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COMMITTEE EXTRACT

Committee Date: 10 February 2009

Reference:- 08/01146/FUL

Parish:- Desford Parish Council

Applicant:- Mr G Preston
Forest Hill Farm
Leicester Lane
Desford
Leicester

Location:- Forest Hill Farm Leicester Lane Desford Leicester Leicestershire

Proposal:- ERECTION AGRICULTURAL BUILDING.

Introduction:-

This application seeks full planning permission for the erection of an agricultural building for the farm livestock incorporating a milking parlour and dairy. The building would measure 27.43m by 24.38m with the dairy projecting from one corner by a further 4.4m.

Forest Hill Farm, located on the north of Leicester Lane, in Desford, is a livestock farm with a herd of 300 dairy cattle, a number which has been increasing over the last 18 months. The farm complex comprises a modern farm house, a range of traditional brick farm buildings and three modern steel portal frame agricultural buildings, which are either clad with steel sheeting or timber boarding. The proposed building would be located to the west of one of the modern buildings in an area currently used for external storage of farm machinery. The agricultural holding covers an area of 265.47ha in and around Desford.

This application is accompanied by a design and access statement which explains the choice regarding the position of development with regard to other buildings and access. It states that the design, size and mass is comparable to the size of other milking parlours and modern agricultural buildings.

History:-

07/00568/FUL	Demolition of existing two storey dwelling and construction of replacement bungalow and garage in new location. 01.08.07		Approved
03/00522/FUL	Extensions to agricultural building	Approved	08.07.03
01/01036/FUL	Excavation of an agricultural fertilizer storage lagoon 02.11.01		Withdrawn
91/00535/4	Retention of parking area for one tractor unit, and two trailers 30.07.91		Approved
89/00449/4	Parking for one tractor unit, one tipping trailer and one flat trailer 23.05.89		Approved
86/01156/4	Proposed farmhouse (reserve matters)	Approved	18.12.86
86/00484/4	Erection of agricultural dwelling house	Approved	29.07.86

Consultations:-

No objection has been received from
Head of Community Services (Pollution)
Head of Community Services (Land Drainage)

Director of Highways, Transportation and Waste Management (Highways)

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

Parish Council
Neighbours
Site notice

Development Plan Policies:-

National Policy

Planning Policy Statement (PPS) 7 Sustainable Development in Rural Areas, seeks to raise the quality of the living and working environment by supporting sustainable development whilst protecting the countryside.

Local Plan Policy

The site is outside the settlement boundary within the countryside as defined within the Hinckley and Bosworth Local Plan.

Policy BE 1 seeks to ensure that the design and siting of new development safeguards the existing environment by having regard to the character of the surrounding area, landscaping, and amenities of neighbouring residents.

Policy NE 5 seeks to protect the countryside for its own sake, but looks favourably on development in the open countryside where it is important for the local economy, the building would not have an adverse impact on the appearance or character of the landscape, is in keeping with the character of surrounding development and would not adversely affect highway safety.

Supplementary Planning Guidance / Documents

Supplementary Planning Guidance (SPG) on Design of Farm Buildings, seeks to ensure that farm buildings are located sympathetically within the landscape.

Appraisal:-

The main considerations with regards to this application are the impact of the proposed development on the appearance or character of the landscape and the amenities of nearby residents.

Principle of Development

The proposed structure is required in connection with a working farm and therefore would contribute towards the local countryside economy. The principle of an additional agricultural structure is therefore acceptable in this location.

Appearance and Character.

The proposed building would be sited to the west of the existing complex of farm buildings within an area that currently forms part of the existing farm yard. The siting of the agricultural building within close proximity to existing buildings limits the impact of the structure on the open countryside as it would be seen against, or behind existing buildings on the site. The proposed building would have the appearance of many modern agricultural buildings in the area, including those already on the site. It is considered that the proposal would not be out of character with development in the area and due to its siting would not harm the appearance or character of the countryside, therefore complying with Policy NE5 of the local plan and SPG.

Amenities of Nearby Properties.

The nearest residential properties are located 200m away from the proposed building. Potential odours from the housing of livestock is a material consideration. However, this is an existing farm with livestock already present on the site. It is not therefore considered that this application would result in a significant nuisance

being created to the detriment of the amenities of the neighbouring residents, to warrant a refusal of planning permission.

Conclusion

The proposed building is required in connection with the established farming enterprise. The building is considered to be appropriately sited with regard to other buildings and would not have a detrimental impact on the amenities of neighbouring properties. The proposed agricultural building is 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 by virtue of its location and massing with regard to other development would not harm the character or appearance of the countryside or the amenities of neighbouring properties and would therefore be in accordance with the development plan.
Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1, NE5

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 agricultural building 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.

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 BE1 and NE5 of the adopted Hinckley & 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 6th 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 List of plans used in the determination of this application:-
Site location plan 1:5000, Site plan 1:1250, LPA-01. LPA-02

6 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.

Contact Officer:- Sarah Humphries Ext 5680