DELEGATED REPORT

Recommendation Made: 10 October 2011

Reference:- 11/00695/FUL **Parish:- Ratby Parish Council**

Applicant:- Mr John Cawrey
Kirby Grange Farm
Taverner Drive
Ratby
Leicester

Location:- Land Off Desford Lane Ratby Leicestershire

Proposal:- ERECTION OF WOOD CHIP STORE AND NEW ACCESS

Introduction:-

This is a full application for the erection of a wood chip store and new access on land off Desford Lane Ratby. A perimeter weldmesh fence varying in height from 2m to 2.3m, and two parking spaces are also proposed.

The purpose of the building is to store wood chip for fuel. Chippings need to be stored for at least 6 months prior to use.

The proposed building is to be located 80 metres from Desford Lane, off the newly created access to the adjacent 'Pear Tree' farm commercial development.

As the ground level rises to the south west, the proposal will be cut in to the landscape and the site will levelled.

The site is situated within the open countryside and National Forest, close to, but outside of, the western edge of the settlement boundary of the village of Ratby.

A Design and Access Statement has been submitted with the application, this provides an explanation of the purpose of the scheme and justification for its design and siting.

Relevant Planning History: -

11/00469/GDO	Erection of Wood Chip Store and New Access	Withdrawn	
09/00827/COU	Change of use of land from agricultural use to Allotments, storm water overflow basin and Wildlife Area	Approved	11.01.2010

Consultations:-

No objections have been received from: -
Environment Agency
National Forest Company
Director of Highways, Transportation and Waste Management (Highways)
Head of Community Services (Pollution)

No objections have been received subject to standard Notes to applicant from:-
Head of Community Services (Land Drainage)

No comments have been received from: -
Neighbours

Development Plan Policies:-

Adopted Core Strategy

Policy 8 – Key Rural Centres

Policy 21 – National Forest

Adopted Local Plan

The site lies within the open countryside as defined in the adopted Hinckley and Bosworth Local Plan.

Policy BE1 - Design and Siting of the Development

Policy NE5 – Development in the Countryside

Policy NE12 – Landscaping

Policy T5 – Highways and Parking

The Borough Council's Supplementary Planning Document on Sustainable Design aims to proactively promote sustainable development and sustainable technologies.

Appraisal:-

The main considerations in respect of this application are the principle of development, the impact of the proposal on the character of the countryside, design, highway safety and residential amenity.

The Principle of Development

The site lies close to, but outside of, the settlement boundary of Ratby and therefore within the countryside. National, regional and local plan policies seek to protect the countryside for its own sake unless there is a demonstrable need for development in such areas. Policy NE5 states that development will only be permitted if it is either:-

- important to the local economy and can not be provided within or adjacent to an existing settlement
- is for the change of use, reuse or extension of existing buildings,
- is for sport or recreation purposes

Although the proposal does not fall within one of the above categories, it is considered that due to the proposed use of the building, there is a sustainable and operational requirement for it to be situated within the countryside, within close proximity to the wood source to which its seeks to provide storage for. Within the design and access statement it is stated that there are three woods within the vicinity of the site that will provide the wood for the chips to be stored in the proposed building. This has been confirmed by the national forest company.

The need for the proposed building in this specific location must be considered. There are two reasonable arguments in respect of the siting of a wood chip store to be cited close the source of wood. In terms of their specific operational and land use requirements, agricultural and forestry operations are considered on a similar basis. One argument is that it is more sustainable to site ancillary buildings associated with the specific land use, in this case a wood chip store and forest, within close proximity of one another. This is similar to the argument used for the provision of agricultural buildings to house cattle, on land where the cattle graze; it is more convenient for the specific operational requirements for the two to be sited within close proximity of one another, and the argument is considered justified. In this case, the siting of the wood chip store in this location would reduce transportation of the bulky goods and would allow forestry workers to complete the felling, chipping and storage of materials in one location. On the other hand it could be considered more sustainable for the woodchip to be stored within an existing commercial facility, within a settlement boundary where such uses may be more acceptable in planning terms.

In this case however, due to the specific design of building required (one through which air can permeate to

dry the woodchips) the building needs to be purpose built and it would be unlikely that there would be a suitable building or site available locally on an existing development. Further, it may not be financially viable to rent a building with the required floor area for the specified purpose within a settlement boundary. This is due to the fact that the rent for the floor space required within a settlement boundary would be higher than that in the countryside and the return on the goods stored would be nominal, thus rendering the proposal unviable. On balance, as the proposed building is to be sited on land between the settlement boundary and the forest, although this land comprises countryside, based on the above argument, this is considered the most suitable location.

In addition to this justification, the wood chips will serve a sustainable Biomass boiler which will provide for the heating needs of the adjacent commercial development at Pear Tree Farm. In line with National Guidance, Councils should be encouraging developments which promote sustainable technologies. Accordingly, on balance, the sustainable and operational need for the building outweighs the need to restrict development in the countryside in this case, and therefore the principle of development is considered acceptable.

Impacts on the Countryside and Design

Where a development is considered acceptable in principle, policy NE5 requires that the development does not have an adverse effects of the appearance or character of the landscape, is in keeping with the scale and character of existing buildings and the general surrounds, where necessary is effectively screened by landscaping and will not generate traffic of an unacceptable level.

In this case the building has been specifically designed to ensure that it has minimal impacts on its countryside setting. The building has a rectangular footprint with a shallow curved, green metal profiled roof. This will have a maximum height of 4.1m however, as the footprint has to be dug into the sloping site, the NE elevation will only project 2.5m above ground level at its highest point. The sides of the building are formed by steel weldmesh panels, which result in the building appearing partially transparent. Accordingly this is considered a simple building which is sympathetic to its landscape. The development also proposes a plastic green weldmesh fence around the perimeter of the site and steel framed gates with weldmesh panels. Due to the transparent nature of this and the fact that it will be viewed against a green backdrop, its appearance within the landscape will be minimal. Further the fencing proposed is the same fencing as that surrounding the adjacent allotments which has already been deemed as acceptable under application ref: 09/00827/COU.

The scheme also proposes to lengthen the existing access road, which was approved under the Pear Tree farm application and provide two parking spaces. Although this will result in additional hardstanding within the landscape, due to the minimal extent of this its impacts are not considered to warrant refusal of the scheme. Notwithstanding the details submitted, a condition will be imposed requiring details of the surfacing of the access and parking spaces to be submitted and agreed in writing by the Local Planning Authority. Fleeting views of the development may be available from Desford Lane, however due to the dense landscaping to the front of the site, and the materials proposed, views will be minimal and there will be no adverse impacts in terms of visual amenity.

Therefore, based on the above, the design is considered acceptable, and development is considered to have no material impacts in terms of visual amenity.

Highway Safety

An existing access, approved under 08/01123/FUL will be used to serve the proposal. This leads from Desford Road. Accordingly the design of this is considered acceptable. The two parking spaces proposed for this scheme are considered sufficient given its use and no objections have been received from Director of Highways, Transportation and Waste Management (Highways).Accordingly there are considered no adverse impacts in terms of highway safety.

Residential Amenity

Head of Community Services (Pollution) required clarification of whether the chipping would take place on site, as if so they would have concerns in respect of impacts on the amenity of surrounding properties. It has been clarified that no chipping will take place on site; and the proposal is solely for the storage of the chips.

Based on the above, and due to the distance of the building from surrounding residential properties, there are considered to be no material impacts in terms of residential amenity.

Conclusion

Although the development is situated within the open countryside; resultant of the specific end use proposed, the need for the building to be situated within close proximity of a source of timber, and that fact that it will enable the implementation of a sustainable heating system to be adopted at the adjacent Pear Tree Farm development, the need for the proposal outweighs the need to restrict development within the open countryside. In terms of its design and siting, the development is not considered to have any material impacts on the character or visual amenity of the surrounding countryside or in terms of residential amenity or highway safety. Therefore the proposal is considered acceptable.

RECOMMENDATION:- Permit subject to the following conditions:-

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development by virtue of its specific end use, its siting, scale and design is considered acceptable in principle and is not considered to have any material impacts on the character or visual amenity of the surrounding countryside or in terms of residential amenity or highway safety. Therefore the development is considered acceptable.
Hinckley & Bosworth Borough Council Local Plan (2001) :- NE5, T5, BE1

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2 Before any development commences, representative samples of the types and colours of materials to be used on the external elevations of the proposed development shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved materials.

3 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:- Drg Nos AL (0) 1, AL (0) 2, AL (0) 3 received by the Local Planning Authority on the 1/09/11

4 Notwithstanding the details provided, prior to commencement surfacing details of the access way, parking and turning areas shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be implemented as approved and retained thereafter.

5 The premises shall only be used for the storage of woodchips and for no other purpose (including any other purpose in Class B8 in the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reasons :-

1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 To ensure that the development has a satisfactory external appearance to accord with policy NE5 of the adopted Hinckley & Bosworth Local Plan.

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

4 To safeguard the character of the countryside in accordance with Policy NE5 of the adopted Hinckley and Bosworth Local Plan.

5 The erection of a building for B8 Use would not be acceptable in this location if is wasn't for the forestry and sustainable association as presented in the application. To ensure compliance with PPS1, PPS7 and Policy NE5 of the Adopted Hinckley and Bosworth Local Plan.

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

5 The access was, parking and turning areas should constructed in a permeable paving system, with or without attenuation storage, depending on ground strata permeability. On low-permeability sites surface water dispersal may be augmented by piped land drains, installed in the foundations of the paving, discharging to an approved outlet.

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