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Your ref
Our ref CPG/EST/3/5/8/464-JCET
Date: 3 August 2012

Miss Claire Booth
Ribble Valley Borough Council
Council Offices
Church Walk
CLITHEROE
BB7 2RA

03 AUG 2012

FOR THE
SECTION OF

Dear Miss Booth

APPLICATION NUMBER 3/2012/0525
FELLVIEW BARN, BAYGATE, BOLTON BY BOWLAND
GRID REFERENCE SD757 497

I refer to your consultation letter concerning the above application and have the following comments to make.

Introduction and Previous Planning Applications

A planning application has been submitted by Mr David Schofield for the erection of a machinery/ tractor shed. A site visit was made whilst the applicant was present and the information provided at this meeting, together with the written submissions, forms the basis of this appraisal.

Please note that Lancashire County Council Property Group has previously been consulted regarding earlier applications at this site, these being applications number 3/2010/0889 and 3/2010/0924. My report in connection with these earlier applications, dated 6 December 2010, provides useful background information considering the applicant's circumstances and I therefore attach a copy at Appendix 1.

Current Situation

I was informed by Mr Schofield that the area of land farmed by him generally remains the same. He still owns approximately 40 acres (16 hectares) at the application site, all of which is grassland and is in a disadvantaged area. The applicant also occupies approximately 16 acres (6 hectares) nearby, which is occupied in conjunction with the owner, who uses the land for horse grazing. Finally, I was told that he has the use of approximately 10 acres (4 hectares) of land at Sabden, on an informal basis. All the land is grassland and Mr Schofield explains approximately 20 acres (8 hectares) is used for mowing and the production of hay.

Wayne Selway MRICS FAAV
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Since my earlier inspection, the applicant has increased the number of sheep kept and I was told by him that he now owns approximately 70 breeding ewes, the majority of which are of Dorset breed. I was told that lambing takes place at the end of March/April and it is his intention to increase the number of ewes to approximately 120 head. In addition to the sheep enterprise, the applicant has established a children's educational programme, whereby fertile chicken eggs are delivered by him, to schools, and once hatched, are returned to the applicant for rearing the birds to point of lay. I understand that currently the birds are sent to other farms for rearing, however the applicant intends to rear approximately 250 chickens to point of lay at any one time. The educational aspect of the business also includes the visiting schools with farm animals and therefore the applicant also keeps a small number of goats and ducks etc.

Whilst on site, Mr Schofield also informed me that he was in the process of establishing a bed and breakfast facility from the house.

Existing buildings

Other than the house and garage, there is one existing building on the site, which was granted under application number 3/2010/0924 and which forms the basis of my report attached to Appendix 1. Please note however that following my comments in relation to this earlier application, the size of the building and location of the building was amended, so that the existing building erected now measures approximately 30m x 15m (450 sq.m.). The building consists of a steel portal frame with concrete block walls, Yorkshire boarding above and fibre cement sheeted roof. From discussions with the applicant, it was clear the building had only recently been erected and indeed sections of the building were still to be completed. The building was being utilised for the accommodation of some livestock and also for some general storage, including storage associated with the applicant's farm education visits.

Proposed development

It is proposed to erect a building measuring 18.2m x 9.1m, consisting of a six bay steel portal frame with Yorkshire boarding above and a fibre cement sheeted roof. Access into the building is proposed by a single doorway in the southern gable end. The site of the building is shown on the proposed plan; it is situated in a yard area to the west of the house. The building would be used for the storage of machinery.

Assessment

The proposed development is in an area designated as an area of outstanding natural beauty in the Adopted Local Plan, on which guidance is provided at Policy ENV1. When assessing the application, I have the following comments to make:

Miss Booth

3 August 2012

As mentioned above, I have previously commented on two earlier applications at the site, being the provision of two buildings, one for the lambing of sheep and one for storage purposes. Each building had a floor area of approximately 316 sq.m and therefore the total proposed floor area was in the region of 632 sq.m. My earlier report commented that I did not consider the size of each building was required and that a single building would be sufficient, with a floor area smaller than the combined total of both buildings, but larger than that of an individual building. Following the submission of my report, I understand that the building subject to application number 3/2010/0924 was increased in size, so that the floor area provided would be 450 sq.m. Consent for this building was granted on this basis and the applicant therefore already has a facility which in my mind provided sufficient space for both the housing of livestock and for storage purposes.

The scale of the proposed agricultural enterprise has not changed from the scale planned when I commented in 2010 and based on this, in my opinion, the applicant already has sufficient space for all of his requirements, including both livestock housing and storage purposes. In particular it should be noted that a large section of the existing building is to be used for lambing purposes, however this will only be required for a small part of the year, and outside this period will be available for general storage.

I therefore do not consider that an additional storage facility is required.

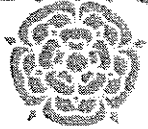
Please note there are two reasons why the applicant considers a separate building to be necessary away from the existing structure. The first is that he considers that the storage of machinery adjacent to livestock housing is not appropriate from an animal welfare perspective. In my mind, I cannot agree that this can warrant a separate building and in my opinion, it is common place for different uses to be carried out within close proximity to each other. The second reason relates to concerns regarding security, in that the site proposed away from the existing building, would provide better security for his machinery, as any visitors would have to pass his house. Whilst I appreciate the applicant's concerns, I am of the view that security provisions could be improved to the existing building / access track, although no doubt you will have your own opinion in this regard.

I would be grateful to receive a copy of your Decision Notice in due course.

Yours sincerely

Wayne Selway MRICS FAAV
Land Agent

Appendix 1



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Miss Rachel Horton
Ribble Valley Borough Council
Council Offices
Church Walk
Clitheroe
BB7 2RA

Your ref
Our ref PG/EVP/WS/3/20/8138/LK
Date: 6 December 2010

Dear Miss Horton

**APPLICATION NUMBER 3/2010/0889 AND 3/2010/0924
FELL VIEW BARN, BAYGATE, BOLTON-BY-BOWLAND
GRID REFERENCE SD 759 497**

I refer to your consultation letter concerning the above applications and have the following comments to make.

Introduction

Two applications have been submitted by Mr David Schofield. Application number 3/2010/0889 is a prior notification application for the erection of a building for the storage of machinery, whilst application number 3/2010/0924 is an application for a building for the housing of livestock, together with an access track. A site visit was made whilst the applicant was present and the information provided at this meeting, together with the written submissions, forms the basis of this appraisal.

Background Information

I understand the applicant acquired Fell View Barn approximately seven years ago, having obtained planning consent to convert the barn into a residential property. Acquired with the property was an area of land at the site, which up until recently has been let out by the applicant to other farmers. During this period the applicant has been self employed running his own outdoor pursuits experience company. Due to the fact that previous farmers who have rented the site have not looked after the land as well as Mr Schofield would have liked, together with the fact that his outdoor experience business is proving to be less popular due to the current economic climate, the applicant has decided to take the land back in hand, and establish an agricultural activity of his own from the site. The current applications therefore relate to the provision of associated livestock housing and storage buildings.

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Agricultural Land

The total area of the land at the site extends to approximately 45 acres (18 hectares), all of which is grassland. I understand the land is within a disadvantage area, however I was informed that some of the land can be mown. In addition to this owned land, I was told by Mr Schofield that he is also able to utilise a further 16 acres (6.5 hectares) for grazing of sheep on an informal agreement. This land is utilised by a friend for the grazing of horses, but Mr Schofield has been told that the sheep can also be run with the horses if required.

Agricultural Enterprise

The applicant intends to establish a sheep breeding flock, specialising in pedigree breeds. At the time of inspection, the applicant had 18 sheep, which comprised 9 Dorset breeding ewes, 1 Dorset tup, 7 Jacob breeding ewes and 1 Jacob tup. The intention is for the applicant to sell and finish the lambs produced, however those of a certain quality and wherever possible will be sold for breeding purposes. It is Mr Schofield's intention to increase the size of the flock to approximately 80 breeding ewes.

Existing Buildings

The only building at the site at the time of inspection is the existing residential property known as Fell View Barn and associated garaging.

Proposed Development

Application Number 3/2010/0889

It is proposed to erect an agricultural storage building measuring 22.9 x 13.8m. The building would have an eaves height of 3.6m and a ridge height of 5.4m. The building would be constructed with a steel portal frame with part concrete block walls with Yorkshire boarding above and a fibre cement roof. Access into the building would be provided by a doorway on the gable end. It is proposed to use this building for the storage of machinery together with any hay produced from the land.

Application Number 3/2010/0924

It is proposed to erect a building measuring 22.9m x 13.8m with an eaves height of 3.6m and ridge height of 5.4m. The building would be constructed with part concrete block walls with Yorkshire boarding above and fibre cement sheeting to the roof. This building is proposed to be used for the lambing of sheep. Included with this application is the provision of a new access track as shown on the plans submitted.

Assessment

Application Number 3/2010/0889

In order to qualify for Class A Agricultural Permitted Development Rights there are a number of criteria/conditions of development which must be satisfied. I consider the most relevant criteria to this application are the following:-

1. **Permitted development rights under Part 6 of the Town and Country Planning (General Permitted Development) Order 1995 do not extend to buildings to be used for the accommodation of livestock or to any associated structures such as slurry tanks and lagoons, when these are to be built within 400m of the curtilage of a protected building.**

The building is within 400m of other residential properties. However, I was told that the proposed building would only be used for the storage of machinery and hay and not for livestock.

2. **The unit should be at least 5 hectares.**

It is apparent that the applicant's land ownership exceeds this area.

3. **Class A Rights are not available on parcels of land of less than one hectare.**

The area of land is greater than one hectare and this condition is therefore satisfied.

4. **The ground area of any works or structure for accommodating livestock or any plant or machinery arising from engineering operations or any building erected or extended under this Class must not exceed 465 square metres.**

The proposed area of the building is approximately 316 square metres and this condition is therefore satisfied.

5. **The development must be reasonably necessary for the purposes of agriculture within the unit.**

The applicant is yet to establish a commercial agricultural business however, he is in the process of trying to establish a sheep breeding enterprise from the site, having recently taken the land back in hand. From discussions with the applicant, I am satisfied that there is a genuine intention to establish an agricultural activity from the site, and taking into account the area of land owned by the applicant, I am of the opinion that an undercover storage facility for machinery and hay is reasonably necessary. Whilst I am of the

opinion that an undercover storage facility is required, I am of the opinion that the building is larger than required given the intended scale of operations and area of land farmed (see conclusions below).

6. The design is appropriate for the intended use.

The general construction of the building utilises materials typically associated with agricultural buildings. I would comment however, that access to the building could be improved, as currently access to the building is proposed by a single door way in the gable end. An open fronted building or part open fronted building would increase access into the building allowing greater flexibility of use, and would not waste as much internal space for passageways. As mentioned above, I am of the opinion that the building is larger than necessary.

7. Siting.

In respect of siting of the building, I am of the opinion that the site of any building will be determined by the visual impact of any new development at the site, given that there are no existing agricultural buildings at the location.

Application Number 3/2010/0924

I note the proposed development is within an area designated as an Area of Outstanding Natural Beauty in the adopted Local Plan on which guidance is provided at Policy ENV1 of the plan. When assessing this application I consider the following matters should be addressed:

1. The development is necessary for the purpose of agriculture.

As outlined above, the agricultural enterprise carried out is in its infancy. I am satisfied that the applicant requires a storage building for machinery to manage the land etc, and that when the sheep enterprise is established an undercover lambing facility will be required. However, at the time of inspection, the applicant only had a small number of breeding ewes, and I am of the opinion that whilst the undercover facility for housing ewes is required, the scale of the proposed facility is larger than required, even taking into account if the flock expands as proposed.

Taking the above into account I do not consider the proposed building as submitted is necessary for the purpose of agriculture.

Miss Rachel Horton

6 December 2010

2. The design is appropriate for the intended use.

Apart from the size of the building, I am of the opinion that the proposed design is suitable for the intended use.

Conclusion

The applicant has taken the land that he owns back in hand and is trying to establish a sheep breeding/rearing enterprise. Whilst I recognise that the business is in its infancy, I am of the view that should the intended scale of activities take place, then a facility for the storage of machinery and hay will be required, as will an undercover lambing facility.

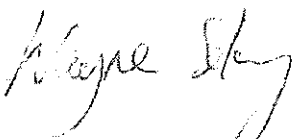
However, I am of the opinion that the scale of the proposed storage building is larger than required purely for storage, and as this building is submitted as a prior notification application, then it could not be used for housing of any sheep. I therefore consider it to be too large.

I am also of the opinion that the proposed sheep building is larger than required, taking into account proposed stock numbers.

In my opinion, given the scale and nature of the activities carried out, a single building smaller than the combined total area of both buildings, but larger than that of each individual building would provide the applicant with a suitably sized multi purpose facility.

I would be grateful to receive a copy of your Decision Notice in due course.

Yours sincerely



Wayne Selway MRICS FAAV

Land Agent

On behalf of the Director of Property