

The Application is for full permission for the erection of a portal framed agricultural building.

The site is in the rural area, within the Green Belt, around 35 metres from the urban Area.

The application has been brought to Committee at the request of two Councillors as the building would be over dominant and not in keeping with other nearby buildings. This building would have a significant impact on its immediate surroundings and the residents.

The statutory 8 week period for the determination of this application expires on 30th May 2013

Recommendation

Permit subject to conditions relating to the following matters:-

- 1. Standard Time limit**
- 2. Approved plans/drawings/documents**
- 3. Materials used to be approved.**

Reason for Recommendation

The applicant has demonstrated that the development is essential for the efficient operation of agriculture or forestry in the locality, the application therefore complies with Policy S3 of the adopted Newcastle-under-Lyme Local Plan 2011 (LP). The development will not erode the character and appearance of the wider landscape and as such will be acceptable in an area of Landscape Restoration and will accord with Policy N21 of the LP. The building is of appropriate appearance for a farm building in this location meeting Policy CSP1 of the Newcastle under Lyme and Stoke on Trent Core Strategy 2006-26 (adopted 2009). The development accordingly complies with the Aims and objectives of the National Planning Policy Framework (2012).

Statement as to how the Local Planning Authority has worked with the applicant in a positive and proactive manner in dealing with this application

The Local Planning Authority has corresponded with the Applicant's Agent to obtain material which would demonstrate that the development is essential for the efficient operation of agriculture or forestry in the locality, and so comply with the adopted Development Plan. The submission as expanded is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

Policies and proposals in the Development Plan relevant to this decision:

Newcastle under Lyme and Stoke on Trent Core Strategy 2006-26 (adopted 2009) (CSS)

Strategic Aim 16: To eliminate poor quality development;
Policy ASP6: Rural Area Spatial Policy;
Policy CSP1: Design Quality.

Newcastle Under Lyme Local Plan 2011(LP)

Policy S3: Development in the Green Belt;
Policy N21: Area of Landscape Restoration.

Other Material Considerations

Relevant National Policy Guidance:

National Planning Policy Framework (March 2012)
The Planning System: General Principles (January 2005)

Supplementary Planning Guidance

Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (Nov 2010)
Space Around Dwellings Supplementary Planning Guidance (July 2004)

Waste Management and Recycling Planning Practice Guidance Note (January 2011)

Relevant Planning History

11/00331/FUL REFUSE 05.08.2011 Erection of replacement detached Dwelling.

Views of Consultees

Kidsgrove Town Council object to the application because of over dominance – it is a substantial building, which would have a significant impact on, and is not in keeping with the neighbouring properties.

The **Environmental Health Division** has no objections subject to notifications on Considerate Contactors and importation of waste.

The **Landscape Development Section** considers that the proximity and size of the development in relation to views from neighbouring properties would mean that any screen planting to soften the impact of the structure from views from neighbouring properties would have little effect. The Section goes on to advise that should this development be approved it an appropriate landscaping condition should be applied to soften the visual impact of the development from neighbouring properties and the wider landscape setting.

Representations

Three letters of objection have been received which are summarised as follows;

- Close proximity of the proposed building which will be less than 10m from a kitchen window in a property which was extended in 2006, which extension does not appear to be reflected in map used; the proposed development is considerably closer to dwelling than is illustrated in the plan;
- The proposed building will considerably reduce the light and view;
- This development is a further eyesore;
- The view which overlooks the farm will be totally obscured and reduced to less than 10 metres;
- Property will permanently be in the shadow of this huge building;
- The development will have a detrimental impact on the value of properties which will be overlooked by the portal framed building;
- The site has been allowed to become derelict and used as a dumping ground for old farm machinery and is not used for grazing;
- The worry of pest infestation is heightened;
- Temporary buildings being given planning permission only to be replaced after a number of years have passed by larger permanent erections;
- Siting is too close to residential properties. The Applicant has ample land to enable the structure to be resited further away from the residential properties but still convenient/accessible for the use proposed.

Applicants/agents submission

A Design and Access Statement has been submitted with the application the main points of which are summarised as follows;

- The proposed building is specified to be used for the purposes of the storage of animal feed, farm produce and farm machinery.
- The location of the building has been chosen after assessment of the farm and would be adjacent to existing farm buildings.
- The building would be of portal frame construction and have box profile sheet cladding. Access will be taken from existing farmyard.

In addition further information has been provided within a letter, which is summarised as follows;

- The proposed building is necessary for the efficient operation of agriculture on the applicants land.
- The applicant needs to increase the amount of food, produce and bedding kept on the farm.
- The facilities already existing at Alderhay Farm provide insufficient storage space for the amount of bedding needed.
- The proposed building will provide storage for bedding straw which is required as the failure to replace straw, or it getting wet can lead to respiratory disease; storage requirement for feedstuffs; and to store farm machinery which presently has to be stored in the open.
- Open storage leads to deterioration and increased maintenance time, and lower farm efficiency.

These documents and the representations referred to above are available for inspection at the Guildhall and on www.newcastle-staffs.gov.uk/planning/AlderhayFarm

Key Issues

The application is for full planning permission for the erection of a portal framed agricultural building.

The site is within the Green Belt in an Area of Landscape Restoration as indicated on the Local Development Framework Proposals Map.

The key issues in the determination of the application are:

- Is the development considered appropriate development in the Green Belt?
- The design of the building and its impact on the Landscape.
- Residential amenity.
- If inappropriate development, are there any very special circumstances to justify approval?

Is the development considered appropriate development in the Green Belt?

The National Planning Policy Framework paragraph 89 advises that the construction of new buildings should be regarded as inappropriate in the Green Belt unless it is within the list of exceptions that includes buildings for agriculture and forestry.

The building is for agricultural purposes and the applicant has provided a reasoned statement that the proposal is essential for the efficient operation of agriculture or forestry in the locality. The application proposal is accordingly appropriate in the Green Belt.

The design of the building and its impact on the Landscape

The National Planning Policy Framework Section 7 requires good design; it is a key aspect of sustainable development, indivisible from good planning (para 56) and permission should be refused for development of poor design (para 64).

The proposed building is of portal framed construction clad externally on three elevations with box profile sheeting and measuring 13.7m by 18.3m to a height of approximately 5.8m. Its utilitarian design is typical of modern agricultural buildings.

The site falls within an Areas of Landscape Restoration and Policy N21 of the LP states it will be necessary to demonstrate that development will not further erode the quality and character of the landscape.

The application building is set immediately adjacent to a long established farm yard containing other agricultural buildings and adjacent to ribbon development houses. In this location it is considered that there would be no adverse impact on the wider landscape.

The Landscape Development Section advises that the proximity and size of the development in relation to views from neighbouring properties would mean that any screen planting to soften the impact of the structure from views from neighbouring properties would have little effect. Taking this into consideration any requirement to undertake landscaping could not be justified.

Residential Amenity

The development is set in an existing farmyard which is partly to the rear of ribbon development of houses along Harriseahead Lane.

Whilst the adopted Space Around Dwellings SPG relates to new dwellings, which is not proposed in this application, it is considered that its guidance is useful to assess the impact of the proposed building on the amenity of adjoining residents.

The proposed building is sited facing towards windows of existing properties and could affect daylight. To assess such an impact the SPG, at SD9, indicates that new buildings should be designed so that there is no objection to daylight beyond a vertical angle of 45°. The proposed building, being 4.3m high at the eaves, would not break such a vertical 45° line taken from the rear ground floor window of number 56 Harriseahead Lane which is the closest dwelling, being approximately 8m from the proposal, or from windows in adjoining houses. The guidance SD9 given in Space around Dwellings as to light loss is accordingly met by the proposal. Loss of view is not material to the determination of a planning application.

The building is to be used for agricultural storage purposes within an existing farm yard. It is not considered that the proposal will give rise to any disturbance over and above that which may arise from the activities on the site that would justify the refusal of the proposal.

Background Papers

Planning file
Planning documents referred to

Date report prepared

15 May 2013