DELEGATED REPORT

Recommendation Made:

Reference:- 10/01002/FUL **Parish:- Shackerstone Parish Council**

Applicant:- Mr Alan Simpson
C/o Agent

Location:- Oaklands Farm Heather Road Shackerstone Nuneaton Leicestershire

Proposal:- ERECTION OF COVERED FEED YARD

Introduction:-

This application seeks full planning permission for the erection an agricultural building which is to be used a covered feed area at Oaklands Farm, Heather Road, Shackerstone. This application follows the refusal of a prior notification for the extension to an existing agricultural building.

The proposal is located to the north side of the existing farm buildings and lies 450 metres north of the village boundary of Shackerstone and 200 metres south of the adjacent agricultural unit of Tiveys Farm (a Grade two listed building).The site is heavily screened from Heather Road and the access track to the south of the site by mature hedgerows. A public footpath extends along the south corner agricultural unit.

The proposed agricultural building will measure 18 metres by 12 metres with a dual pitch roof measuring 5.5 metres to the ridge and 4.2 metres to the eaves and is to be located directly adjacent to an existing slurry building of a similar size. The building will be a portal frame structure covered with a grey fibre cement roof and 2 metre high concrete panels will enclose the building with the south side left open for access.

A brief Design and Access Statement has been submitted to accompany this application and gives a description of the site, where the building will be located and implication for access.

Site History

05/00210/FUL - ERECTION OF AGRICULTURAL SLURRY BUILDING - PERMITTED
10/00769/GDO - EXTENSIONS TO AN EXISTING AGRICULTURAL BUILDING - REFUSED

Consultations:-

No objection has been received from :-

Shackerstone Parish Council
The Head Of Community Services (Pollution)

Head of Community Services (Land Drainage) advises that animal waste and surface water contaminated by animal waste must not be discharged to ditches, watercourses or soakaways. Slurry, contaminated runoff - including wash water - and leachate from stockpiled manure, must be collected in tanks (or lagoons) complying with the standards laid down in the 'Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991'. Clean roof water should be discharged to soakaways (subject to suitable ground strata), ditches or watercourses.

Development Plan Policies:-

Central Government Policy

Planning Policy Statement 7: Sustainable Development in Rural Areas

Local Policy

Hinckley and Bosworth Local Plan 2001

BE1 - Design and Siting of Development
NE5 - Development in the Countryside

Design of Farm Buildings (Supplementary Planning Guidance)

Appraisal:-

The main considerations with regards to this application are the principle of development, impact on the countryside, design and layout

Principle of Development

Oak Farm is a long established agricultural unit and although the countryside is protected for its own sake, in principle, the development of agricultural buildings within rural areas is considered acceptable providing the development meets the criteria of Policy NE5.

Impact on the countryside, design and layout

The proposed building is located directly adjacent an existing slurry building which benefited from consent in 2005 (05/00210/FUL), and opposite the large main farm building. The proposed design is similar to the adjacent building and in keeping in terms of scale and character with buildings already present within the complex. The proposed building is typical of modern farm structures using robust materials which are required to accommodate the proposed use.

The proposed building is not prominent from Heather Road or the access track to the south due to the location of the mature hedgerows. The building will not be prominent when viewed from the public footpath to the south of the site as it will be screened by the existing buildings. The structure will be partially visible to Tiveys Farm which lies to north of the site, however due to distance between the buildings and siting of the proposed buildings it is considered that there will be no detrimental impact on the setting of listed building or visual amenity.

Other matters

The structure will be partially visible from Tiveys Farm which lies to north of the site, however due to distance between the buildings and siting of the proposed buildings it is considered that there will be no detrimental impact on the setting of listed building, or visual amenity. No other properties are located in close proximity.

The concerns raised by Head of Community Services (Land Drainage) are not considered to meet the test to apply a planning condition however, the applicant is advised of the comments by note to applicant.

Conclusion

The proposal is acceptable in principle and due to the secluded nature of the site, the scale and siting of the proposed building, it is considered that the development does not have an adverse effect of on the appearance or character of the landscape and is in keeping with the scale and character of existing buildings and general surroundings, and therefore 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 would be in accordance with the

development plan. Resultant of the design, scale, siting and materials proposed, there are considered to be no material impacts on visual or residential amenity or on the character of the countryside. Accordingly the scheme is considered acceptable.
Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1 and NE5

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

2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, block plan, floor plan and elevation drawing received by the Local Planning Authority on the 24th of February 2011.

3 The materials used in the construction of the agricultural building hereby approved shall be strictly in accordance with the details submitted in the application form received on the 24th of February 2011 and correspondence received on the 19th of April 2011 unless otherwise agreed in writing by the Local Planning Authority.

Reasons :-

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

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

3 To ensure that the development has a satisfactory external appearance to accord with Policy BE1 of the 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 Animal waste and surface water contaminated by animal waste must not be discharged to ditches, watercourses or soakaways. Slurry, contaminated runoff - including wash water - and leachate from stockpiled manure, must be collected in tanks (or lagoons) complying with the standards laid down in the ‘Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991'. Clean roof water should be discharged to soakaways (subject to suitable ground strata), ditches or watercourses.

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