

APPLICATION NO PA/2017/1754

APPLICANT Mr Roger Mason

DEVELOPMENT Planning permission to erect an agricultural shed

LOCATION Land east of cattery, Field Road, Crowle, DN17 4HP

PARISH Crowle

WARD Axholme North

CASE OFFICER Andrew Willerton

SUMMARY **Grant permission subject to conditions**

RECOMMENDATION

REASONS FOR REFERENCE TO COMMITTEE Member 'call in' (Cllr John Briggs – significant public interest)

POLICIES

National Planning Policy Framework: Paragraph 14 states that at the heart of the National Planning Policy Framework there is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

Paragraph 19 states that significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 28 states that support should be given to the growth and expansion of all types of business and enterprise in rural areas and the development and diversification of agricultural and other land-based rural businesses should be promoted.

Paragraph 32 states that decisions should take account of where safe and suitable access to the site can be achieved and whether improvements can be undertaken within the transport network that cost effectively limit significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 56 states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 58 states that development should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Development should also respond to the local character and reflect the identity of local surroundings and materials, and should be visually attractive and use appropriate landscaping.

Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 196 states that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise and that the National Planning Policy Framework forms a material consideration.

Paragraph 197 states that in addressing and determining development proposals local planning authorities should apply the presumption in favour of sustainable development.

North Lincolnshire Local Plan:

RD2 (Development in the Open Countryside)

RD14 (Agricultural and Forestry Buildings)

T2 (Access to Development)

DS1 (General Requirements)

North Lincolnshire Core Strategy:

CS1 (Spatial Strategy for North Lincolnshire)

CS2 (Delivering More Sustainable Development)

CS3 (Development Limits)

CS5 (Delivering Quality Design in North Lincolnshire)

CS16 (North Lincolnshire's Landscape, Greenspace and Waterscape)

CONSULTATIONS

Highways: No objection or comments to make.

Drainage: No comments received.

Historic Environment Record: No objection.

Environmental Health: Advises a condition.

Trading Standards: No objection.

Public Rights of Way: Comments awaited.

TOWN COUNCIL

No objection to the proposal, based on the stipulation that there will be no application for residential property at the site.

PUBLICITY

The application has been advertised by site notice for a period of not less than 21 days prior to writing this report. Three letters of objection have been received raising the following issues:

- Government guidelines state that buildings housing livestock, slurry and sewerage sludge should not be permitted within 400 metres of the curtilage of a dwelling and it is estimated that there over 62 dwellings within such a distance of the site.
- Government and local guidelines do not promote development in the open countryside, building on skylines or building in isolation and the proposal is outside the council's development plan.
- The scale of the building will become a blight on the landscape for miles around and is on one of the highest points in the Isle of Axholme.
- There is no proposal for a landscaping scheme to screen the building which should be obtained as a minimum.
- The size of the building is disproportionate to the scale of the agricultural business and land holding.
- The proposals will not benefit the local economy as the development will only be used for a small limited period of time.
- No information has been submitted with regard to livestock effluent.
- The storage of agricultural materials and paraphernalia will lead to an increase in traffic movements and congestion along Field Road which is a public bridleway.
- The application form is untrue as development has commenced on the site.
- The application may lead to the development of a dwelling.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the North Lincolnshire Local Plan (NLLP) which was adopted in May 2003, the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011 and the Housing and Employment Land Allocations (HELA) DPD which was adopted in March 2016. Material considerations exist in the form of national planning policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising the Planning Practice Guidance (PPG).

The application site comprises 1.13 hectares of arable land off Field Road to the east of the Axholme Cattery on the outskirts of Crowle. An agricultural building, to be used for the keeping of sheep during the lambing season, has begun to be constructed at the site. Planning permission is sought to retain and continue construction of this agricultural building.

The main issue to consider in the determination of this application is whether the design and siting of the agricultural building are acceptable.

The application site is outside of any development limit as defined by the HELA DPD. The site is, for the purposes of planning, considered to be within the open countryside. Objection has been received that the site is outside the development plan for North

Lincolnshire, which is true. NLCS policies CS2 and CS3, in addition to NLLP policy RD2, govern development in such a location. Together, these policies seek to restrict development within the open countryside. It is noted that these policies, together, in principle, permit development that is for the efficient operation of agriculture or forestry. Section 3 of the NPPF also supports the establishment and growth of rural enterprise. Whilst objection has been received on the grounds that the site is outside the development plan for North Lincolnshire, it is a use that is, in principle, acceptable in the open countryside. The principle of the development of an agricultural building at this site is acceptable and is supported by both national and local planning policy.

NLLP policy RD14 specifically deals with the development of new agricultural or forestry buildings. It states that buildings should be sited in close proximity to existing buildings and designed to utilise existing land forms and vegetation to minimise impact. Objection has been received on these points as the building is somewhat isolated insofar as there are no buildings on the site and, due to land levels, is in a visibly prominent position. However, the building is not isolated in that it is a significant distance from existing development and is within 200 metres of dwellings in Crowle and the Axholme Cattery. It is noted that there are farmsteads and other agricultural buildings within the immediate vicinity that are similar distances from the main body of the settlement of Crowle. It is recommended that a condition is imposed, however, to secure the provision of a landscaping scheme to assist in screening the development. Whilst the proposal may affect the open field views from nearby residential properties, this is not a material consideration and it is not considered that the proposal would result in significant visual harm to the surrounding landscape.

The applicant has indicated that the building is to be used to house sheep during the lambing period and owns the surrounding 1.12 hectares of land. In addition to this land, the applicant rents a further 5.11 hectares, giving a total of 6.23 hectares of land. The applicant also has a current stock of 40 ewes and 2 rams. The applicant does not reside on a farmstead but within property in close proximity to the site in Crowle. A justified need for the development has been given as to provide shelter for the sheep during the lambing season and a site is required close to the applicant's residence which allows for quick access to look after the sheep during lambing.

The proposed building measures 23 metres by 18 metres and is to be timber clad with steel sheeting to the roof. The southern elevation is to be left open. The roof ridge of the building is to be set at 5.2 metres and features an asymmetrical roof with the eaves to the southern elevation being set at 2.2 metres and the eaves to the northern elevation at 4.3 metres. Objection has been received on the grounds that the size of the building is disproportionate to the scale of the business and size of the landholding. It is considered that the applicant has sufficiently justified the siting and scale of the site and that the development would be necessary to achieve the efficient operation of agriculture as required by planning policy.

It is acknowledged that the proposal is within 200 metres and numerous properties would be within 400 metres of the site as stated within the letters of objection received. It was further stated within the letters that government guidelines require that development that houses livestock should be 400 metres away from residential properties. The Town and Country Planning (General Permitted Development) Order (2015), within the part dealing with agricultural and forestry buildings, states that buildings housing livestock should be 400 metres from residential properties, excluding any farmhouse associated with the agricultural holding. However, this document determines development that does not require planning permission. The fact that the site is within 400 metres of a dwelling means that the proposal requires planning permission and cannot be developed under permitted

development rights. NLLP policy RD15 states that intensive livestock units will not be permitted within 400 metres of settlements such as Crowle; however, it is not considered that an agricultural building to house 40 sheep for the purposes of lambing represents such a facility. The Environmental Health and Trading Standards teams have both been consulted on the proposal and have not raised any objections to it. It is acknowledged that no information has been provided with regard to how waste generated from housing the sheep will be dealt with. However, the field could be used as grazing land for 40 sheep without the consent of the planning authority and it is considered unreasonable to impose a condition to request such information be provided.

The site is accessed off Field Road which decreases in size to a track which is a public bridleway. Objection has been received that the proposal would result in an increase in traffic using Field Road and the track. The Highways team has been consulted on the proposal and has raised no objection. It is not considered that the proposal would be to the detriment of highway safety.

The Public Rights of Way team has also been consulted and has raised no objection to the proposal. Field Road is a public bridleway and it is necessary to consider whether the proposed agricultural building could increase traffic along Field Road to an extent and nature that the public's use of the bridleway might be diminished. The team has raised no objection to the proposal as it is considered that the public right of way already serves as an agricultural access and the scale of activity arising from the proposed agricultural building is likely to be modest and not result in a significant increase in traffic along the route than what already occurs.

It is acknowledged that the application form is incorrect, as highlighted within the letters of objection received, insofar as it states that development has not commenced on the site. This fact does not constitute a material consideration and the proposal must be considered on the merits of the case with regard to planning policy.

Objection has also been received that the proposal may result in the development of a dwelling at the site. This, too, does not constitute a material consideration with regard to the determination of this proposal for the development of an agricultural building. If an application were to be forthcoming for the development of a dwelling at the site it would be considered on its own merits at the time of its submission with regard to planning policy.

On balance, it is considered that the development of an agricultural building for the housing of livestock for the purposes of lambing in this location is acceptable and has been sufficiently justified by the applicant. It is, however, recommended that a landscaping scheme is secured to assist in screening the proposed agricultural building. It is therefore recommended that planning permission be granted subject to conditions.

RECOMMENDATION Grant permission subject to the following conditions:

1.
The development hereby permitted shall be carried out in accordance with the following approved plans: 001 Revision C and 002 Revision A.

Reason

For the avoidance of doubt and in the interests of proper planning.

2.

Within three months of the date of this decision, proposals for landscaping shall be submitted to and approved in writing by the local planning authority. The proposals shall include details of any trees/hedges to be planted together with measures for their protection during the course of development.

Reason

To enhance the appearance of the development in the interests of amenity.

3.

All the approved landscaping shall be carried out within 12 months of the date of approval of the submitted landscaping scheme (unless a longer period is agreed in writing by the local planning authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the local planning authority agrees in writing to any variation.

Reason

To ensure the implementation and maintenance of the submitted scheme of landscaping for the proposed development.

Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



19m

MILL ROAD

Track

Application site



Cattery

Crowle

DRIVE

Field Road (Track)

Tip
(dis)



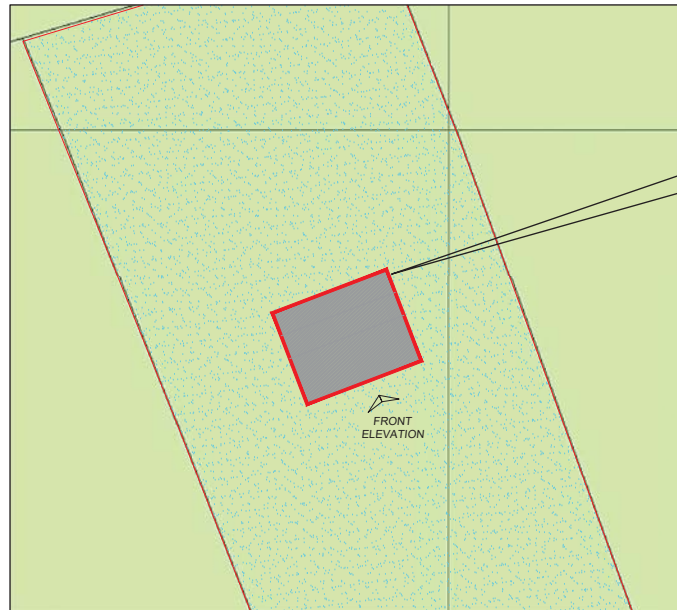
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PA/2017/1754 Proposed site layout - Not to scale



SITE LOCATION

LOCATION MAP
SCALE 1:2500



PROPOSED
LOCATION

FRONT
ELEVATION

SITE LAYOUT
SCALE 1:500

REV	DATE	AMENDMENT	DRAWN BY	CHECKED BY

CENTRELINE
DESIGN CONSULTING LTD

7 West Street Telephone: 01724 784156
West Butterwick Mobile: 07834915720
Scamthorpe Email: centrelinedesign@hotmail.co.uk
North Lincolnshire Website: www.centrelinedesigns.co.uk
DN17 3JZ

CLIENT
Mr Mason

TITLE
Portal Framed Shed – Prior Approval for Agricultural Building
Field off Field Road, Crowle
LOCATION MAP & SITE LAYOUT

DRAWN BY	DATE	SCALE	DRAWING No	REV
CH	MAR 2017	AS SHOWN	001	C