

**REPORT FROM: PLANNING, ECONOMIC DEVELOPMENT AND
REGULATORY SERVICES**

TO: WEST CRAVEN COMMITTEE

DATE: 3rd September 2019

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO WEST CRAVEN COMMITTEE ON 03 SEPTEMBER 2019

Application Ref: 19/0199/FUL
Proposal: Full: Erection of a building for storage of maintenance equipment (Retrospective).
At: Land To The North East Of Bashfield Farm, Kelbrook Road, Salterforth.
On behalf of: Mr & Mrs Nathan Hudson
Date Registered: 03/04/2019
Expiry Date: 29/05/2019
Case Officer: Alex Cameron

This application was deferred from August Committee to allow for further negotiations regarding the provision of a passing place on the track to Bashfield Farm. The applicants have been advised of the Committee's request to consider submitting amended plans detailing an appropriate passing place, no response has been received to this request.

Site Description and Proposal

The application site is agricultural land adjacent to Lower Greenhill Caravan Park. There is an existing agricultural building to the south east and Bashfield Farm and barn approximately 100m to the south west.

Planning permission was granted in 2017 for a storage building for the storage of maintenance machinery and equipment for Lower Greenhill Caravan Park. The approved building had a footprint of 7.5m x 16.8m with an eaves height of 3m and a ridge height of 4.2m. It was proposed to be finished with concrete block lower walls and timber boarding above, a metal profile sheet roof.

The building was not built in accordance with the approved plans, the building as erected has a footprint of 8.6m x 18.2m with an eaves height of 3m and a ridge height of 4.3m and the walls and roof are finished in brown coloured steel metal profile sheet cladding.

The application has been amended to remove the access track to Bashfield Farm from the application site. It is now proposed for vehicular access to be taken from the caravan park.

Relevant Planning History

17/0488/FUL - Full: Erection of a building for storage of maintenance equipment. Approved.

Consultee Response

LCC Highways - The above retrospective proposal raises no highway concerns. Therefore the Highway Development Support Section would raise no objection to the proposal on highway safety grounds. We recommend that those highway-related conditions applied to the previous application (13/17/0488/FUL) are applied to any planning approval granted for this application.

Salterforth Parish Council

Public Response

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

- The building that has been erected is in no way like the building that was granted planning permission originally.
- Applying for retrospective planning when the building so blatantly does not comply with the original application makes a complete mockery of the planning process.
- The building can be seen for miles from several points main walking routes, driving routes, and sticks out in the landscape like a sore thumb.
- If this is allowed what's stopping all land owners erecting similar buildings and littering our landscape.
- The building should be finished in stone and Yorkshire boarding.
- The plans show they are going to use the road to Bashfield Farm, Bashfield Barn and South Barn with their heavy equipment the applicant has fenced off all the original passing places. This means incoming cars will have to either wait on the busy Kelbrook Road or having entered over the cattle grid would have to back onto the Kelbrook Road, contrary to the Highway code instructions.
- A condition should be attached requiring a passing place at the junction to Kelbrook Road.
- The plans show the location of a previously constructed building to rationalise the existence of a new one in its place. There wasn't a building as the plan leads one to believe.
- No drains have been constructed for the building.
- Object to the siting of the passing place.
- Highway safety impacts of cars reversing back onto Kelbrook Road due to lack of passing places on the track to Bashfield Farm.

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.

Policy ENV4 (Promoting Sustainable Travel) requires new development to have regard to potential impacts that may be caused on the highway network. Where residual cumulative impacts cannot be mitigated, permission should be refused.

Policy WRK5 (Tourism, Leisure and Culture) states that Proposals associated with the provision of new or improved facilities for tourism, leisure and cultural activities, including accommodation for visitors, will be supported where they:

1. Promote sustainable tourism associated with walking, cycling, waterways and the appreciation of the area's natural and historic environment.
2. Help to improve the quality and diversity of the existing tourism offer, and extend the tourist season.
3. Do not result in a significant increase in car usage and are readily accessible by public transport, and sustainable modes of transport (e.g. walking and cycling).

4. Support conservation, regeneration and/or economic development objectives, including the promotion of cross-border initiatives.
5. Are of an appropriate scale and will not have a significant detrimental effect on the natural or historic environment, local amenity or character of the area.
6. Achieve high environmental standards in terms of design and accessibility.

Principle of the development

The building is necessary for storage requirements relating to the maintenance of the caravan park and associated agricultural land. The scale of the building is commensurate to those storage requirements and therefore the building is acceptable in principle in accordance with policy WRK5.

Visual amenity

The building would be sited approximately 150m away from the existing caravan park, but is sited adjacent to an agricultural building of similar scale and construction to the south east and, taking this into account, does not appear isolated or incongruous in the landscape. The building has the appearance of a typical modern agricultural barn and, taking into account the benefits of the building in terms of serving the needs of the caravan park and associated agricultural land, does not result in an unacceptable impact upon the visual amenity of the area or character of the open countryside. Taking these factors into account the building is acceptable in terms of visual and landscape impact in accordance with policies ENV1 and ENV2.

Residential amenity

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

Highways

The proposed access is suitable to accommodate the traffic generated by the storage use in connection with the caravan park in accordance with policy ENV4, however, a condition is necessary to ensure that the building could not be used for general B8 storage and distribution use.

Drainage

Taking into account the scale and type of development, and the distance from neighbouring properties, it is not necessary to condition details of drainage.

Other issues

The hardstanding and fencing around the building as formed is not in accordance with what is shown on the submitted plans. It continues to the north east of the building, whereas the plans show it ending immediately to the north east of the building and the gate to the south west is not as shown on the plans. This has been raised with the applicant and they intend to alter the hardstanding gate to accord with the submitted plans.

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 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 development hereby permitted shall be carried out in accordance with the following approved plans: 200C, 400B, 501C.

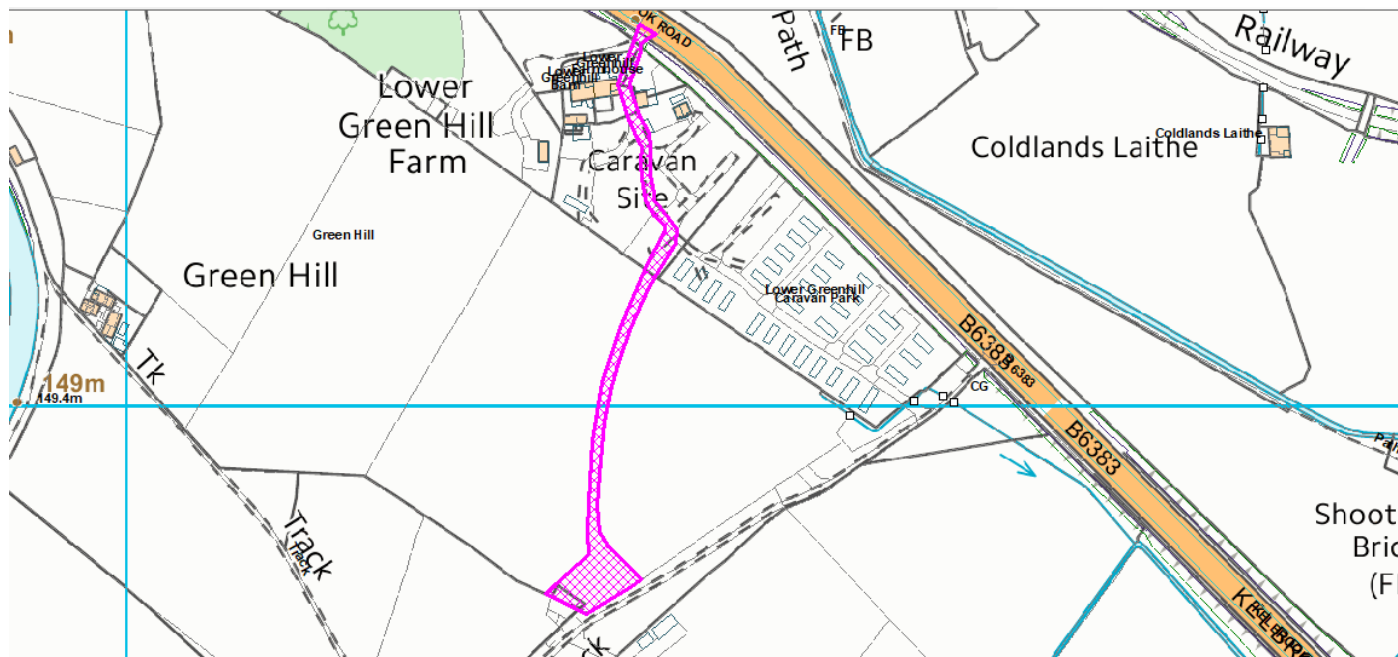
Reason: For the avoidance of doubt and in the interests of proper planning.

2. The building hereby approved shall be used only for storage related to the operation of Lower Greenhill Caravan Park or for purposes of or ancillary to agriculture as defined by Section 336 of the Town and Country Planning Act 1990 and for no other purpose including any other use falling within Use Class B8 (Storage and Distribution) of the Town and Country Planning (Use Classes) Order 1987 (as amended) without the express written permission of the Local Planning Authority.

Reason: To preserve the rural character of the countryside and in the interest of highway safety.

3. The hardstanding hereby approved, as shown in drawing No. 501C, shall not be used for external storage purposes.

Reason: To preserve the open rural character of the countryside



Application Ref: 19/0199/FUL

Proposal: Full: Erection of a building for storage of maintenance equipment (Retrospective).

At: Land To The North East Of Bashfield Farm, Kelbrook Road, Salterforth.

On behalf of: Mr & Mrs Nathan Hudson

WEST CRAVEN COMMITTEE REPORT – 3rd SEPTEMBER 2019

Application Ref: 19/0460/FUL

Proposal: Full: Major: Change of use of agricultural land to equine and the siting of an indoor horse manage and stables (Floor Area: 1136 SQMs) (Suis Generis) and associated external works including siting of a muck midden.

At: Moor View Farm, Earby Road, Salterforth.

On Behalf of: Wolfenden Concrete Limited

Date Registered: 22 July, 2019

Expiry Date: 21 October, 2019

Case Officer: Christian Barton

This application has been referred to committee as it is a major application.

Site Description and Proposal

The application site is an area of pasture located within designated open countryside. The site is currently used for grazing with the farmhouse located to the west of the plot. The site is surrounded by fields to all sides with housing further afield to the northeast. It is bound by trees of varying heights to the north and south.

The application seeks to erect a large detached building to be used for equine purposes. It would provide areas for stabling, storage and an indoor ménage. It would have a width of 24m, a length of 44m and a dual-pitched roof 7.2m in height. It would have concrete panelled and timber boarded elevations and metal sheet roof. Roller shutter doors are proposed to the south and west elevations. Concrete hardstanding is proposed to the south and southwest of the building with a muck midden also proposed to the south.

Relevant Planning History

16/0630/OUT – Outline: Major: Erection of 34 dwelling houses and creation of new access (Re-Submission) – Approved with Conditions – December 2016.

Consultee Response

LCC Highways – The Highways Development Support Section does not raise an objection. A condition should be attached to any approval to ensure the building is not operated in a commercial manor.

Lancashire Constabulary

Salterforth and Earby Drainage Board

Salterforth Parish Council

Public Response

The nearest neighbours have been notified by letter and no comments have been received.

Officer Comments

The starting point for consideration of any planning application is the development plan. Policies which are up to date and which conform to the provisions of the National Planning Policy Framework (NPPF) must be given full weight in the decision making process. Other material considerations may then be set against the Local Plan policies so far as they are relevant.

The main considerations for this application are the design, residential amenity and highways.

1. The relevant Pendle Borough Council Local Plan Part 1: Core Strategy (2011 – 2030) policies are:

- CS Policy ENV1 (Protecting and Enhancing Our Natural and Historic Environments) seeks to protect and enhance natural and historic environments and sets out specific requirements that aim to ensure development proposals do not detrimentally effect such environments;
- CS Policy ENV2 (Achieving Quality in Design) identifies the need to protect and enhance the character of the Borough and quality of life for its residents by encouraging high standards of quality and design in new development. It states that siting and design of development should be in scale and harmony with the wider locality;
- CS Policy ENV 5 (Pollution and Unstable Land) aims to ensure that air, water, noise, odour and light pollution are minimised, both during and after construction;

Other policies and guidance's are also relevant:

- The Development in the Open Countryside Supplementary Planning Guidance (SPG) provides guidance on the appropriate positions of new buildings alongside the materials which would be acceptable for rural buildings

2. Equine Need

No supporting information has been provided with the submission overiewing the intended operations of the proposed building. The Agent has informally clarified that the building would not be used on a commercial basis. Any further information provided will be added as part of a committee update report. The building would provide 1136 square meters of floor space which is a significant size in relation to the size of the 2.6 acre site.

A proposed building of this size would be disproportionate to the size of the land it would serve. From the site visit it was noted that a number of storage buildings are present to the rear and side of the dwelling. The plans show those buildings as being retained. No justification has been provided overiewing why those buildings cannot be used to accommodate some storage and stabling. The size of building is ultimately disproportionately large for the needs of the land and existing facilities have not been adequately considered as part of the submission.

3. Design and the Open Countryside

Policy ENV1 states development proposals should aim to safeguard or enhance the landscape character of the area. Moreover, the Open Countryside SPG states that agricultural buildings in rural locations must avoid skyline locations, be adjacent to existing farm buildings and be built along contours rather than across slopes.

The site occupies a prominent position when viewed in the context of the surrounding landscape. It is located at an elevation of 160 metres above sea level and is surrounded predominantly by an open rural landscape with few intervening features. The land drops away down to the east of the site and continues to drop rapidly in that direction to the A56 and Earby town. The proposed

building would result in long blank elevations which would be visible from a number of public vantage points in all directions.

The proposed height would create a building that would be highly visible when viewed in the context of the surrounding landscape. The proposed building in this location would be readily visible from both close and far reaching views, breaking the existing skyline and cutting across the existing slope. Moreover, the site is not adjacent to any other similar buildings at such an elevation which would enhance the proposed buildings prominence in the surrounding landscape.

There is no viable justification for the scale of the development proposed and the landscape impacts would be so severe that the development would not be acceptable. It is acknowledged that the site is bound by a number of mature trees to the north and south and the plans show these features as retained and added to. Although those features would soften the appearance of the building from certain viewpoints, they would not sufficiently mitigate the visual harm of the proposed building within the open landscape, particularly when viewed from the east.

Therefore the proposal to erect this substantially sized building in an elevated position, that would be clearly divorced from all other built form in the area, would result in an unacceptable impact upon the landscape quality of the location and the open countryside and the proposal does not comply with Policies ENV1 and ENV2 and the guidance of the Open Countryside SPG.

4. Residential Amenity

The proposal would have no unacceptable impacts on the residential amenity of the current neighbours given ample separation. Outline permission for housing with details of layout has been approved for the site immediately to the north. An adequate level of separation would be provided between the proposed building and those houses to prevent any unacceptable impacts on the amenities of their future occupants.

5. Highways

The site has ample parking to service the development with additional hardstanding proposed. LCC Highways have raised no objection and I concur with their findings. The proposal would have no detrimental impacts on the road network subject to the building not being operated in a commercial way.

6. Trees

An Arboricultural Impact Assessment has been submitted in support of the proposal. The trees on the boundary are not protected however they do offer landscape value and are worthy of preservation. The proposal does not involve tree removal yet structures are proposed within the root protection areas of those trees. The impacts the proposed development would have on those trees could be controlled through condition where necessary.

7. Ecology

A Preliminary Ecological Appraisal Report has been submitted. The report concludes that the development would have no detrimental impacts on protected species. However, a number recommendations are provided to maintain the ecological value of the site. Where necessary a condition could be added to minimise the impacts the development would have on local ecology.

8. Contamination

The proposal for an equine use and involves the creation of a much midden. Policy ENV5 seeks to minimise the impacts of development on water pollution. A number of drainage ditches are found

in adjacent fields. Minimal details regarding the manure storage arrangements have been submitted but this could be controlled through condition where necessary. Subject to adequate manure storage arrangements being provided, the proposal would have no detrimental impacts on water pollution in accordance with Policy ENV5.

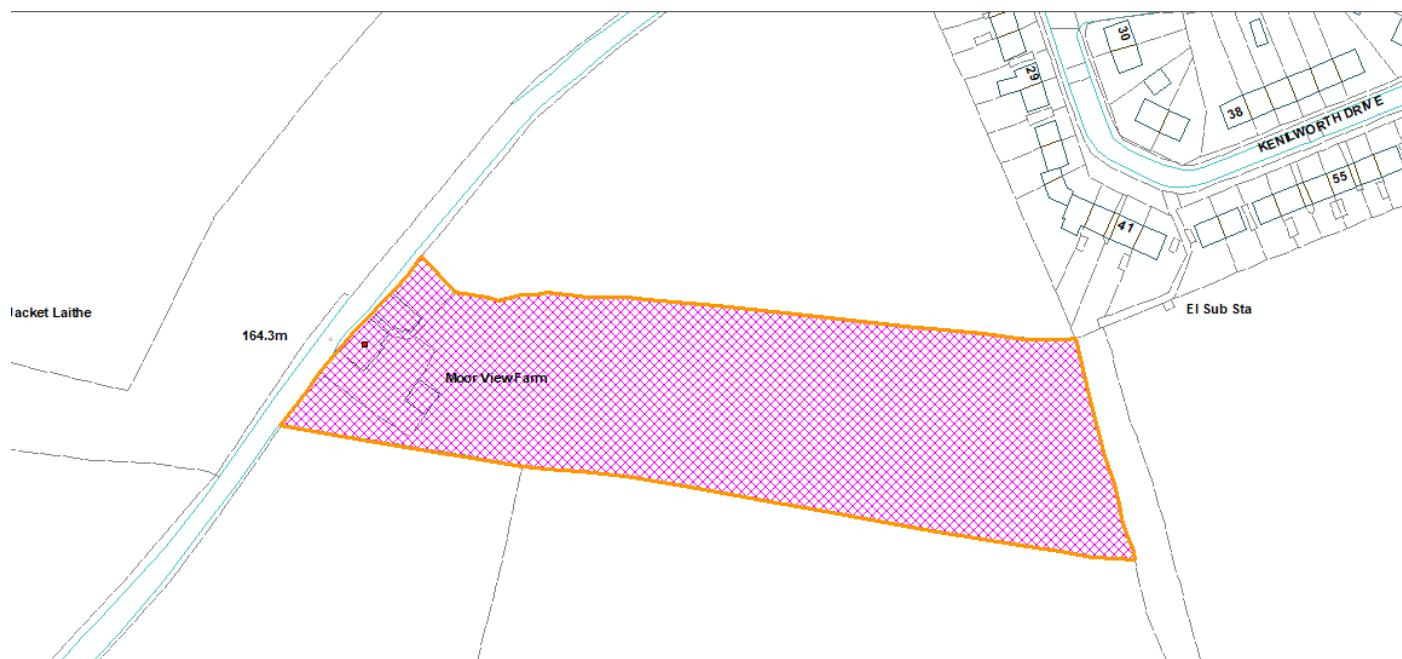
9. Summary

The proposal seeks to erect a large detached building for equine purposes with associated works. The proposal would be acceptable in terms of residential amenity, highways, trees, ecology and contamination. However, the building proposed would be disproportionately sized in relation to the sites area and the proposal would result in a building that would dominate the immediate rural location thus failing to comply with Policies ENV1 and ENV2 and the guidance on the Open Countryside SPG.

RECOMMENDATION: Refuse

For the following reason;

1. The proposed building by virtue of its significant scale and prominent location in an elevated position would result in a dominant feature in the landscape and the proposal would have an adverse impact on the character of the rural location thus failing to comply with Policies ENV1 and ENV2 of the Pendle Local Plan Part 1: Core Strategy (2011-2030) and the guidance of the Open Countryside Supplementary Planning Guidance.



Application Ref: 19/0460/FUL

Proposal: Full: Major: Change of use of agricultural land to equine and the siting of an indoor horse manage and stables (Floor Area: 1136 SQMs) (Suis Generis) and associated external works including siting of a muck midden.

At: Moor View Farm, Earby Road, Salterforth.

On Behalf of: Wolfenden Concrete Limited

LIST OF BACKGROUND PAPERS

Planning Applications

NPW/MP

Date: 21st August 2019