

<b>APPLICATION NO</b>	<b>PA/2018/1266</b>
<b>APPLICANT</b>	Mr Roger Mason
<b>DEVELOPMENT</b>	Planning permission to erect an agricultural shed (re-submission of PA/2017/1754)
<b>LOCATION</b>	Land east of cattery, Field Road, Crowle, DN17 4HP
<b>PARISH</b>	Crowle
<b>WARD</b>	Axholme North
<b>CASE OFFICER</b>	Andrew Willerton
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Member 'call in' (Cllr John Briggs – significant public interest)

## **POLICIES**

**National Planning Policy Framework:** Paragraph 2 states that planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Framework must be taken into account and is a material consideration in planning decisions.

Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 11 sets out the presumption in favour of sustainable development. For decision taking this means approving development proposals which accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or where relevant policies are out of date, granting planning permission unless policies of the Framework protect an area or assets of particular importance that provide a clear reason for refusing the development or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Paragraph 54 states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

Paragraph 55 states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Paragraph 83 states that planning decisions should enable the sustainable growth and expansion of all types of rural business through well-designed buildings and the development and diversification of agricultural and other land-based rural businesses.

Paragraph 108 states that safe and suitable access to the site should be achieved for all users with any significant impacts from the development being cost effectively mitigated to an acceptable degree.

Paragraph 109 states that development should only be prevented or refused on highway grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

Paragraph 128 states that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

#### **North Lincolnshire Core Strategy:**

CS1 (Spatial Strategy for North Lincolnshire)

CS2 (Delivering More Sustainable Development)

CS3 (Development Limits)

CS5 (Delivering Quality Design in North Lincolnshire)

#### **Housing and Employment Land Allocations DPD:**

Inset Map for Crowle

PS1 (Presumption in Favour of Sustainable Development)

#### **North Lincolnshire Local Plan:**

RD2 (Development in the Open Countryside)

RD14 (Agricultural & Forestry Buildings)

T2 (Access to Development)

DS1 (General Requirements)

#### **CONSULTATIONS**

**Highways:** No objection or comments to make.

**Drainage:** No comments received.

**Environmental Health:** Advises conditions to prohibit the installation of grain drying equipment without the express consent of the local planning authority.

**Trading Standards:** No comments received.

**Historic Environment Record:** Considers that the proposal would not adversely affect any heritage assets of archaeological interest or their setting.

## **TOWN COUNCIL**

No comments have been received.

## **PUBLICITY**

The application has been advertised by site notice for a period of not less than 21 days prior to writing this report. No comments have been received.

## **ASSESSMENT**

The application site is land of the cattery, Field Road, Crowle. Planning permission is sought for the erection of an agricultural shed used to house livestock. Planning permission has been granted on the site for the development of an agricultural shed to house livestock under PA/2017/1754; however, development has not occurred in accordance with the approved plans. Accordingly, the applicant has applied to retain the partially constructed building and continue with its development of a different design to that approved.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the North Lincolnshire Local Plan (NLLP) which was adopted in May 2003, the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011 and the Housing and Employment Land Allocations (HELA) DPD which was adopted in March 2016. Material considerations exist in the form of national planning policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising the Planning Practice Guidance (PPG).

**The main issue for consideration with regard to the determination of this application is whether the design, siting and appearance of the building is appropriate to the site's context within the open countryside and with regard to nearby residential properties.**

The application site is outside the development limit for Crowle as defined by the HELA DPD. The site is therefore considered to be within the open countryside. The NPPF, NLCS policies CS1, CS2, CS3 and NLLP policy RD2 together promote sustainable development in the open countryside. Permitted uses in principle in this location are those which support the growth and expansion of agriculture. The proposed development comprises the erection of an agricultural building to house sheep during the lambing season and hay/feed at other times. The use is acceptable and is supported by planning policy.

NLLP policy RD14 governs the development of new agricultural or forestry buildings. The policy states that buildings should be sited in close proximity to existing buildings and designed to utilise the existing land forms and vegetation to minimise impact. The proposed building measures 22.9 metres by 18.3 metres and is to be constructed in concrete panels

to the lower third with green steel sheeting above. The building features an asymmetrical roof with the lower eaves height being set at 3.1 metres and the higher at 5.2 metres. The roof ridge is proposed to be set at 6.1 metres. It is noted that the site benefits from planning permission for the erection of an agricultural building for the same use under PA/2017/1754. The building being considered in this report is for the same use, and occupies the same siting and footprint of that previously approved. However, the overall height of the partially constructed building on the site is approximately 1 metre higher than that previously approved. There has also been a change in materials to the lower third of the building which was approved as timber cladding previously. A further modification to the approved scheme is the inclusion of two large doors to the side elevation. It is considered that the proposal is acceptable in design terms and is not significantly different to that previously approved.

Development on the site has also commenced without the discharge of planning conditions imposed on PA/2017/1754 which required the submission of a landscaping scheme and waste management scheme prior to the commencement of development. The applicant has incorporated both of these schemes into the planning application now being considered.

With regard to landscaping, the applicant proposes to plant trees to the northern, western and southern boundaries which in time will screen the development from residential properties to the north and west of the site. The proposed landscaping plan is considered to be acceptable and conditions are proposed to ensure the implementation of the landscaping scheme and its successful establishment.

In relation to waste management, the applicant states that livestock waste is to be spread onto adjacent farmland at a rate of no more than 40 tons per hectare which is under restrictions imposed by the Environment Agency. No objection has been received from the Environmental Health team to the proposed plan and no comments have been received from Trading Standards. On this basis it is considered that the submitted waste management plan is acceptable and conditions are proposed to secure its implementation at the site.

The Environmental Health team has advised a condition to prohibit the installation of grain drying equipment at the site without prior approval from the planning authority. The team has raised concerns in relation to the potential for noise disturbance caused by such equipment. The applicant is not proposing to install such equipment and the building is to be used for housing livestock and animal feed. It is therefore not considered necessary or reasonable to impose the condition.

The site is to be accessed off Field Road which decreases in size to a track which forms a public bridleway. Highways have been consulted on the proposal and have raised no objection to the proposal. It is considered that the development would not adversely affect the safe operation of the highway. No comments have been received from the Public Rights of Way Officer but it is noted that no objection was received in relation to the previously approved scheme at the site.

The applicant has proposed that surface water be disposed of by soakaway. No comments have been received from the Drainage Team. The site is not within an area that is known to be at risk of flooding. The proposed method of surface water disposal is considered acceptable.

In conclusion, the alterations to the approved agricultural building at the site are not considered to be significantly different to the approved scheme. The proposed agricultural building is considered acceptable and accords with planning policies governing such buildings and is, in design terms, appropriate to site context. The proposal is not considered to result in significant harm to residential amenity and will be appropriately landscaped to reduce visual impact. It is the recommendation of this report to grant planning permission subject to conditions.

**RECOMMENDATION      Grant permission subject to the following conditions:**

1.

The development hereby permitted shall be carried out in accordance with the following approved plans: 001 Revision C and 002 Revision B.

**Reason**

For the avoidance of doubt and in the interests of proper planning.

2.

The scheme of landscaping and tree planting shown on drawing no. 003 Revision A shall be carried out in its entirety within a period of twelve months beginning with the date on which development is commenced or within such extended time period as may be agreed in writing with the local planning authority. Any trees, shrubs or bushes removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees, shrubs or bushes of similar size and species to those originally required to be planted unless the local planning authority have given written consent to any variation.

**Reason**

In the interests of visual amenity within the open countryside in accordance with policy CS5 of the North Lincolnshire Core Strategy and policies RD2, RD14 and DS1 of the North Lincolnshire Local Plan.

3.

The development hereby permitted shall be carried in strictly in accordance with the approved waste management plan unless otherwise agreed in writing by the local planning authority.

**Reason**

To ensure waste generated by the development is disposed of appropriately in accordance with policy DS1 of the North Lincolnshire Local Plan.

4.

The agricultural building hereby permitted shall not be used to house more than 42 animals at any one time.

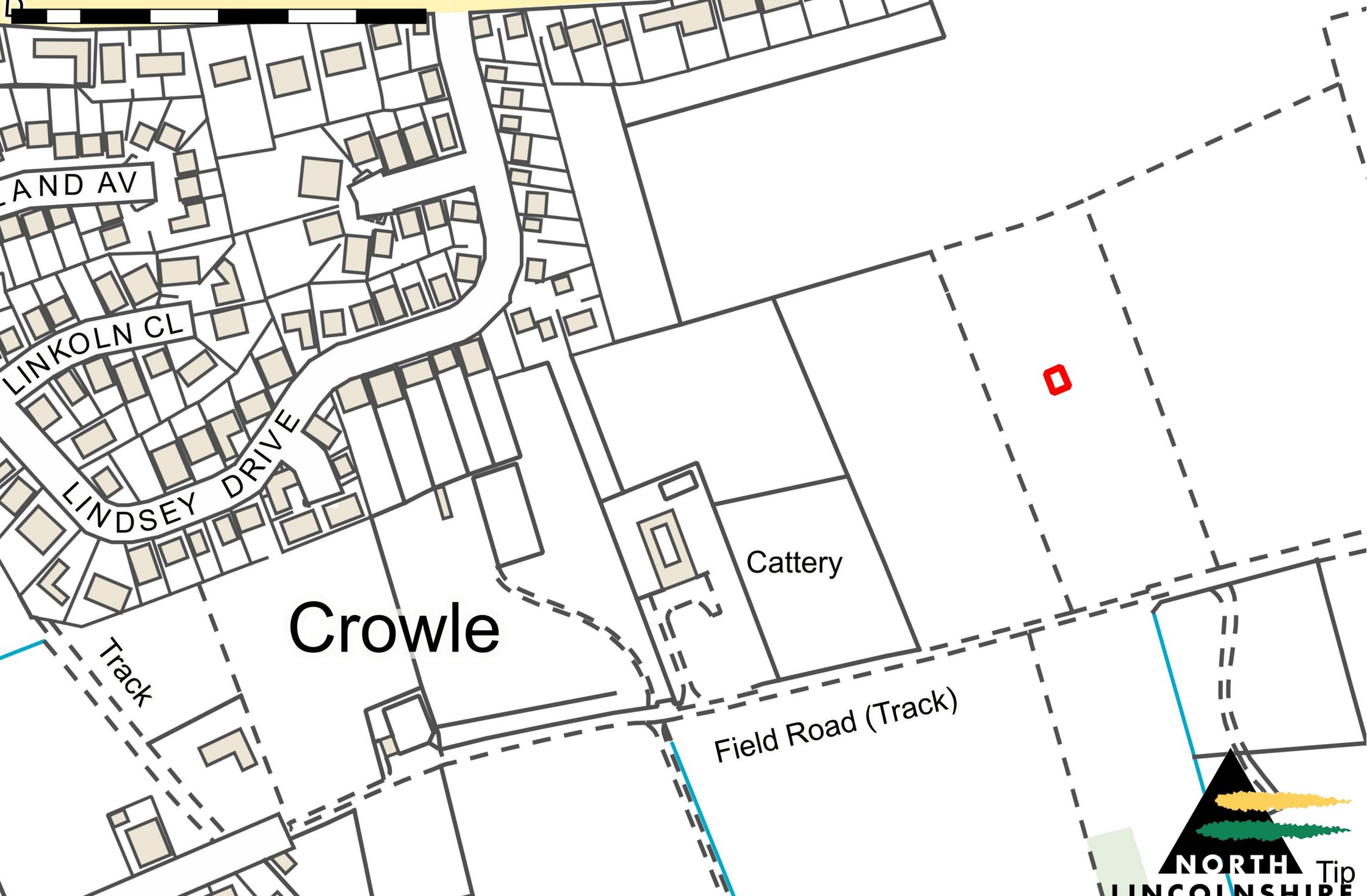
**Reason**

To define the terms of the permission and to regulate the intensity of the use in accordance with policies RD2, RD14 and DS1 of the North Lincolnshire Local Plan.

**Informative**

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

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**PA/2018/1266**

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# PA/2018/1266 Proposed site and block plan (not to scale)



SITE LOCATION

**LOCATION MAP**  
SCALE 1:1500



PROPOSED LOCATION

**SITE LAYOUT**  
SCALE 1:500

REV	DATE	AMENDMENT	DRAWN BY	CHECKED BY

**CENTRELINE**  
DESIGN CONSULTING LTD

7 West Street  
West Butterwick  
Scamthorpe  
North Lincolnshire  
DN17 3JZ

CLIENT  
**Mr Mason**

TITLE  
**Portal Framed Shed – Prior Approval for Agricultural Building**  
Field off Field Road, Crowle  
**LOCATION MAP & SITE LAYOUT**

DRAWN BY	DATE	SCALE	DRAWING No	REV
CH	MAR 2017	AS SHOWN	001	C