
Erection of a Grain Storage Building

Report Item No
A8

Land At Scaffacre Farm From The Green To Unnamed Road
At Top Merrill Grange Diseworth Leicestershire DE74 2QQ

Application Reference
15/00212/FUL

Applicant:

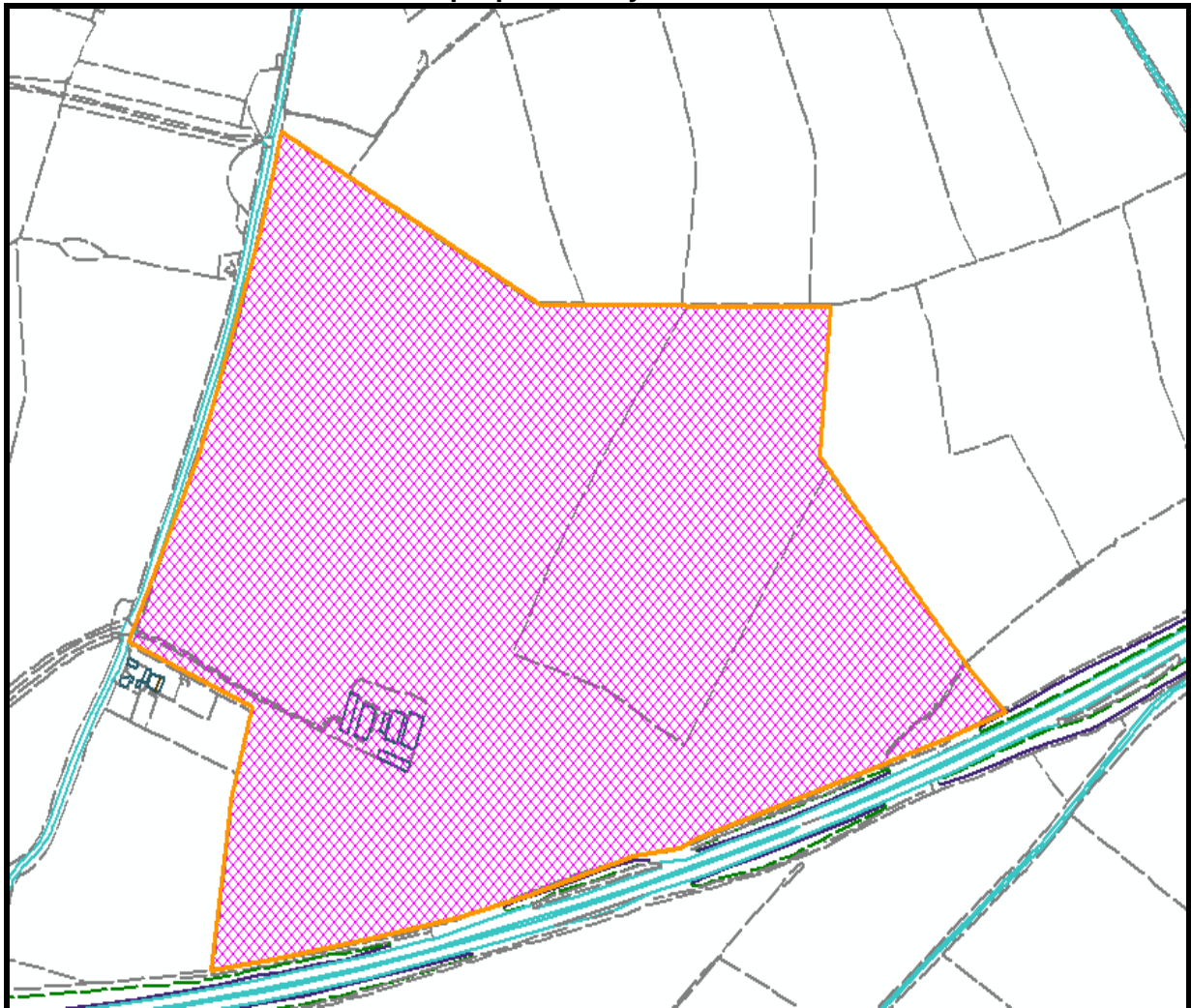
Date Registered
16 March 2015

Case Officer:
Robert McKillop

Target Decision Date
11 May 2015

Recommendation:
PERMIT

Site Location - Plan for indicative purposes only



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EXECUTIVE SUMMARY OF PROPOSALS

Call In

The application is brought to the Planning Committee as the agent for the application is related to a serving Councillor (Cllr Richard Blunt).

Proposal

Planning permission is sought for the erection of a grain storage building at land at Scaffacre Farm, Top Merrill Grange, Diseworth. The new building would be to the west of these existing structures and would measure a footprint of 48.768 metres in length by 24.384 metres in width. It would measure 7.01 metres in height to the eaves and 10.277 metres in overall height.

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. The Parish Council raise no objection subject to tree planting to screen the building. 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 grain storage building given that sustainable rural businesses should be supported and promoted. Development would accord with advice within the NPPF and Policy S3 of the Local Plan.

As the structure would be situated on an operational farm holding away from residential dwellings it is considered that it would not have any significant detrimental impact on residential amenity and would accord with Policy E3 of the Local Plan.

The building would be of a similar scale and appearance to existing structures on the site and it is considered that the proposal would not have any significant detrimental impact on the character and appearance of the site as a whole or the wider countryside given its position adjacent to existing buildings. 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 the application is not likely to lead to any substantial increase in the use of the existing access. 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;

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 grain storage building at land at Scaffacre Farm, Top Merrill Grange, Diseworth. The application site is surrounded by open fields, with Gelscoe Farm and a small number of cottages to the west. The building would be located outside of the limits to development.

There are several existing agricultural buildings on the site which are of a similar scale to the proposed building, including 4 no. large silos which would be demolished. The new building would be to the west of these existing structures and would measure a footprint of 48.768 metres in length by 24.384 metres in width. It would measure 7.01 metres in height to the eaves and 10.277 metres in overall height. The walls would be constructed from horizontal concrete wall panels and green plastic coated steel sheets. The roof would be grey fibre cement sheets, and three galvanised roller shutter doors are proposed in the south facing side elevation. A Design and Access Statement was submitted in support of the application.

No relevant planning history was found for this application.

2. Publicity

One neighbour has been notified (Date of last notification 23 March 2015)

Site Notice displayed 23 March 2015

3. Consultations

Clerk To Long Whatton & Diseworth consulted
County Highway Authority
Environment Agency
Severn Trent Water Limited
Head of Environmental Protection
LCC ecology

4. Summary of Representations Received

No representations have been received from members of the public.

County Ecologist has no objection to this application.

County Highway Authority has no objections to the application subject to the building remaining ancillary to the agricultural use and is not sold, leased or used separately from the agricultural use of the site.

Environment Agency does not wish to provide comments on this application.

Long Whatton & Diseworth Parish Council does not object to the application although recommends planting of native trees to screen the building.

NWLDC Environmental Protection - any comments received will be reported to Members on the Update Sheet.

Severn Trent Water has no objection to this application.

5. Relevant Planning Policy

National Policies

National Planning Policy Framework

The NPPF (Paragraph 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.

Save where stated otherwise, the policies of the North West Leicestershire Local Plan as listed in the relevant section below are consistent with the policies in the NPPF and, save where indicated otherwise within the assessment below, should be afforded weight in the determination of this application.

The following sections of the NPPF are considered relevant to the determination of this application:

- Paragraph 3 (Supporting a prosperous rural economy)
- Paragraph 14 (Presumption in favour of sustainable development)
- Paragraph 28 (Economic growth in rural areas)
- Paragraph 61 (Requiring good design)
- Paragraph 118 (Conserving and enhancing the natural environment)

Adopted North West Leicestershire Local Plan (2002)

The application site is outside Limits to Development as defined in the adopted North West Leicestershire Local Plan. The following Local Plan policies are relevant to this application:

- Policy S3 Countryside
- Policy E3 Residential Amenities
- Policy E4 Design
- Policy E7 Landscaping
- Policy T3 Highway Standards
- Policy T8 Parking

Other Policies

6Cs Design Guide (Leicestershire County Council)

The 6Cs Design Guide sets out the County Highway Authority's requirements in respect of the design and layout of new development.

6. Assessment

Principle

The application site is located outside the limits to development where permission for new development would not normally be granted unless, amongst other things, it is essential for the efficient long-term operation of agriculture or forestry, or involves acceptable farm diversification. The application is for agriculture and is therefore considered to be acceptable in relation to Policy S3 of the adopted Local Plan. It is, however, necessary to consider impacts upon design, amenity, highway safety and any other material considerations.

Residential Amenity

Consideration has been given to the impact on surrounding residential properties despite not receiving any letters of representation during the course of the application. Given the proposed building would be more than 130 metres away from the nearest neighbouring dwelling, it is

deemed that this distance would remove the possibility of any detrimental impact caused by the physical form of the building. As the proposed building would be adjacent to existing agricultural buildings and would be used for the purpose of grain storage, it is deemed that the level of activity would not be significantly increased and there would be not detrimental impact in terms of noise or disturbance associated with the development.

On this basis, it is deemed that the development would not have any significant detrimental impact upon neighbouring residential amenities would accord with Policy E3 of the Local Plan.

Design

Although the proposed building would be of a large scale, it would be sited adjacent to the existing agricultural buildings and would have a similar appearance given the choice of materials proposed. Whilst it would be formed to the west of the existing agricultural buildings at the site, it would be approximately 190 metres away from the main road from which the farm holding is served and the building would therefore not feature prominently in views from the west. The Design and Access Statement confirms that the existing grain silos, of which there are four, would be demolished and as they are considered not to contribute positively to the wider appearance or character of the farm holding, their removal would likely improve the appearance of the farm holding overall.

On the basis of the aforementioned considerations, it is deemed that the development would not adversely impact 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. It is deemed that the building would be positioned in the most appropriate location on the site and the development would not have a significantly detrimental impact on the character and appearance of the rural environment. As such, the application 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 although recommends a condition to be added to any permission granted to the effect that the building shall remain ancillary and shall not be sold, leased, or otherwise disposed of separately from the agricultural use of the wider site. 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.

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 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. As such

the application would not have any significant detrimental impact on highway safety accord with Policies T3 and T8 of the Local Plan.

Landscaping

In response to a request for some boundary screening made by the Parish Council, a plan has been provided to show landscaping proposed adjacent to the north and west elevations of the building. This would be in the form of four rows of trees, made up of a mixture of Ash, Oak and Lime. It is deemed that these would offer screening to the building and would improve the appearance of the site and character of the countryside area. The nature and layout of the proposed landscaping is deemed to be acceptable and the application would accord with Policy E7 of the Local Plan.

Protected Species

The County Ecologist has no objection to the proposal on the basis that although the site is close to a Great Crested Newt pond, the land is currently used for agriculture and is therefore unlikely to be suitable for foraging or as a habitat link. As such the application would be acceptable in ecological terms, and would accord with Paragraph 118 of the NPPF.

Conclusion

There have been no objections to the proposed development. The principle of the development is considered to be acceptable. The proposal is not considered to affect residential amenity in the area, have any significant detrimental design impacts or conflict with highway safety. There are no other relevant material planning considerations that indicate planning permission should not be granted. The proposal is deemed to comply with the relevant policies in the Local Plan, in this case S3, E3, E4, E7, T3, T8, the relevant advice in the NPPF. 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 proposed development shall be carried out strictly in accordance with the following plans, unless otherwise required by a condition of this permission:

- Location Plan, deposited with the Local Planning Authority on 11 March 2015;
- Block Plan, deposited with the Local Planning Authority on 11 March 2015;
- Proposed Elevations Drg No.0315-001, deposited with the Local Planning Authority on 11 March 2015;
- Proposed Floor Plans Drg No.0315-002, deposited with the Local Planning Authority on 11 March 2015;
- Design & Access Statement, deposited with the Local Planning Authority on 11 March 2015;
- Farm Business Appraisal, deposited with the Local Planning Authority on 11 March 2015.

Reason- To determine the scope of this permission.

- 3 The external materials to be used in the development hereby permitted shall be in strict accordance with those specified in the application unless alternative materials are first agreed in writing with the Local Planning Authority.

Reason- to ensure a satisfactory standard of external appearance.

- 4 Prior to the first use of the building hereby permitted, soft landscaping shall be provided in strict accordance with that shown on the Landscaping Plan, received by the Local Planning Authority on the 20th May 2015, unless an alternative soft landscaping scheme is first submitted to and agreed in writing by the Local Planning Authority.

Reason - to ensure a satisfactory landscaping scheme is provided within a reasonable period and in the interests of the visual amenities of the area.

- 5 Any tree or shrub which may die, be removed or become seriously damaged shall be replaced in the first available planting season thereafter and during a period of 5 years from the first implementation of the approved landscaping scheme or relevant phase of the scheme, unless a variation to the landscaping scheme is agreed in writing with the Local Planning Authority.

Reason - to provide a reasonable period for the replacement of any trees.

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 2015 (as amended).