

**REPORT FROM:** ASSISTANT DIRECTOR PLANNING, BUILDING CONTROL  
AND REGULATORY SERVICES

**TO:** BARROWFORD AND WESTERN PARISHES COMMITTEE

**DATE:** 7<sup>TH</sup> AUGUST 2024

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## PLANNING APPLICATIONS

### PURPOSE OF REPORT

To determine the attached planning application.

# REPORT TO BARROWFORD AND WESTERN PARISHES COMMITTEE ON 7<sup>TH</sup> AUGUST 2024

**Application Ref:** 24/0178/FUL

**Proposal:** Full (Major): Erection of 2 no. agricultural buildings and associated hardstanding to facilitate access.

**At:** West Close Farm Foxen Dole Lane Higham

**On behalf of:** Blacko Properties Ltd

**Date Registered:** 03/06/2024

**Expiry Date:** 02/09/2024

**Case Officer:** Alex Cameron

This application has been brought before Committee as it is a major development.

## **Site Description and Proposal**

The application site is agricultural land located within the Green Belt to the south of Higham. The land is part of a surrounding 22.25 hectare agricultural unit.

This application is for a pair of agricultural buildings with associated hardstanding. The proposed building would be 20.48m length x 24.38m width x 10.2m height and 20.48m length x 9.14m width x 6.05m height both with concrete panel lower walls, Yorkshire board upper walls and fibre cement sheet roofs with GRP rooflights.

The buildings are intended to house livestock, agricultural machinery storage and as a muck midden.

## **Relevant Planning History**

21/0960/AGR - Prior Approval Notification (Agricultural Building): Erection of agricultural storage building (Length 15.2m, Width 7.6m, Roof Height 3m). Approved - Moor Coates Farm, Guide Lane

21/0991/AGR - Prior Approval Notification (Agricultural Building): Erection of Agricultural Building 18m x 30m eaves height 7.6m (10.2m to ridge). Approved – Moor Coates Farm, Guide Lane

23/0456/FUL - Full: Formation of an agricultural access track. Approved

24/0224/AGR - Prior Approval Notification (Agricultural Building): Erection of an agricultural storage building. Approved

## **Consultee Response**

LCC Highways – No objection.

Coal Authority – No objection subject to conditions for further site investigations and any necessary remediation and validation.

Environmental Health – Please attach a construction management condition and contaminated land informative.

Lead Local Flood Authority – No objection subject to condition for accordance with the submitted drainage strategy.

Higham with West Close Booth Parish Council - Having considered the documents supporting this application, Higham Parish Council now wishes to express its concerns. 1. Please could you investigate and ask for clarity on the point of bedded muck... 6.2 the last sentence reads “shelter and resting place...which sheep and cattle do not currently have. 6.3 refers to “...once housed on straw” However, 6.4 says ‘at present the applicant stores bedded muck in heaps or unroofed muck midden’. So, for us, this begs the question where are these heaps of muck coming from if the livestock are currently not housed on straw? Is the applicant transporting bedded muck from his farm (where he does have buildings to house livestock) to deposit them in the field? 2. The application at 13.2.1 states the proposed building is to serve the existing farm business. However, the applicant is a property company? How is this serving an existing farm business? 3. 13.2.1 there is reference to storage of medicines within the proposed building. We do not consider it safe or appropriate for medicine to be stored in an unoccupied building on open land. 4. Section 12. Bullet point 3 We are unsure of the location of ‘the existing yard’; the plot is described as grazing land with a hardcore track.

### **Public Response**

A site notice has been posted and nearest neighbours notified – Response received raising the following concerns:

- The mains water supply to other properties runs through the land, severance or causing falling pressure by accessing the small main would have disastrous implications for business supplied.
- Concern about effluent disposal from these buildings as the amount of useable agricultural land owned by the applicant at this site would necessitate intensive housing of stock numbers proposed.

### **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. Developments should maintain the openness of the Green Belt.

##### **National Planning Policy Framework**

Paragraph 152 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraphs 154 and 155 set out development that is not inappropriate within the green belt. That includes buildings for agriculture and forestry.

## **Green Belt**

New buildings for agriculture and forestry are an exception that are not inappropriate within the Green Belt, whilst it has not been adequately demonstrated that the buildings are necessary in this location the are or agriculture and so are appropriate within the green belt and the exception does not include consideration of impact on openness.

## **Visual Amenity and Landscape impact**

A planning statement was submitted with the application setting out the agricultural need for the proposed development. This states that the farming operation consists of 45 beef cattle and 100 breeding ewes, which are currently outside year round, the animals need to have indoor housing for the winter months with intensive feed and clean bedding.

Typically, such livestock accommodation requires a dwelling within sight and sound to monitor the livestock and respond to emergencies. The proposed buildings would be located in an isolated position distant from any associated dwelling. It is probable that the siting of the buildings in this location would lead to a need for a new agricultural worker's dwelling adjacent to the site.

The applicant lives at Guide Lane, at a property with existing agricultural buildings, this is not detailed in the planning statement.

There does not appear to be any clear reason why livestock could not be accommodated either in existing or new buildings adjacent to the applicant's property at Guide Lane, where there is an existing dwelling.

Due to their size an isolated position the buildings would result in harm to the landscape and visual amenity of the area. Whilst this could potentially be offset by the public benefits of agriculture, in this case it has not been demonstrated that those benefits cannot be met elsewhere by existing buildings and/or in a less isolated position on land the applicant owns.

The development is therefore contrary to policies ENV1 and ENV2.

## **Residential amenity**

The proposed development would be a sufficient distance from any dwelling to ensure that would not result in any unacceptable residential amenity impacts.

## **Highways**

The proposed development would not result in any unacceptable highway safety impacts.

## **Drainage**

Adequate foul and surface water drainage can be ensured by condition. Impact on the flow of water supplies running through the land is a private matter that is not material to the determination of this application.

## **Biodiversity Net Gain (BNG)**

This development is required to provide a uplift of 10% in biodiversity. The applicant has provided an assessment of the impact of the development on biodiversity, the site is currently modified grassland, it is proposed that the loss of that modified grassland will be compensated for and a 10% uplift provided by creation of a 0.17ha area of neutral grassland elsewhere on the applicant's land. This is acceptable and can be ensured by the standard BNG condition and a condition for a Section 106 agreement.

### **RECOMMENDATION: Refuse**

Subject to the following reasons:

The applicant has failed to demonstrate that the siting the buildings in this isolated position is necessary and that the agricultural need could not be met by and/or adjacent to existing buildings, the size and isolated position of the buildings would cause unacceptable harm to the landscape and visual amenity of the area contrary to policies ENV1 and ENV2 of the Local Plan Part 1: Core Strategy.

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