



REPORT FROM: PLANNING, BUILDING CONTROL AND LICENSING SERVICES MANAGER

TO: BRIERFIELD AND REEDLEY COMMITTEE

DATE: 7th November 2017

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications

REPORT TO BRIERFIELD AND REEDLEY COMMITTEE ON 07 NOVEMBER 2017

Application Ref: 17/0464/FUL
Proposal: Full: Erection of agricultural building (8.89m x 18.31m).
At: Barn In Field 2075, Cuckstool Lane, Fence
On behalf of: Mr Idrees Mohammed
Date Registered: 28/08/2017
Expiry Date: 02/10/2017
Case Officer: Alex Cameron

This application has been brought before Committee as three objections have been received.

Site Description and Proposal

The application site is an agricultural field located within the Green Belt approximately 600m to the south east of the settlement of Fence. There is an existing agricultural building to the north with prior approval for conversion to a dwelling.

The proposed development is the erection of an agricultural storage building. The proposed building would have a footprint of 18.3m x 8.9m with an eaves height of 4m and a ridge height of 5.2m. It would be finished with concrete block lower walls and green box profile clad upper walls and roof.

Relevant Planning History

13/03/0834P - Erection of agricultural building - Allowed on Appeal 05/01/2005.

13/05/0462P - Construction of stables and menage - Refused, 22/08/2005.

13/05/0853P - Erection of stables - Approved, 20/12/2005.

13/15/0082N - Prior Approval Notification (Class mb(a) only): Change of use of an agricultural building to a dwelling house. Notification accept, 14/04/2015.

13/15/0437N - Prior Approval Notification (Class Q(a & b)): Change of use of an agricultural building to a dwelling house including external alterations. Notification accept, 09/11/2015.

13/16/0072P - Lawful Development Certificate (proposed): Change of use of an agricultural building to a dwelling as deemed to be granted under Class Q of the Town and Country Planning (General Permitted Development) Order 2015. Approved

Consultee Response

LCC Highways – No objection.

Coal Authority – No comments refer to statutory advice.

Reedley Hallows Parish Council - Object on the grounds that this is in the green belt. The site is also on a dangerous bend on a narrow rural road which would make access and egress dangerous for all who use the road and site.

Public Response

A site notice has been posted and nearest neighbours notified. Responses received objecting on the following grounds:

Barn conversion is often followed by subsequent applications for further additional premises to replace buildings no longer available for the original use. It is causing unplanned growth of small settlements in otherwise rural areas, with harmful impacts to the character of the countryside.

The site is within proximity of a Site of Special Scientific Interest.

Please consider also the impacts of views from, near and far, Public Rights of Way from the proposals.

There are no exceptional circumstances for development in the Green Belt.

Officer Comments

Policy

Pendle Local Plan Part 1: Core Strategy

ENV1 (Protecting and Enhancing Our Natural and Historic Environments) states that proposals in the designated open countryside should have regard to the Development in the Open Countryside SPG.

ENV2 (Achieving Quality in Design and Conservation) All new development should viably seek to deliver the highest possible standards of design, in form and sustainability, and be designed to meet future demands whilst enhancing and conserving our heritage assets. Proposals should maintain the openness of the Green Belt.

National Planning Policy Framework

The Framework seeks to achieve sustainable development and protect Green Belt land. The policy reinforces the view that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight is given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm, and any other harm, is clearly outweighed by other considerations.

Paragraphs 89-90 sets out the forms of development that are not inappropriate within the Green Belt, these include buildings for agriculture and forestry.

Principle of the Development

The land is proposed to be used for sheep farming and requires storage in connection with this use. There is an existing building and whilst this is available it meets the storage needs of the agricultural holding. However, the existing building has prior approval for conversion to a dwelling.

If/when it is converted the proposed building will be necessary to meet the storage needs of the farm. Because the building would not be necessary until the existing building has been converted a condition is required to ensure that its erection is not commenced until the use of the existing building as a dwelling has been implemented.

Green Belt Impact

The proposed building is for agricultural use and therefore is not inappropriate. As addressed above, there is no need for a second building until the existing is converted. With the above condition it would be ensured that the proposed development would not have an unacceptable disproportional impact upon the openness of the Green Belt.

Visual amenity

The proposed building would be sited adjacent to existing buildings and therefore would not appear isolated or incongruous in the landscape. The proposed design and materials would be similar to the existing building and are appropriate to the agricultural character of the building. The proposed building is therefore acceptable in terms of visual and landscape impact in accordance with policies ENV1 and ENV2.

Residential amenity

The proposed building would be a sufficient distance from nearby dwellings and the proposed dwelling adjacent to it to ensure that it would not result in an unacceptable impact upon their residents. The proposed development is therefore acceptable in terms of residential amenity in accordance with policy ENV2.

Highways

The existing access to the site has a gate directly adjacent to the highway which does not allow vehicles to pull clear of the highway when accessing the site. The proposed plans show the gate moved back from the highway to enable vehicles to pull clear to open/close it. A condition is necessary to ensure that the position of the gate is altered prior to the commencement of the use of the building.

Ecology

The proposed development is in an agricultural field and would not adversely impact upon any ecological designation. Taking this into account the development raised no unacceptable ecology impacts.

Summary

With appropriate conditions, including a condition to ensure that the building is not commenced until the existing building's use is changed, proposed agricultural building is acceptable in terms of Green Belt impact, design, residential amenity and highway safety. The application is therefore recommended for approval.

Reason for Decision

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed development is acceptable in terms of policy, visual and residential amenity and highway safety. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

RECOMMENDATION: Approve

Subject to the following conditions:

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

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Quadri/785/2226/02.

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

3. All materials to be used in the elevations and roof of the proposed development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission of the Local Planning Authority.

Reason: These materials are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development.

4. The development hereby approved shall not be commenced unless and until either the use of the existing agricultural building (subject to prior approval notification ref: 13/15/0437N) as a dwelling has commenced or that building has been demolished.

Reason: to acceptably preserve the openness of the Green Belt, the need for two agricultural buildings has not been demonstrated.

5. The use of the building hereby approved shall not commence unless and until the existing access gate to Cuckstool Lane has been removed and relocated in accordance with the details shown on the Proposed Site Plan. Unless otherwise agreed in writing by the Local Planning Authority the gate shall thereafter be maintained in that position.

Reason: to allow vehicles to pull clear of the highway in the interest of highway safety.



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LIST OF BACKGROUND PAPERS

Planning Applications

NW/MP

Date: 26th October 2017