
Erection of a new agricultural cattle building

**Report Item No
A7**

Fields Farm Main Street Worthington Ashby De La Zouch

**Application Reference
14/00481/FUL**

**Applicant:
Mr Richard Aldridge**

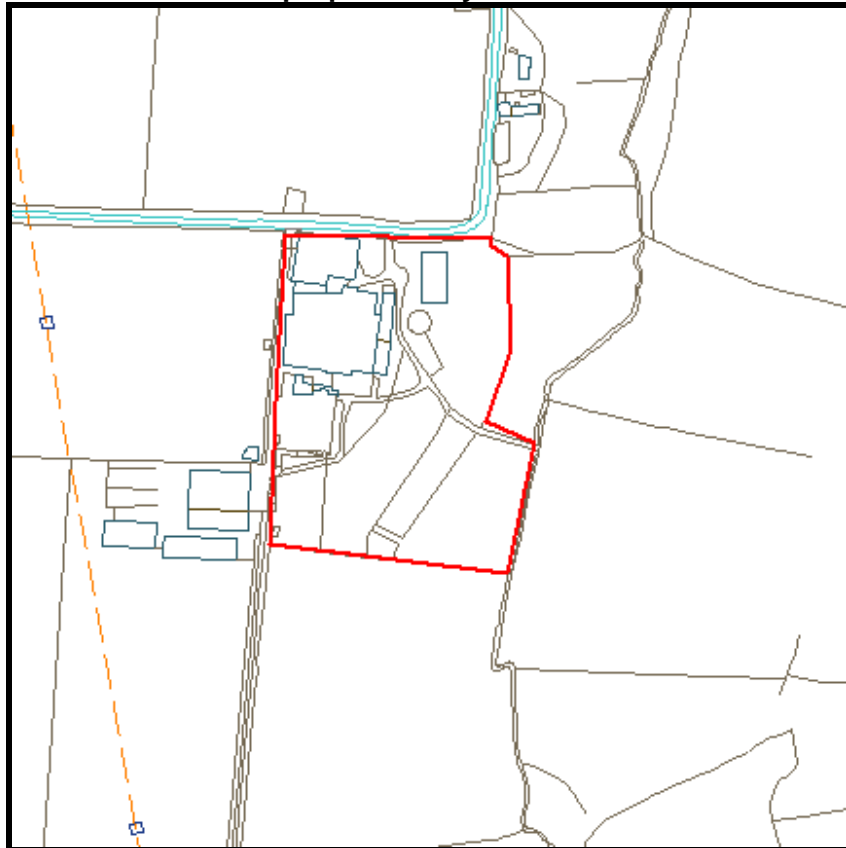
**Date Registered
29 May 2014**

**Case Officer:
Adam Mellor**

**Target Decision Date
24 July 2014**

**Recommendation:
Permit**

Site Location - Plan for indicative purposes only



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EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

Call In

The application is brought to the Planning Committee as the agent for the application is related to three serving councillors (Caroline Large, Charles Meynell and Richard Blunt).

Proposal

Planning permission is sought for the erection of a new agricultural cattle building at Fields Farm, Main Street, Worthington. The proposed agricultural building would be situated 24.0 metres to the south of an existing cattle storage shed and would have dimensions of 48.8 metres in length by 16.8 metres in width and would utilise a pitched gable ended roof with an eaves height of 6.4 metres and overall height of 8.5 metres.

Consultations

No letters of representation to the application have been received from third parties, to date, and no adverse comments have been received from statutory consultees. Any relevant comments received following the publication of the Planning Committee Agenda will be reported to members on the Committee Update Sheet.

Planning Policy

It is considered that the development would accord with all relevant policies of the North West Leicestershire Local Plan, the general principles of the National Planning Policy Framework (NPPF) as well as relevant supplementary planning guidance.

Conclusion

The site lies outside the defined limits to development where the principle of agricultural development is acceptable. It is considered that a need has been established for the additional cattle building, given the changes in welfare standards and the suitability of buildings on the site, as well as the fact that sustainable rural businesses should be supported and promoted. As such the development would accord with Paragraph 28 of the NPPF and Policy S3 of the Local Plan.

As the structure would be situated on an operational farm holding it is considered that it would not have a sufficiently detrimental impact on the amenities of neighbouring properties which would accord with Policy E3 of the Local Plan.

The building would be of a similar scale to the existing buildings on the site and would be no greater in height, as a result of this it is considered that the proposal would not have a sufficiently detrimental impact on the character and appearance of the wider landscape or openness of the countryside given its association with existing built forms. As such the proposal would accord with Paragraph 61 of the NPPF and Policy E4 of the Local Plan.

Sufficient space would remain within the site for vehicular manoeuvres and there would be no substantial increase in the use of the existing access by slow moving farm machinery, in these circumstances the development would not pose a risk to highway safety and would accord with Policies T3 and T8 of the Local Plan.

It is therefore recommended that the application be permitted.

RECOMMENDATION - APPROVE SUBJECT TO CONDITIONS

PLANNING APPLICATIONS- SECTION A

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommended conditions, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. Proposals and Background

Planning permission is sought for the erection of a new agricultural cattle building at Fields Farm, Main Street, Worthington. Fields Farm is a two-storey detached dwelling situated on the southern side of Main Street which is served by a short access road off the main road. The site is situated outside the defined limits to development, as identified on the North West Leicestershire Proposals Map, and the surrounding area largely consists of open agricultural fields.

The proposed agricultural building would be situated 24.0 metres to the south of an existing cattle storage shed and would have dimensions of 48.8 metres in length by 16.8 metres in width and would utilise a pitched gable ended roof with an eaves height of 6.4 metres and overall height of 8.5 metres. It is proposed that the roof height of the building would drop with the land levels which become lower from west to east. It is proposed that the building would be used for the storage of cattle and would be constructed from a single span portal steel frame with the use of fibre cement profile sheeting on the roof and prefabricated concrete walls to 3.0 metres in height and timber spaced boarding for the remainder of the height.

A design and access statement and agricultural justification statement have been provided in support of the application.

The planning history of the site is as follows: -

- 99/1173/P - Erection of a lambing shed - Approved 1st February 2000;
- 01/00635/FUL - Erection of a Dutch barn - Approved 1st August 2001;
- 01/00925/FUL - Erection of a shed for agricultural implements and tools - Approved 5th September 2001;
- 01/01293/FUL - Erection of a barn (amended scheme) - Approved 11th December 2001;
- 04/01285/FUL - Erection of 20 metre high slimline lattice mast, three no. panel antennae, 2 no. dishes, radio equipment housing, fenced compound and ancillary development - Refused 8th October 2004, Allowed at Appeal 25th July 2005;
- 08/00676/FUL - Erection of a grain store - Approved 27th June 2008;
- 10/00409/FUL - Erection of a grain drying building - Approved 10th June 2010.

2. Publicity

Neighbours have been notified (Date of last notification 10 June 2014)

Site Notice displayed 12 June 2014

3. Consultations

Clerk To Worthington Parish Council consulted 10 June 2014
County Highway Authority consulted 11 June 2014
Head of Environmental Protection consulted 11 June 2014
LCC/Footpaths consulted 11 June 2014
LCC/Footpaths consulted 11 June 2014

4. Summary of Representations Received

The following summary of representations is provided. Members will note that full copies of correspondence received are available on the planning file.

Leicestershire County Council - Highways has no objections subject to consideration being given to the imposition of conditions restricting the use of the building to agricultural purposes as well as preventing it from being leased or owned separately from the wider agricultural use of the site.

Leicestershire County Council - Rights of Way no representation received to date. Any comments to be reported on the Committee Update Sheet.

NWLDC - Cultural Services Officer has no objections as the footpath will not be diverted.

NLWDC - Environmental Protection no representation received to date. Any comments to be reported on the Committee Update Sheet.

Third Party Representations

No third party representations have been received to date with any comments received being reported on the Committee Update Sheet.

5. Relevant Planning Policy

National Planning Policy Framework (NPPF) - March 2012

The Department of Communities and Local Government published the National Planning Policy Framework (NPPF) on 27 March 2012. The NPPF brings together Planning Policy Statements, Planning Policy Guidance Notes and some Circulars into a single consolidated document. The NPPF contains a number of references to the presumption in favour of sustainable development. It states that local planning authorities should:

- approve development proposals that accord with statutory plans without delay; and
- grant permission where the plan is absent, silent or where relevant policies are out of date unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

The NPPF (Para 215) indicates that due weight should be given to relevant policies in existing development plans adopted before 2004 according to their degree of consistency with the Framework. The closer the policies in the development plan to the policies in the Framework, the greater weight they may be given.

Paragraph 7 indicates that the planning system needs to perform a number of roles which include, amongst others, an economic role which means contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

PLANNING APPLICATIONS- SECTION A

Paragraph 28 outlines that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should, amongst other things:

- Support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;
- Promote the development and diversification of agricultural and other land-based rural businesses;

Paragraph 61 outlines that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment;

The following policies of the North West Leicestershire Local Plan are consistent with the policies in the NPPF and should be afforded weight in the determination of this application:

Adopted North West Leicestershire Local Plan

Policy S3 provides that development will not be permitted on land outside limits to development unless it, amongst other things:

- (a) can be shown to be essential for the efficient long-term operation of agriculture and forestry;
- (b) comprises acceptable farm diversification;

Policy E3 seeks to prevent development which would be significantly detrimental to the amenities enjoyed by the occupiers of nearby dwellings;

Policy E4 seeks to achieve good design in new development and requires new development to respect the character of its surroundings;

Policy T3 requires development to make adequate provision for vehicular access, circulation and servicing arrangements;

Policy T8 requires that parking provision in new developments be kept to the necessary minimum, having regard to a number of criteria;

Submission Version Core Strategy

At a meeting of the Full Council on 29 October 2013, the District Council resolved to withdraw the Submission Core Strategy.

Other Guidance

National Planning Practice Guidance

In March 2014 the Government published National Planning Practice Guidance (NPPG) to supplement the NPPF. The Guidance does not change national policy but offers practical guidance as to how such policy is to be applied.

6. Assessment

Principle of the Development

Policy S3 outlines that development is permitted if it can be demonstrated that the building is essential for the efficient long term operation of agriculture with Paragraph 28 of the NPPF also indicating that the development of agricultural businesses should be promoted.

The agent for the application has submitted information that states the following: -

"Fields Farm is the centre of all farming operations carried out by S & E Aldridge with all buildings being situated there;

S & E Aldridge farm 800 acres of land locally (all owner occupied), comprising; 500 acres of arable cropping and 300 acres of grass. A typical arable crop rotation, adopted by the farming business, is; two Winter Wheats followed by Forage maize (subject to occasional seasonal variation);

The beef unit at Fields Farm is a semi intensive operation with all cattle grazed outside between the months of April and November. Cattle are finished all year round, with approximately 500 head of cattle on site at any one time;

A schedule of cattle livestock buildings at Field Farm is detailed below: i) Cattle Shed 60' x 30'; ii) Cattle Yard 90' x 65'; iii) Lean to cattle yard 24' x 80'; iv) Beef Shed 135' x 90'; v) Beef Shed 45' x 135';

The current level and design of existing buildings at Fields Farm is not sufficient to meet the needs of the farming operation. Assessing the operation and available livestock buildings against the minimum welfare standards contained within DEFRA's Technical Appendix on Priorities for Animal Health and Welfare, shows that there is clear need for new livestock buildings on the holding. This view is supported by the applicants vet at Appendix One."

With regards to the supporting information supplied by the applicant's vet this indicates, amongst other things, the following: -

"Although Mr Aldridge's buildings are still acceptable as beef rearing units, the size of animals and particularly their final slaughter weights has increased over recent years. In addition to this the beef codes of welfare now recommend 5 sq metre minimum and 7 sq metre ideally per 600kg animals. If Mr Aldridge is to maintain the highest welfare standards without reducing his farm stock numbers then it will be necessary to provide further stock buildings;

Of paramount importance for any new stock buildings is ventilation and this is particularly so with larger beef animals where more heat and moisture is produced which needs to be rapidly dissipated if pneumonia outbreaks are to be avoided. With a single building an average wind speed of 1 metre per second will be adequate to provide natural forced ventilation if inlets and outlets meet government recommendations. As there is a natural wind speed of 1 metre per second on 90% of days in the UK most single buildings are adequately ventilated. However this natural ventilation efficiency falls off dramatically where buildings containing larger animals are built in proximity as air eddies form with the meeting of the warmer air stacks from neighbouring buildings. I therefore consider that the distance of 80ft between the old and new buildings is

absolutely necessary to allow adequate ventilation of the site;

I have no hesitation in supporting the above application which is supported by a clear agricultural need and will allow Mr Aldridge to keep farming with the highest welfare standards."

It is considered that the information provided in support of the application has identified that the provision of the additional livestock building would allow the applicant to operate his beef unit in a more efficient manner, whilst also complying with current welfare standards, which would ensure that the proposal would be essential for the long term success of the agricultural unit and as such compliant with Policy S3 of the Local Plan. Given that Paragraph 28 of the NPPF also seeks to promote and support sustainable rural business it is considered that the proposal would accord with the aims of National Policy.

Residential Amenity

The nearest residential property to the proposed building, bar Fields Farmhouse itself, would be No. 51 Main Street which is situated over 370.0 metres from the proposed siting of the cattle building. Given this distance and the fact that the site is an operational farm holding it is considered that the development would not have a sufficiently detrimental impact on the amenities of neighbouring properties. No representation has been received from the Council's Environmental Health team but given that the site is presently operational for agriculture it is considered that there would be no substantial noise or smell impacts. On this basis the development would accord with Policy E3.

Design

The proposed cattle store would be situated 24.0 metres to the south of an existing agricultural cattle store which is necessary due to the need to ensure adequate ventilation between cattle storage buildings. It is proposed that the cattle shed would have an overall height of 8.5 metres, which would be similar to the existing cattle sheds, and would have split level heights due to the land levels rising in an east to west direction. It is considered that the building would be closely associated with the existing structures and would be no greater in height and as such it would not have a significantly detrimental impact on the streetscape given the screening provided by existing structures as well as the distance to the highway. In the circumstances that the land levels rise in a western direction, and substantial mature vegetation is provided to the eastern boundary of the field it is considered that the development would also not impact adversely on the character and appearance of the wider landscape particularly in the circumstances that the structure would be viewed in the context of its relationship with existing structures.

Public footpath M33 lies 65.0 metres to the west of the siting of the building and ultimately views of the building would be established from this footpath. Although views would be established the building would be viewed in the context of its relationship with existing built forms and would not impact on views established towards 'interest features' within the wider landscape. As such the development would not have a sufficiently detrimental impact on the openness of the countryside or people's enjoyment of the footpath.

The building would be of a steel frame construction with a wall construction of 3.00 metres of prefabricated concrete and then timber spaced boarding, along with fibre cement box profile sheeting coloured grey on the roof. It is considered that these materials would be consistent with agricultural buildings of a modern construction and would also not be too dissimilar to the existing structures on the site, as such there would not be a sufficiently detrimental visual impact on the character and appearance of the area.

Given that it has been concluded, in the principle section of this report, that a need for the building exists, it is considered that the most appropriate location on the site has been selected and as such the development would not have a significantly detrimental impact on the character and appearance of the rural environment which would accord with Paragraph 61 of the NPPF and Policy E4 of the Local Plan.

Highway Safety

The County Council Highways Authority has no objections to the application subject to conditions being imposed to prevent the building being used for commercial purposes and to ensure that it is not sold or leased separately from the agricultural use of the wider site. It is considered that the site is an operational farm holding, and as such slow moving vehicles are already associated with utilising the access to ingress and egress the site, and in these circumstances it is considered that the provision of the building would not be to the further detriment of highway safety. The development would also not impinge on the facilities available for the manoeuvring of vehicles and as such any vehicle exiting the site would do so in a forward direction. This would ensure compliance with Policies T3 and T8 of the Local Plan.

With regards to the specific conditions suggested by the County Highways Authority it is considered that the condition preventing the building being used for commercial purposes would be unreasonable in the context of the fact that whilst the Town and Country Planning (General Permitted Development) Order 1995 (as amended) has introduced measures which allow agricultural buildings to be converted to alternative uses, subject to a prior notification process, these rights only apply if the building was built prior to the 3rd July 2012. If the building was constructed after this time then it would need to be used continuously for a period of 10 years before these rights would apply and in any case as part of the prior notification procedure highway safety impacts have to be taken into account. A condition preventing the sale or leasing of the building from the wider agricultural use of the site would also be considered unenforceable given that it would be difficult to demonstrate the difference between different agricultural operations undertaken by tenants, given that permission would not be required to change a livestock farm to an arable farm, as well as the fact that planning permission would be required to utilise the building for any other purpose than agriculture.

Summary

The site lies outside the defined limits to development where the principle of agricultural development is acceptable. It is considered that a need has been established for the additional cattle building, given the changes in welfare standards and the suitability of buildings on the site, as well as the fact that sustainable rural businesses should be supported and promoted. As such the development would accord with Paragraph 28 of the NPPF and Policy S3 of the Local Plan.

As the structure would be situated on an operational farm holding it is considered that it would not have a sufficiently detrimental impact on the amenities of neighbouring properties which would accord with Policy E3 of the Local Plan.

The building would be of a similar scale to the existing buildings on the site and would be no greater in height, as a result of this it is considered that the proposal would not have a sufficiently detrimental impact on the character and appearance of the wider landscape or openness of the countryside given its association with existing built forms. As such the proposal would accord with Paragraph 61 of the NPPF and Policy E4 of the Local Plan.

Sufficient space would remain within the site for vehicular manoeuvres and there would be no substantial increase in the use of the existing access by slow moving farm machinery, in these circumstances the development would not pose a risk to highway safety and would accord with Policies T3 and T8 of the Local Plan.

It is therefore recommended that the application be permitted.

RECOMMENDATION - PERMIT, subject to the following conditions;

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

Reason - to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development shall be carried out in strict accordance with the site location plan; site plan (1:1000); Proposed Cattle Shed Elevations (1:200) and Proposed Cattle Shed Roof Plan (1:200), received by the Local Authority on the 29th May 2014, unless otherwise required by another condition of this permission.

Reason - for the avoidance of doubt and to determine the scope of the permission.

- 3 The external materials and colour scheme to be implemented in the development shall be in strict accordance with those specified in the application unless alternative materials and colours are first agreed in writing with the Local Planning Authority.

Reason - to ensure a satisfactory standard of external appearance.

Notes to applicant

- 1 Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (Paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended).
- 2 As of the 22nd November 2012 written requests to discharge one or more conditions on a planning permission must be accompanied by a fee of £97.00 per request. Please contact the Local Planning Authority on (01530) 454665 for further details.