

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr D Badger	Proposed agricultural storage building and access track Land Opposite Croft Cottage, Woodgate Road, Stoke Prior, Bromsgrove, Worcestershire B60 4HG		18/01001/FUL

Councillor Glass has requested that this application be considered by Planning Committee rather than being determined under delegated powers.

RECOMMENDATION: That planning permission be **Granted**.

Consultations

Stoke Parish Council

The Parish Council object to this application on the grounds that it was extremely large and located too close to a nearby private residence. In addition there was no indication what the building would be used for.

In terms of the amended location their position remains that the building on the application is too big and sited in the wrong place causing it to be unsightly.

Worcestershire County Council Countryside Service - Public Rights of Way

No objection

Ramblers Association

No Comments Received To Date

Kernon Countryside Consultants

The use, size and design of the proposed building would be acceptable and as such have not raised any agricultural concerns with the proposal for the provision of the proposed new agricultural building.

Highways - Bromsgrove

No objections subject to conditions relating to:

- Vehicular visibility splays
- Access track

North Worcestershire Water Management

No objection following the relocation of the building.

Arboricultural Officer

There is a small multi stem Ash tree standing immediately adjacent to the Western side of the existing gated entrance to the land. Due to the close proximity of this tree to the gate there is potentially that it might need to be removed. This tree although being highly prominent to users of Woodgate Road is of poor form and habit and only small in stature. Therefore I would have no objection to its removal if this was considered to be required.

The proposal would not cause any detrimental influence on any tree stock either within the site or on any adjoining land.

Publicity

10 neighbour notification letters sent out on 20th August 2018 (expired on 13th September 2018)

10 Amendment neighbour notification letters sent out on 21st September (expired on 15th October 2018)

A total of 3 letters of support were received.

Reasons for support can be summarised as follows:

- Support young people in agriculture

A total of 2 objections were received regarding the original location of the agricultural building.

Their objections can be summarised as follows:

- The size of the field cannot justify requiring a building of this size
- Drainage
- Proximity to Hen Brook will increase the chance of flooding
- Disturbance
- No need for the building
- Building not suitable for housing agricultural machinery

A total of 7 objections were received regarding the amended location.

Their objections can be summarised as follows:

- Poor design
- Too large
- Proximity to nearby residential properties/invasion of privacy/intrusive development
- Noise pollution
- Light pollution
- Increase in traffic and risk
- Smell and waste
- No genuine agricultural need
- Unsuitable design in agricultural terms, impracticable for the uses stated (more suited to a workshop)
- Fire Risk
- Access to fields and public right of way
- Insufficient time to consider the application

Other non-planning matters have been raised, but these are not material to the consideration of this application.

Councillor Glass After various discussions with both residents and the Parish Council. I share their concerns regarding the planning application due to its size and location.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
BDP4 Green Belt
BDP15 Rural Renaissance
BDP19 High Quality Design
BDP21 Natural Environment
BDP23 Water Management

Others

NPPF National Planning Policy Framework (2018)
NPPG National Planning Practice Guidance
SPG5 Agricultural Buildings Design Guide

Relevant Planning History

17/01275/AGR Hay feed storage building

05.12.2017

This application was an Agricultural Prior Notification. The proposal was assessed and it was considered that the proposed development is not Permitted Development.

The application sought a new agricultural building. New agricultural buildings are only permitted development under Class A, Part 6, Schedule 2 of the GPDO. Class A only applies to agricultural development on sites of 5 hectares or more. The information submitted with the application stated that the site was approximately 1.1 hectares. The building was therefore not permitted development under Class A of the GPDO.

Assessment of Proposal

The application proposes to erect a steel portal framed building of 18.28m x 7.62m and have a total floorspace of 139.29 sq m. The building will have a height of 3.7m to the eaves with an overall height of 4.5m. The roof pitch has been kept as shallow at 12.5 degrees. The proposed building will be used as a general purpose agricultural storage building.

The supporting statement outlines that the land opposite Croft Cottage is owned by Mr Badger and used as the main base for a small but growing agricultural business ran by Mr Badger and his partner. The owned land extends to 3.5 acres grassland which is currently used for the grazing of sheep and production of fodder, and will also be used for grazing cattle in due course.

The applicants currently have a flock of 30 sheep. The applicants have access to further grazing land in Woodgate (5 acres) and also in Finstall (40 acres) where they can graze their sheep over the winter if required.

The applicants do not have access to any other storage buildings and this is the only owned land where it is viable to invest in their own facilities.

The management of the land is currently prohibited as the applicants do not have appropriate storage facilities for equipment, materials, feed, livestock equipment, machinery, implements, or suitable shelter for livestock.

The applicants therefore propose to erect a small, multifunctional storage building which will be suitable for a range of uses and allow them to make more efficient use of their land.

The agricultural storage building location has been changed during the application process due to concerns regarding flooding.

The main issues to consider in this application are:

- Whether the proposal would be inappropriate development in the Green Belt for the purposes of the NPPF and development plan policy;
- The effect of the proposal on the character and appearance of the area.
- The effect of the proposal on the amenities of the nearby residential properties.
- The effect of the proposal on surface water drainage and flooding.
- The effect on public right of way

Proposed agricultural building

BDP15 – Rural Renaissance, supports proposals that satisfy the social and economic needs of rural communities by encouraging development that contributes to diverse and sustainable rural enterprises within the District. Furthermore, paragraph 83 (Supporting a prosperous rural economy) of the NPPF is supportive of sustainable growth and expansion of all types of business and enterprise in rural areas, through well designed new buildings.

The applicants are proposing to use the proposed agricultural building as a general purpose agricultural storage building and shelter for livestock on the site. The types of things which will be stored in the building include tractor, mower, topper, tools and fencing equipment. No waste or smell will be produced from the use of the building. It is not proposed to house livestock for any length of time within the building, but to provide shelter and an isolation/treatment space for livestock if required.

Kernon Countryside Consultants have been consulted on this application and have carried out a desk based appraisal of it. They have assessed the proposal to see whether there is a need for the proposed agricultural building and have considered and concluded the following:

Use - the use of a building for the general storage of agricultural items such as machinery, feed and hay along with temporary accommodation of livestock is considered appropriate.

Design – The Planning Statement sets out that the building will primarily be used for storage and will only be used for housing livestock on a short-term temporary basis and for isolation.

It appears that the building has been designed with this in mind. The Yorkshire boarding will provide ventilation for the building and the fibre cement roof will minimise condensation which is important when housing livestock to control disease. It is however common to construct the walls using concrete panels to prevent damage to the walls from livestock. In this instance I do not think concrete panels would be required given the small numbers of livestock and the infrequency that they will use the building. The design of a storage building is not so crucial and whilst not secure I do not have any concerns with the design in terms of general agricultural storage.

Size - The proposed building will provide approximately 138 sqm of internal floor space. From my calculations, approximately 101.5 sq m of floor space will be occupied by hay and farm machinery at certain times of year. This leaves only 36.5 sqm for miscellaneous storage and housing livestock. The amount of hay being stored will reduce over the winter and free up some space for housing livestock. The building is therefore considered to be appropriate in size for the proposed agricultural uses.

Siting – the revised siting is satisfactory from agricultural point of view. The siting, close to the field boundary, minimises intrusion into the field and the building looks to be easily accessible by farm vehicles.

Availability of Other Buildings – The Planning Statement and Google Earth Imagery of the site confirm that there are no existing buildings on the parcel of owned land. Furthermore, it appears that there are no buildings on the additional 18.2 ha (45 acres) either.

The additional information set out that the machinery has either been stored outside or in borrowed space belonging to the applicants' parents and in-laws. It is claimed that this is not a long term solution which I fully agree with. I do not therefore consider there to be any available buildings that can meet the existing and proposed storage needs.

Overall, the Council's Agricultural Adviser has concluded that, the use, size and design of the proposed building would be acceptable and as such have not raised any agricultural concerns with the proposal for the provision of the proposed new agricultural building.

Green Belt

Paragraph 145 of the NPPF sets out that new buildings in the Green Belt are inappropriate development except for a few exceptions. One of these exceptions is new buildings for agricultural or forestry purposes. The area of land where the proposed building would be situated is Green Belt. Its agricultural need has been assessed by Kernon Countryside Consultants and as set out above it is considered that there is an agricultural need for the proposed building. Therefore it is considered that the building would be appropriate development in the Green Belt.

Character and appearance of area

The application site is situated within open countryside, where agricultural buildings are normally found. The design of the proposed agricultural building has been assessed by Kernon Countryside consultants who have considered that it would be appropriate for the

proposed use. Its design is therefore considered to be of an agricultural nature, which would not be out of place in this location and therefore complies with BDP19.

According to the Worcestershire Landscape Character Assessment, the development lies within an area characterised as enclosed commons. This is defined as an open farmed landscape with an inherent land use of mixed agriculture. In this case, the building is sited close to Woodgate Road and the nearby built development, with it being of traditional design and form it is considered that it would appear appropriate in the landscape. The applicant lives directly opposite the site, it is not considered to be creating an isolated farm building in this case. The applicant has indicated that they are willing to plant trees to assist in screening the proposal. It is considered that this can be conditioned.

As such it is not considered that the proposed agricultural building would materially harm the character and appearance of the area.

Proposed access track

The proposal includes the formation of an access track leading into the field from Woodgate Road. This part of the proposal is considered to be an engineering operation. Paragraph 146 of the NPPF sets out those engineering operations can be considered to be appropriate development in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

Within the supporting statement it has been indicated that the applicants intend to encourage grass to grow over any stone to reduce any visual impact, where possible. This can be suitably conditioned. The access track would appear flat, and although it would be visible from the road and the wider area, the applicant will make efforts to reduce this. It is not considered that this element of the proposal would harm the openness of the Green Belt or would conflict with the purposes of including land within it. Therefore it is considered that it would be appropriate development in the Green Belt.

Residential Amenity

SPG5 stipulates that 'the effects of noise and smell on nearby dwellings should be taken into account in detailed site and design planning'. There is no specific guidance regarding the distance from agriculture buildings to residential property.

Springfield Cottage is the closest residential property which has objected to the planning application and lies approximately 42m from the proposed building.

It is accepted that the building is in reasonable proximity to Springfield Cottage, however its scale and siting is not such that would appear overbearing on the outlook of Springfield Cottage, and as considered in the section above, its design and appearance would be typical of agricultural buildings that are a common feature in the countryside and appropriate to this location. Its physical presence and appearance would not therefore be harmful to the outlook of Springfield Cottage or other nearby properties.

There would still be some activity associated with the building, in respect of noise. Its use would be for the storage of feed, equipment/machinery in association with sheep farming

and hay production at the site. The degree of use is more likely to be intermittent than frequent.

However, this equipment, as well as animal feed would be brought to the site in any case, regardless of whether there was a building on the site, as the activities already take place on the land. The proposed building would simply allow that equipment to be stored at the site, rather than brought to it.

The location of the proposal serves to limit the disturbance to nearby properties, but due to the nature of the proposed use there is still potential for noise and light issues to compromise neighbouring amenity. It is considered that a suitably worded condition can be applied to control any light emanating from the site. Overall, it is not considered that this will be harmful to the amenity of those living nearby.

Public Right of Way

The development is accessed via a public right of way, Stoke Prior footpath SP-565. No diversion of the footpath is required to facilitate the development, it is considered that the existing footpath will be protected.

Highways

Worcestershire Highways Officer has not raised any objection to the proposal, subject to conditions.

Drainage

North Worcestershire Water Management have commented on this application, setting out that the site falls within flood zone 1 (low risk of river and tidal flooding), and that the Environment Agency's surface water flood risk map shows a low risk of surface water flooding in the area. Following the amended location, NWWM had no objection to the proposal.

Other Matters

The risk of fire has been raised as a concern by an objector, it is considered this is an operational matter for the applicant.

Conclusion

Overall, it is considered that that proposed development would be appropriate development in the Green Belt, which would not have a detrimental impact on the character or appearance of the area or the amenities of the neighbouring properties.

RECOMMENDATION: That planning permission be Granted.

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason: In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The proposal shall be carried out as shown on the plans, schedules and other documents listed below;

Elevations and floorplan

Cross Section

Location Plan Revised 18.9.18

Block Plan REVISED 18.9.18

Visibility Splay Revised 20.9.18

Reason: To make sure the development is carried out exactly as shown on the plans, to ensure that it relates to the area in which it is being built and protects how that area looks.

3. Prior to their first installation, details of the colour of the materials to be used externally of the proposed agricultural building shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To protect the visual amenity of the area.

4. Should the agriculture use of the building permanently cease within 10 years from the date of this permission, and planning permission has not been granted or has not been deemed to be granted for a change of use of them for purposes other than agricultural within 3 years from the date on which the use for the purposes of agriculture within the unit permanently ceased, then the building shall be removed from the land and the land must, so far as practicable, be restored to its condition before the development took place, or to a condition as may have been agreed in writing between the local authority and the developer.

Reason: To protect the openness of the Green Belt and the character and appearance to the open countryside.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and reenacting that Order), no development included within Schedule 2, Part 3, Class Q and R shall be carried out without formal approval through an application for planning permission.

Reason: The proposal has only been assessed on the basis of being an agricultural building and the implications of other uses have not been considered as part of this application.

6. Prior to their installation, details of any external lighting to be installed shall be submitted to and approved in writing by the Local Planning Authority. Any lighting installed on site shall be in accordance with these details and maintained as such.

Reason: In the interests of biodiversity and residential amenity.

7. Prior to the occupation of the building a full specification of all proposed tree planting should be submitted to and approved in writing by the local planning authority. The specification shall include the quantity, size, species, and positions or density of all trees to be planted, how they will be planted and protected and the proposed time of planting. The tree planting shall be carried out in accordance with the approved specification. Any trees which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes or species unless the local planning authority gives written approval to any variation.

Reason: In the interests of the visual amenity of the area.

8. The Development hereby approved shall not be brought into use until the access track has been provided as shown on drawing Block Plan REVISED 18.9.18.

Reason: To ensure conformity with submitted details.

9. Development shall not begin until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 43 metres in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6m from the edge of the carriageway. Nothing shall be planted, erected and/or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

Reason: In the interests of highway safety.

10. Notwithstanding the details submitted on the Cross Section plan showing the specification of the access track materials. Prior to the installation of the access track, further details regarding how this will be made less viable via the establishment of grass or other measures should be submitted to and approved by the local planning authority. The development shall then be carried out in accordance with the approved details.

Reason: In the interests of the visual amenity of the area.

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