Item: **05**

Reference: **11/00544/FUL**

Applicant: **Mr R Leedham**

Location: **Lindridge Farm Lindridge Lane Desford**

Proposal: **ERECTION OF AGRICULTURAL BUILDING**

Target Date: **13 September 2011**

Introduction:-

This application is being reported to Committee in accordance with the Scheme of Delegation, as the proposed agricultural building has a floor space of over 500 square metres.

Application Proposal

This application seeks full planning permission for the erection of an agricultural building at Lindridge Farm, Lindridge Lane, Desford to be used as a cubicle house for the keeping of livestock, in particular cattle. The approximate dimensions of the proposed agricultural building are 38.1 metres wide x 48.8 metres long with an eaves height of 4.3 metres and a ridge height of 9.4 metres. This provides an internal floor area of 1859 square metres. The building will be sited 6 metres from existing cattle buildings at the south west corner of the farm complex. The building is to be constructed of concrete panels with Yorkshire boarding over and cement fibre sheet roof panels and will have 5 x galvanised steel cattle gates in both the south and north elevations. It is intended that the proposed building will be cut into the ground to provide a similar finished floor level to the adjacent cattle building and that the excavated earth will then be used in the construction of the proposed slurry store at the farm, an application for which is to be considered as a separate item on this agenda.

The Site and Surroundings

The site is located in the countryside, to the north of the village of Desford, it is accessed by a farm track from Lindridge Lane. Lindridge Farm comprises of approximately 240 acres (97 hectares) and operates as a commercial dairy farm currently milking around 200 cows and rearing young stock replacements for the herd. The farm complex comprises of a farmhouse and a number of agricultural buildings of varying size and scale located within agricultural fields. The land levels fall towards the south and east from the farm complex.

There are residential properties unrelated to the farm located approximately 380 metres to the east of the proposed building along Lindridge Lane.

Technical Documents submitted with the application

A Design and Access Statement has been submitted with the application which states that the proposed building will be used as a cubicle house for keeping cattle. It will blend in with its surroundings being located to the west of and viewed as part of

the farm building complex, particularly from Lindridge Lane. The existing vehicular access from Lindridge lane will be used. No landscaping is proposed.

Further information has been submitted by the agent that outlines the use and capacity of the existing and proposed agricultural buildings on the site and the existing and proposed cattle stock levels and sheep stock on the farm. It is the applicant's intention to increase the dairy herd from 200 to 250 milking cows and to provide additional cattle accommodation. The agent states that the new building is required to address a current shortfall in sheltered livestock accommodation within the holding and in response to the ever increasing demands of the food industry in respect of hygiene and welfare standards. It is the applicant's intention to utilise the new building for the keeping of the increased dairy herd and to allow for its further expansion and to utilise the existing cattle buildings for the keeping of young stock (i.e. day old up to 2 years old of which there are currently 180) to replenish the herd. Some of these are currently housed in small traditional brick barns unfavoured by modern farming. In addition to cattle there are 40 sheep within the livestock kept on the farm.

History:-

11/00559/FUL	Proposed Slurry Store	Pending Decision



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Consultations:-

No objections have been received from:-

Director of Environment and Transport (Highways)
Head of Community Services (Pollution).

No objection subject to notes to applicant regarding contaminated water has been received from the Head of Community Services (Land Drainage).

Ward Members have made no comments in respect of this application.
No response has been received at the time of writing this report from:-

Desford Parish Council
Bagworth & Thornton Parish Council
Site Notice
Neighbours.

Policy:-

National Planning 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 achieves high environmental standards, contributes both directly and indirectly to rural economic diversity and is itself competitive and profitable. Paragraph 1 states that all development in rural areas should be well designed, in keeping and scale with its location and sensitive to the character of the countryside. Paragraph 16 states that when determining planning applications for development in the countryside, local planning authorities should support development that delivers diverse and sustainable farming enterprises. Paragraph 27 states that support should be given to development proposals that will enable farmers to become more competitive, sustainable and environmentally friendly and comply with changing legislation and associated guidance.

Regional Policy Guidance

The Court of Appeal, in May 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 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

There are no policies specific to this application.

Local Policy

Local Development Framework Core Strategy 2009

There are no policies specific to this application.

Hinckley and Bosworth Local Plan 2001

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

Policy BE1 seeks to ensure a high standard of design in order to secure attractive development and safeguard and enhance the existing environment. Planning permission will be granted for development that: compliments or enhances the character of the surrounding area with regard to scale, layout, mass, design and materials; has regard to the safety and security of both individuals and property; incorporates landscaping to a high standard and 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 development in the countryside provided that it is important to the local economy and cannot be provided within or adjacent to an existing settlement 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 existing buildings and the general surroundings and where necessary is effectively screened by landscaping.

Other Policy Documents

Design of Farm Buildings, Supplementary Planning Guidance (SPG) (2004) states that the position of a new farm building or structure is usually dependant upon 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 in respect of this application are: the principle of development and its impact on: the character and appearance of the countryside, the amenities of neighbouring residential properties and highway implications.

Principle of Development

Whilst both Planning Policy Statement 7 (PPS7) and policy NE5 of the Local Plan seek to protect the countryside for its own sake, they are generally supportive of agricultural development in the countryside providing that it is necessary for the operational requirements of the holding and that it does not result in any material harm to the existing character or appearance of the landscape. In addition, PPS7 supports development that delivers sustainable farming enterprises and the proposed building will improve, and allow expansion of, the dairy farming operation and will contribute to the viability of the agricultural holding and consequently contribute to the rural economy.

Given that the farm holding comprises approximately 97 hectares (240 acres) of agricultural land it is not unreasonable that a range of buildings will be required for the successful running of the business. To support the application, a breakdown of the use of the existing buildings within the farm complex has been submitted together with the proposals to substantially increase the dairy herd as justification for a new building of this scale. As a result of the existing and proposed agricultural business,

the erection of an agricultural building on this operational dairy farm is considered to be acceptable in principle and to comply with PPS7 and policy NE5 subject to all other planning matters being adequately addressed.

Design and Impact on the Character and Appearance of the Countryside

The site is located in a rural landscape that is largely characterised by open and closed fields with hedge planting to the boundaries and occasional trees. The proposed agricultural building is sited to the west of the existing farm complex adjacent to, and in line with, existing agricultural buildings. The siting also takes into account ease of slurry management from the building being positioned adjacent to the proposed slurry store immediately to the south to be considered under a separate report on this agenda (reference 11/00559/FUL). The Council's SPG on Design of Farm Buildings recognises that on the whole, modern farm buildings tend to be larger than their traditional counter-parts due to the introduction of new agricultural practices and machinery resulting in higher, larger span buildings. The design, scale, massing and materials of the proposed agricultural building are characteristic of many modern agricultural buildings with walls constructed of concrete block work with Yorkshire boarding over and cement fibre sheets on a low profile roof.

The main issue is the impact that a building of the proposed scale in this location will have on the character and appearance of the landscape. The land slopes down to the south, east and north from the Lindridge Farm complex such that the buildings are viewed against the skyline. The dimensions of the proposed agricultural building are approximately 38.1 metres wide x 48.8 metres long with an eaves height of 4.3 metres and a ridge height of 9.4 metres. The existing farm building adjacent to that proposed is more modest in scale measuring approximately 24 metres x 31 metres with a ridge height of approximately 8 metres. Given the sloping topography of the site, it is proposed that the new agricultural building will be cut into the existing slope and constructed with a finished floor level 1.5 metres higher than the adjacent building. Combined with the higher ridge height this will result in the building being approximately 3 metres higher than the existing building and therefore visible from the surrounding countryside. However, given the siting of the building it will be substantially screened by the existing farm complex and viewed as part of the complex. As a result of its siting and design and notwithstanding its scale, the proposed building will not have a significant adverse impact on the character or appearance of the landscape over and above that of the existing agricultural buildings on site and is therefore considered to comply with policy NE5 of the adopted Local Plan.

Impact on Residential Amenity

The proposed agricultural building will be sited approximately 380 metres to the west of the nearest residential properties which are located on Lindridge Lane and further away than existing agricultural buildings used for the keeping of cattle within the farm complex. Given the nature of the proposal there is the potential for odour and noise to be generated however this would largely be contained within the proposed agricultural building. As Lindridge Lane Farm is a working dairy farm it is reasonable to expect a degree of noise and odour, associated with the agricultural operations on the site. As a result of the siting of the building, separation distances and existing agricultural operations within the site, the proposals will not have an adverse impact on the amenities of the occupiers of neighbouring properties in respect of noise, odour or visual amenity and are therefore considered to comply with policy BE1 of the adopted Hinckley and Bosworth Local Plan. In addition, the Head of Community Services (Pollution) has raised no objection to the proposal.

Highway issues

The existing farm track from Lindridge Lane will be used to access the proposed building and there are no proposed changes to it. The Director of Environment and Transport (Highways) has raised no objection to the proposal.

Conclusion

In conclusion, the principle of a building for agricultural use in this location is considered acceptable in line with PPS7 and policy NE5 of the adopted Local Plan. The proposed agricultural building is well related to the existing farm complex. Whilst it will be visible against the skyline, the topography of the land will enable the building to be cut into the land to minimise its impact and its larger scale will produce a varied and staggered roof line behind the existing agricultural building complex. Its design and proposed materials are characteristic of typical modern farm buildings and it is considered that the proposals will not result in any adverse impact on the character or visual appearance of the countryside. Given the separation distance of over 380 metres to the nearest residential properties and the existing dairy farming operations on the site the proposal will not have an adverse impact on residential amenity. Overall the proposal is considered to comply with Planning Policy Statement 7 and policies BE1 and NE5 of the adopted Local Plan and is therefore recommended for approval subject to conditions.

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 is associated with agricultural operations and by virtue of its siting, scale, design and appearance would not have an adverse impact on the character or appearance of the countryside, the amenities of neighbouring residents or highway safety and would therefore be in accordance with the development plan.

Hinckley and Bosworth Borough Council Local Plan (2001):- Policies 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, as follows: Site Location Plan at 1:2500 scale/Plans and Elevations at 1:200 scale and Earthworks and Levels Drawing No. 850A/04 received by the local planning authority on 12 July 2011.

3 The external materials to be used in the construction of agricultural building hereby approved shall be in strict accordance with the submitted details in the application form 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 in the interests of visual amenity to accord with policies BE1 and 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).

Contact Officer:- Richard Wright Ext 5894