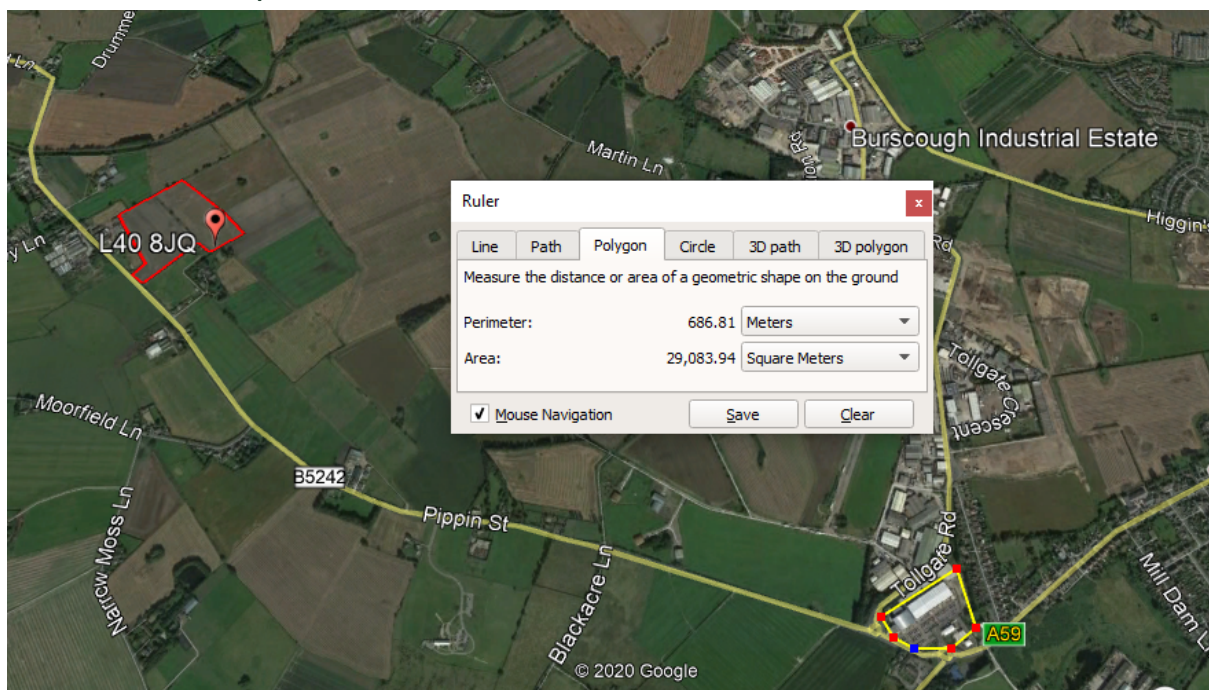


Site photo 2 taken from the seven bar gate on Heaton's Bridge Road facing northeast showing the red site boundary and key trees (green) and woodland (blue)



*Also shows the field had been in productive use this year

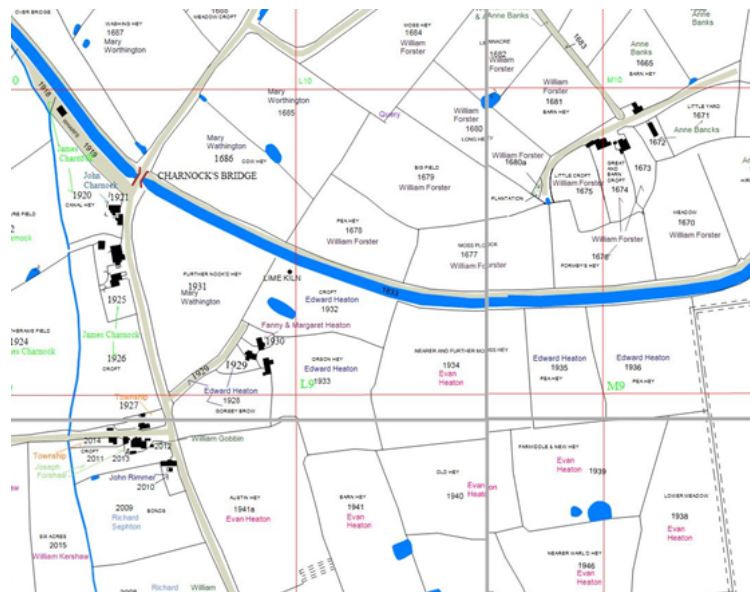
Extract 3 from GoogleEarth showing the red boundary of the site in its rural surroundings. The Ringtail retail complex building at the south of Tollgate Road (see yellow polygon) is less than half the size of the proposed mushroom farm. This puts the scale in context.



32. The surrounding landscape is flat and relatively open, the building is of considerable mass and it is likely vertical elements will be required to store materials. There will be a high to medium scale of change in a predominately unbuilt area. The development will urbanise a part of isolated rural West

Lancashire. Burscough Industrial Estate is located 1.8km to the east of the site, with a large former airfield site, that is previously developed to the south. These are much more appropriate locations for such a shed type development of this scale.

1939 Tithe Maps of area



33. I would have expected the Landscape Appraisal to consider the cultural and historical importance of the agricultural landscape more fully. Heaton's Bridge is classified as an area of *Local Landscape History Importance* representing "modern enclosure". This refers to field patterns and other landscape features which date from the mid 1800's. Above are stitched together tithe maps from 1839, which enables comparison of field patterns and landscape features, which shows the link between our heritage and modern day farming. This is an important factor that ought not to be overlooked.

Visibility Assessment

34. The assessment goes on to consider the impact of the proposals on the landscape and visual amenity and sets out the matrix for Impact Assessment in Table 24. The residential properties surrounding the development are identified and a scoring applied. In my view these downplay both the sensitivity and magnitude in many instances. In reality the magnitude of the visual impact change is more significant from of the large shed structures to the receiving environment, which is generally more sensitive than recorded. The boundary treatment proposed is a solid 2m fence on all sides, which will have an adverse landscape and visual impact harming the landscape character, which is predominately rural in character. In my view this harm is insurmountable and must be attributed great weight. The proposed mitigations for the site in my view will not adequately address the impact of the built intrusion adequately enough, and the adverse visual impact is therefore insurmountable.

Summary

35. I believe the Landscape Appraisal should have concluded that the proposals have a significant landscape and visual amenity impact. In my opinion the development should be refused due to insurmountable landscape and visual impact harms.