Item: **07**

Reference: **11/00290/FUL**

Applicant: **Mr Richard Cobley**

Location: **Snowdene Farm Main Street Botcheston**

Proposal: **ERECTION OF AN AGRICULTURAL BUILDING**

Target Date: **11 July 2011**

Introduction:-

This application is to be considered at Planning Committee in accordance with the Scheme of Delegation, as it is an agricultural building on a parcel of land less than 10 hectares.

Application Proposal

This application seeks full planning permission for the erection of a new agricultural building on land at Snowdene Farm, Botcheston. The building will have a rectangular footprint measuring 18.3 metres x 13.73 metres and a pitched roof with a ridge height of 6.4 metres. At either end of the building will be a large opening measuring 4.8 metres x 6.2 metres. The building is to be constructed from corrugated steel and finished in a Juniper Green colour.

The building is required to store farm machinery in connection with the applicants hay and straw making business. Further justification has been requested in respect of the business. The applicant has provided verbal evidence in respect of his business, which he intends to follow up in writing. He has confirmed that he owns the site which has an area of 2 hectares, on which he stores agricultural machinery and hay and straw. In addition he rents 20 acres of land immediately adjacent and rents a further 63 acres across the borough. In addition to hay and straw production on his own land, he also farms and maintains land for other farmers. He has stated that he owns the following farm machinery:- 2 x bailers, a flailer, a bale wrapper, a Massey Ferguson and 2 x Leyland Tractors. The applicant has been operating his current business in excess of 5 years.

The Site and Surrounding Area

The application site comprises an area of 2 hectares and is roughly 'L' shaped and is known as 'Snowdene Farm. The farm occupies the land to the rear of residential properties on Main Street Botcheston. The site is accessed from Main Street. The land slopes in a southern direction away from the road. Agricultural land is adjacent to the site on each elevation. Mature vegetation and native hedgerows bound the site. There are a number of buildings and sheds on site and large areas of gravelled hard standing. There are also 4 large ponds on site which were previously used for the applicants fish farming business.

Technical Document submitted with application

A Design and Access statement has been submitted with the application. This clarifies the intended use of the building and provides information in respect of the applicants business and the justification for the building. Information on the access is also included.

History:-

08/00143/FUL	Retention of Fence and Gate	Approved	04.04.08
03/00154/FUL	Erection of Barn	Approved	26.03.03



© Crown copyright. All rights reserved Hinckley & Bosworth Borough Council LA00018489 Published 2006

Consultations:-

No objection has been received from Director of Environment and Transport (Highways).

No objection subject to a note to applicant has been received from Head of Community Services (Land Drainage).

Site notice was displayed and neighbours notified.

At the time of writing the report comments have not been received from:-

Desford Parish Council
Ward Members
Neighbours.

Policy:-

National Policy Guidance

Planning Policy Statement 7 (PPS7): 'Sustainable Development in Rural Areas' sets out the Government's planning policies for rural areas. One of its objectives is to promote sustainable, diverse and adaptable agriculture sectors where farming contributes both directly and indirectly to rural economic diversity. Paragraph 1 states that new building development in the open countryside away from existing settlements should be strictly controlled to protect the countryside for the sake of its character, beauty, diversity, heritage and wildlife so it may be enjoyed by all. All development in rural areas should be well designed and inclusive, in keeping and scale with its location, and sensitive to the character of the countryside and local distinctiveness. Paragraph 16 states that when determining planning applications for development in the countryside, local planning authorities should: (among other factors) support development that delivers diverse and sustainable farming enterprises.

Regional Policy

The Court of Appeal, in April 2011, gave judgment on an appeal by CALA Homes in relation to their continuing challenge to the SoS's proposal to abolish regional strategies. The Court confirmed that the Government's proposal to abolish regional strategies is a material planning consideration, but that it is up to the LPA to decide what weight to give to the proposal in considering planning applications. The Localism Bill is still going through the Parliamentary process and the SoS has now confirmed that the actual revocation of any regional strategy will be subject to a Strategic Environmental Assessment. The view taken currently is that little if any weight should be given to the proposal to abolish regional strategies. This advice may change as the Bill progresses and officers will monitor the progress and report appropriately to committee.

East Midlands Regional Plan 2009

No policies relevant.

Local Development Framework Core Strategy 2009

Policy 13 refers to Rural Hamlets and is supportive of development which complies with Policy 17: Local Needs

Policy 17 refers to Rural Needs and is supportive of developments where the need cannot be met within the settlement boundary. The development must be of a scale and design which respects the character of the settlement concerned and the level of need identified.

Hinckley and Bosworth Local Plan 2001

The site is situated within the open countryside.

Policy BE1 seeks to safeguard and enhance the existing environment and states that planning permission will be granted where the development: complements or enhances the character of the surrounding area with regard to scale, layout, mass, design, materials and architectural features; avoids the loss of open spaces, important gaps in development and features which contribute to the quality of the

local environment; has regard to the safety and security of individuals and property; incorporates landscaping to a high standard where this would add to the quality of the design and siting; ensures adequate highway visibility for road users and adequate off street parking and manoeuvring facilities; is not adversely affected by activities within the vicinity of the site which are likely to cause a nuisance to the occupiers of the proposed development; does not adversely affect the occupiers of neighbouring properties.

Policy NE5 states that the countryside will be protected for its own sake. However, planning permission will be granted for built and other forms of development provided that it is either: important to the local economy, and cannot be provided within or adjacent to an existing settlement; for the change of use, re-use or extension of existing buildings or for sport or recreation purposes, and only where it does not have an adverse effect on the appearance or character of the landscape, is in keeping with the scale and character of the existing buildings and general surroundings, will not generate traffic likely to exceed the capacity of the highway network or impair road safety and is effectively screened by landscaping.

Supplementary Planning Guidance / Documents

Design of Farm Buildings Supplementary Planning Guidance (SPG) (2004) states that the position of a new farm building or structure is usually dependant on its function and the space available. There are other factors that should be taken into account, such as the visual importance of the building, both in the wider landscape, and within the farm complex itself. The function of building will influence the scale and type of building and the long term agricultural requirements of the building should also be considered.

Appraisal:-

The main considerations with regard to this application are the principle, impact on the character and appearance of the countryside, impact on neighbours and highway implications.

Principle of Development

Policy NE5 of the Local Plan protects the countryside for its own sake and restricts the type of development that can take place. The supporting text to the policy provides examples of the types of development which would normally be considered acceptable, one of which is agriculture. As the proposal is for an agricultural building, the development is one that would normally be considered acceptable. This said the local authority has to be certain that the proposed building is required for the agricultural practices relating to the
land on which the building is sited.

Since submission further justification has been provided by the applicant for the proposed building. Although the applicant only owns a parcel of land measuring 2 hectares, he rents a further 83 acres of land, 20 acres being immediately adjacent to the site. The applicant farms this land for hay and straw, which he then sells off privately. He has also provided information as to the farm machinery which he owns, which is summarised in the introductory paragraph. The proposed building is to be used to store the outlined agricultural machinery and its size and scale is considered acceptable for this. Based on the supporting information submitted it is considered that there is adequate agricultural justification for the building proposed and that the principal of the development is therefore acceptable.

Design and Impact on the character and appearance of the countryside

The building proposed is of common agricultural design, having a rectangular footprint and a shallow pitched roof. The building has been designed for purpose, having large openings at either gable end to allow large farm machinery access. The barn is to be constructed from corrugated steel sheets which are to be painted Juniper Green. This will help assimilate the building into its surrounds.

When viewed from the south, the building will be seen against a backdrop of existing development along Main Street and when viewed from the west will be seen against the similar sized adjacent agricultural building already on site. From Main Street the building will be largely screened by the residential development due to the drop in ground levels to the south. As a result of the mature vegetation along the north western boundary and the proposed colouring of the building, only fleeting views will be available from the west. Accordingly the proposal is not considered to have any adverse impacts on the character or appearance of the countryside and is considered to be of an acceptable design.

Impact on Neighbours

The proposed building is a distance of 150m from the closest residential property on Main Street. Accordingly, due to this distance and the fact the building is to be used to store existing machinery there are considered to be no material impacts on the amenity of nearby residential properties.

Highway Issues

The building is to be accessed via the existing access on Main Street, and as the building will not result in any further intensity in activity on the site, the Director of Environment and Transport (Highways) has no objections.

Conclusion

The applicant has provided information justifying that the building is required in this position for the purposes of agriculture. It has also been demonstrated that the size and scale of the building is required for the use proposed. The site is within the open countryside, however due to the proliferation of existing development on the site, the fact that the site is well screened and that the development will be viewed against the backdrop of existing development; the building proposed is not considered to have any detrimental impacts on the character of the surrounding countryside. Further there will be no material impacts on residential amenity or in
terms of highway safety. Accordingly subject to conditions the application is therefore recommended for approval.

RECOMMENDATION:- Permit subject to no significant material objections being received prior to the expiry of the consultation period on [28/6/11] and 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 the use, siting, design and appearance would

not detrimentally affect the character and appearance of the area or highway safety and would be in accordance with the development plan.

Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1, NE5 and T5

Hinckley and Bosworth Borough Council Local Development Framework: Core Strategy (2009):- Policy 13, Policy 17

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 be carried out in complete accordance with the submitted application details, as follows:- Plan 1, Plan 2, Plan 3, Plan 4, Plan 5 received by the Local Planning Authority on the 12/4/11.

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 interest of proper planning.

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 Surface water should be discharged to a soakaway or a natural watercourse.

Contact Officer:- Eleanor Shaw Ext 5680