
Proposed erection of a pig shed

Report Item No
A7

Land At Junction Of Breedon Lane And Rempstone Road
Osgathorpe Loughborough Leicestershire LE12 9ST

Application Reference
15/00783/FUL

Applicant:
Mr David Platts

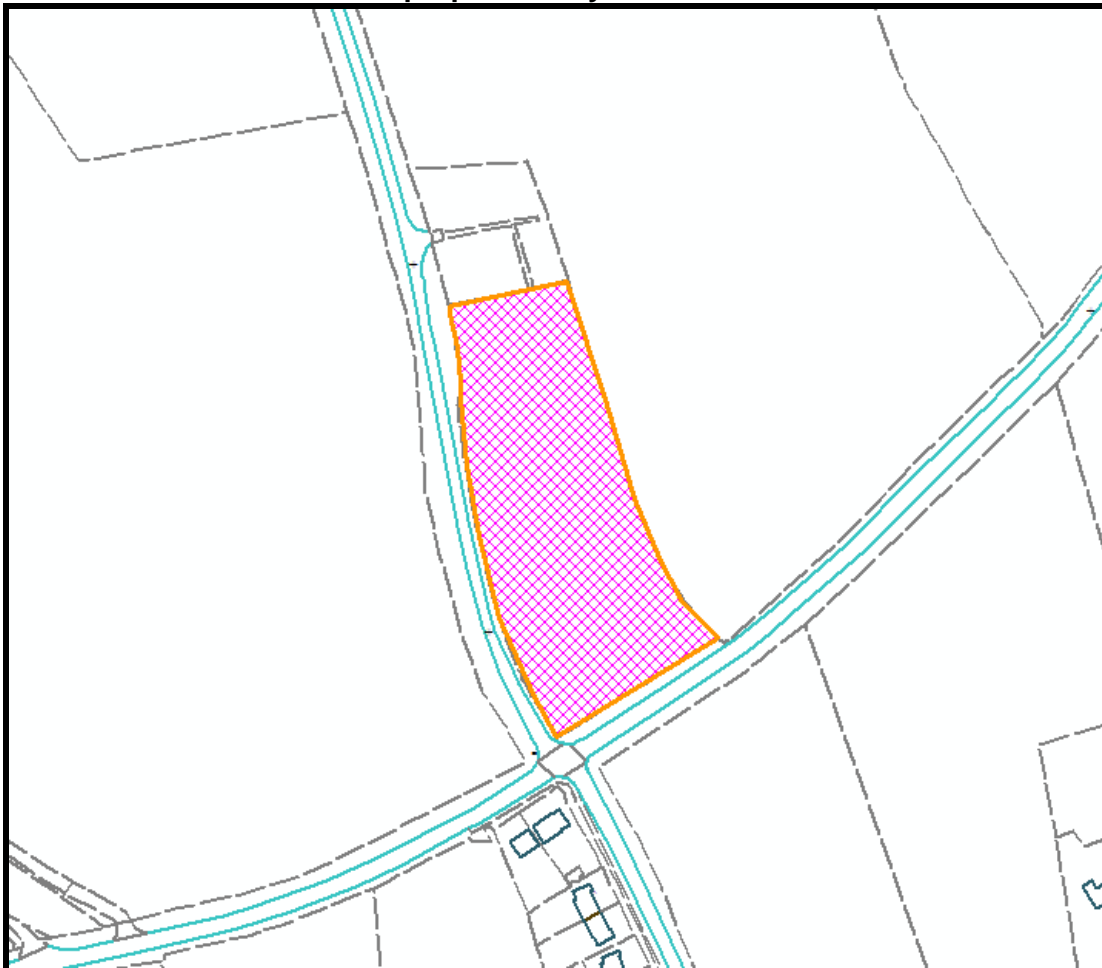
Date Registered
10 August 2015

Case Officer:
Adam Mellor

Target Decision Date
5 October 2015

Recommendation:
PERMIT

Site Location - Plan for indicative purposes only



Reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the controller of Her Majesty's Stationery Office
©copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence LA 100019329)

EXECUTIVE SUMMARY OF PROPOSALS

Call In

The application is brought to the Planning Committee as the applicant is an employee of the Council.

Proposal

The application relates to the construction of a pig shed on land at the junction of Breedon Lane and Rempstone Road, Osgathorpe. It is noted that the site is currently utilised for agricultural purposes and existing buildings lie along the western boundary. The proposed building would have a floor area of 34.29 square metres and an overall height of 3.0 metres.

Consultations

No letters of representation from third parties have been received although Osgathorpe Parish Council have commented on the application. All other statutory consultees have no objections.

Planning Policy

It is considered that the development would remain compliant with all relevant Paragraphs of the National Planning Policy Framework (NPPF) as well as the relevant Policies of the North West Leicestershire Local Plan and other guidance.

Conclusion

The proposed pig shed is considered to be justified as being required for agricultural purposes given that it would assist in providing additional shelter for the specialist breeds of pigs which are to be introduced onto the site and as such the development would accord with Paragraph 28 of the NPPF and Policy S3 of the Local Plan.

There would be no detriment to the amenities of neighbouring properties given their proximity to the development and as such the proposal would accord with Paragraph 123 of the NPPF and Policy E3 of the Local Plan.

It is considered that the close association of the proposed shed with the existing built forms, as well as the use of the same materials, would ensure that it would not have a significantly adverse impact on the visual amenities of the rural environment or its attractive character and as such the development accords with Paragraph 61 of the NPPF as well as Policies E4 and E22 of the Local Plan.

It is therefore recommended that the application be permitted.

RECOMMENDATION - PERMIT, 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 recommendations, 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 pig shed at land at the junction of Breedon Lane with Remptone Road, Osgathorpe. The land in question is situated on the eastern side of Breedon Lane and slopes downwards from north to south. A vehicular access to the site is provided off Breedon Lane and the site is situated outside the defined limits to development, as identified in the North West Leicestershire Local Plan, and the surrounding area is predominately rural countryside although Osgathorpe cemetery lies to the north of the site.

The proposed pig shed would have a floor area of 34.29 square and an overall height (with use of a mono-pitched roof) of 3.0 metres. The shed would be situated against the western boundary of the site adjacent to the existing structures.

The relevant planning history of the site is as follows: -

- 13/00496/FUL - Installation of concrete floor to an existing pig pen - Approved 7th August 2013;
- 14/01125/FUL - Proposed erection of a pig shed - Approved 22nd January 2015.

2. Publicity

One neighbour has been notified (Date of last notification 12 August 2015)

Site Notice displayed 14 August 2015

3. Consultations

Osgathorpe Parish Council consulted 12 August 2015
NWLDC Head of Environmental Protection

4. Summary of Representations Received

The following summary of representations is provided.

NWLDC - Environmental Protection has no objections.

Osgathorpe Parish Council views on the application are as follows: -

- *"There is concern regarding a lack of mains water on the site, which is not ideal for keeping livestock;"*
- *"There is also concern regarding the disposal of waste from the pigs considering it is next to the cemetery;"*
- *"The council would like to see a stipulation that there is no change of use allowed for this building;"*
- *"Finally, there are concerns about the gradual spread of buildings in the area;"*

Third Party Representations

No third party representations have been received.

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 10 (Achieving sustainable development);
Paragraph 14 (Presumption in favour of sustainable development);
Paragraph 17 (Achieving sustainable development);
Paragraph 28 (Supporting a prosperous rural economy);
Paragraph 61 (Requiring good design);
Paragraph 118 (Conserving and enhancing the natural environment);
Paragraph 123 (Conserving and enhancing the natural environment);
Paragraph 203 (Planning conditions and obligations);
Paragraph 206 (Planning conditions and obligations);

Adopted North West Leicestershire Local Plan (2002)

The application site is outside the 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 E22 - Areas of Particularly Attractive Countryside;

Emerging North West Leicestershire Local Plan

On 15 September 2015 the District Council's Full Council considered a draft Local Plan and resolved to approve the draft Local Plan for consultation. The draft policies listed below are considered relevant to this application. However, in view of the very early stage to which the draft Local Plan has progressed, only very limited weight can be attributed to its policies at this stage.

Policy S1 - Presumption in Favour of Sustainable Development;
Policy S4 - Countryside;
Policy S5 - Design of New Development;
Policy IM1 - Implementation and Monitoring of the Local Plan;

Other Policies

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

No residential properties exist within the vicinity of the site and the proposals would have no adverse implications to highway safety. Accordingly the main considerations would relate to the

principle of the development and the implications to the character of the surrounding area.

Principle of the Development

Whilst the site is situated outside the defined limits to development it is noted that Policy S3 of the Local Plan, as well as Paragraph 28 of the NPPF, support agricultural developments and agricultural businesses.

The proposed pig shed is to be utilised by ten rare breed pigs (e.g. Saddle Back Pigs or Old Gloucester Spot Pigs) with the building being subdivided to house male and female pigs separately. Whilst buildings do currently exist on the site it is noted that two are used for the storage of machinery with two being stable type buildings which would not be suitable for pigs. A pig shed does exist on the site but this would not be of a scale which would allow it to accommodate a further 10 pigs. In these circumstances it is considered that justification exists for the provision of the relevant building to further support the agricultural business and as such the development would accord with Paragraph 28 of the NPPF and Policy S3 of the Local Plan.

Residential Amenity

As identified above no residential properties exist within 140.0 metres of the proposed building and given that the Council's Environmental Protection Officer has raised no objections it is considered that there would be no adverse impacts on residential amenities and as such the development accords with Paragraph 123 of the NPPF and Policy E3 of the Local Plan.

Design

The need for good design in new residential development is outlined not only in Local Plan Policies E4 and H7 but also Paragraphs 57, 60 and 61 of the NPPF with Paragraph 61 outlining 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, decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment."*

Mature vegetation lies to the eastern, western and southern boundaries of the site with the screening to the northern boundary, shared with the cemetery, being less dense. The land levels on the site also slope downwards from north to south.

The proposed pig shed would be positioned along the western boundary of the site so that it would be closely associated with the existing built forms with the proposed structure being reasonably minor in scale. Given that justification exists for a further building on the site for the housing of pigs it is considered that its association with the existing built form would ensure that it would not impact significantly on the attractive character or openness of the rural landscape and would not feature prominently in existing views from within the area. The proposed construction materials, namely corrugated metal sheets over a metal and wood frame, would match the existing structures and would therefore have an acceptable appearance.

Overall, therefore, it is considered that the proposal would not impact significantly on the visual amenities of the rural environment and would therefore accord with Paragraph 61 of the NPPF and Policies E4 and E22 of the Local Plan.

Other Matters

In respect of the matters which are raised by Osgathorpe Parish Council, but are not covered above, it is considered that whether the site benefits from clean water facilities or not would not be a planning matter given that the use of the land is agricultural and therefore animals could occupy the land without planning permission. It is, however, noted that water butts exist as a

form of surface water drainage which could supply water for the drinking purposes of the animals.

The disposal of waste from the animals is also considered to not be a material consideration in the determination of the application given that the land is currently agricultural and as such waste from animals would not generally be controlled given that permission would not be required to have animals on the land.

Any agricultural building which would have the ability to convert to an alternative use as a form of permitted development, under the Town and Country Planning (General Permitted Development) (England) Order 2015 needed to be in place by the 3rd July 2012 or 20th March 2013, or constructed for a period of 10 years, and as such the structure would not freely benefit from the allowances for agricultural buildings stipulated in the above Order. In any event the building is not of a scale which would allow it to be readily converted to any of the uses identified within the above Order and as such the imposition of a condition restricting such uses would be unnecessary.

Summary Reasons for Granting Planning Permission

The proposed pig shed is considered to be justified as being required for agricultural purposes given that it would assist in providing additional shelter for the specialist breeds of pigs which are to be introduced onto the site and as such the development would accord with Paragraph 28 of the NPPF and Policy S3 of the Local Plan.

There would be no detriment to the amenities of neighbouring properties given their proximity to the development and as such the proposal would accord with Paragraph 123 of the NPPF and Policy E3 of the Local Plan.

It is considered that the close association of the proposed shed with the existing built forms, as well as the use of the same materials, would ensure that it would not have a significantly adverse impact on the visual amenities of the rural environment or its attractive character and as such the development accords with Paragraph 61 of the NPPF as well as Policies E4 and E22 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 - Plan A (1:1250), Site/Block Plan - Plan B (1:500) and 'Erection of Pig Shed' Plan - Plan C (1:100), received by the Local Authority on the 10th August 2015, 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 to be used in the development hereby permitted shall be provided in strict accordance with those specified in the application and as shown on the 'Erection of Pig Shed' Plan - Plan C (1:100), received by the Local Authority on the 10th August 2015, unless alternative materials are first agreed in writing by 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 2015.
- 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.