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SUPPORTING STATEMENT

IN RESPECT OF A PLANNING APPLICATION FOR THE ERECTION OF A GENERAL PURPOSE STEEL PORTAL FRAME AGRICULTURAL BUILDING FOR LIVESTOCK HOUSING AND GENERAL STORAGE ON LAND

AT

**BACK LANE FARM, BACK LANE, CHIPPING,
PR3 2QA**

Applicants: Mrs K Potter
Prepared by: Colin Sharpe
Date: August 2016
Our ref: Pot/546/2145/CS



Chartered Surveyors ■■■ Planning & Development ■■■ Land Agents
Valuers ■■■ Property Agency ■■■ Property Management



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1. INTRODUCTION AND BACKGROUND INFORMATION

- 1.1 Gary Hoerty Associates has been instructed by Mrs K Potter of Back Lane Farm, Back Lane, Chipping, PR3 2QA to submit a planning application on her behalf for the proposed creation of a general purpose steel portal frame agricultural building to be used for livestock housing and general storage on land at Back Lane Farm.
- 1.2 Our client owns and farms an area extending to approximately 5 acres (2.2 hectares) of agricultural land. Plans showing the extent of the farm are attached at Appendix 1. The applicant will use the building in association with sheep and pig enterprises. The proposed development would involve the demolition of a dilapidated timber building.
- 1.3 The proposed building is to enable our client to house pigs and to provide a general agricultural storage facility.
- 1.4 We set out within this supporting statement the proposed development in more detail, the planning history of the application site and a nearby property; review the application site, set out why we believe the application conforms to the relevant national and local planning policies and why the application should therefore be looked upon favourably.

2. PLANNING HISTORY OF THE APPLICATION SITE

- 2.1 There is just one previous planning application at the site which we submitted on behalf of our client in 2012 (3/2012/0210). The application sought permission for a portal frame agricultural building measuring 18.66m x 9.14m with an eaves height of 2.6m and a ridge height of 4.17m.
- 2.2 It was explained in the submitted supporting statements that the applicant has a sheep enterprise and that the proposed building would enable her to lamb inside, and would also have a small number of rare breed pigs. Additionally, the building was intended to provide a general storage facility for her tractor, agricultural machinery and implements and fertiliser, hay and straw.
- 2.3 In view of the agricultural nature of the proposal, the Local Planning Authority consulted the Lancashire County Council Property Group on application 3/2012/0210. By letter dated 8 August 2012 the County Council Senior Land Agent referred to Policy G5 of the Council's former Districtwide Local Plan, stating that the policy states:

*“Outside the main settlement boundaries and the village boundaries planning consent will only be granted for small scale developments which are:
ii) needed for the purposes of agriculture or forestry”*
- 2.4 The Land Agent made a number of comments in relation to that policy requirement, the most relevant of which are as follows:

- As no livestock are registered to the application site, I do not consider that a building to accommodate such animals can be justified.
- Should the applicant keep the number of registered breeding ewes that is claimed, then an undercover facility for the lambing could be necessary.
- In regards to the proposal to keep pigs in the building, whilst the proposed development is not unacceptable, there are alternative facilities, such as pig arks, that would meet the accommodation requirements of pigs. I also note that, at the present time, no pigs are currently kept by the applicant and therefore I do not consider that a building for this use is essential in the current circumstances.
- In terms of the general storage requirements at the unit, I consider that the needs of the applicant's horses are met by the existing stable block whilst the remaining general storage requirements for a unit of this size and use would, in my opinion, be small and could potentially be met by the existing facilities upon the unit.
- Whilst, in my opinion, the keeping of items of machinery undercover is not strictly essential, I acknowledge that the storage of machinery undercover is beneficial from the point of view of security and maintenance and therefore consider that a facility for some items of machinery could be justified.
- In terms of size of the proposed development I am of the opinion that the proposed development is larger than necessary and the building could be reduced significantly whilst still serving the justified needs of the unit. Should the applicant have a registered flock of 20 breeding ewes I would consider the proposed development to be significantly larger than necessary.
- The proposed position of the building is appropriate from an operational point of view considering the layout of the buildings at Back Lane Farm.
- If planning consent is granted, you may consider it appropriate to condition the building so that it can be used for agricultural purposes only and not for any commercial uses.

2.5 From our discussions with the planning case officer for application 3/2012/0210, it was evident that, rather than a permission conditioned to be for agricultural purposes only, the application was going to be refused. With our client's agreement the application was therefore withdrawn.

3. PLANNING HISTORY OF A NEARBY PROPERTY

3.1 The following planning applications relate to a property, Meadow Top Farm,

also on Back Lane, Chipping, approximately 100m away from our client's property:

1998/0330 Proposed building extension to house a private collection of historic vehicles – Approved with conditions.

2013/0382 Proposed agricultural storage building – Approved. This was a building with dimensions of 13.9m x 12.2m. The Council did not consult the LCC Land Agent on this application. It was accepted in the Delegate Item File Report (DIFR) that “the building is required for agricultural purposes and is thus acceptable in principle subject to other DC criteria.” Permission was granted subject only to the standard conditions relating to the commencement period and specifying the approved Drawing Numbers.

2014/0412 Proposed new field access – Approved.

The proposed access was located 23m to the north of the existing access, in a position immediately adjoining a public footpath. It was claimed to be required for agricultural purposes and involved the removal of a 9.2m length of hedge. Without any consultation with the LCC Land Agent in respect of the claimed agricultural justification for the new access, permission was granted subject only to the standard “commencement” and “Drawing Numbers” conditions.

2015/0830 Proposed erection of timber building for the storage of historical military vehicles – Approved with conditions.

The Council's decision to approve this application will be discussed in detail in Section 6 of this Statement.

4. THE APPLICATION SITE

- 4.1 The application site is a reasonably level parcel of agricultural land located immediately to the north west of the existing farmhouse and associated buildings and in close proximity to the access track that serves the farm. The application site is situated on land that is owned by the applicants. Back Lane Farm is situated approximately 1.4 miles from the village of Chipping.

5. THE PROPOSED DEVELOPMENT

- 5.1 The proposed development will comprise the erection of a steel portal frame building adjoining the existing yard. The dimensions, location and intended use of the building are exactly the same as described in Section 2 of this Statement in relation to the previous application 3/2012/0210. The only material difference is that the upper walls of the building now proposed will be Yorkshire Boarding as opposed to the profiled steel cladding in the previous application.

6. PLANNING POLICY CONSIDERATIONS

6.1 As the Council has an adopted Core Strategy which, by definition, must be compliant with the requirements of NPPF, we do not consider it necessary or beneficial to examine the proposed development in relation to all of the guidance and advice contained in NPPF. We would, however, state that, in our opinion, the proposal represents sustainable development as defined by the policies in paragraphs 18 – 219 taken as a whole.

6.2 We will therefore consider the proposed development against what we consider to be the most relevant policies of the adopted Core Strategy. We also consider it appropriate in this case to examine how those policies (or the equivalent policies of the former Districtwide Local Plan) have been applied in the determination of applications relating to the nearby Meadow Top Farm.

6.3 As the site is within the open countryside it is a requirement that the development must meet at least one of six considerations, one of which (No 2) is that the development is needed for the purposes of forestry or agriculture. The Policy states additionally that:

“Within the open countryside development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, landscaping and siting. Where possible, new developments should be accommodated through the re-use of existing buildings which in most cases is more appropriate than new build.”

“In protecting the designated Area of Outstanding Natural Beauty the Council will have regard to the economic and social well being of the area. However, the most important consideration in the assessment of any development proposals will be the protection, conservation and enhancement of the landscape and character of the area avoiding where possible habitat fragmentation. Where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build. Development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the AONB by virtue of its size, design, use of material, landscaping and siting.”

6.4 Albeit on a relatively small scale, our client does operate an agricultural enterprise and the proposed building is required in order to assist in its continued efficient operation. As such, the proposal satisfies consideration No 2 of Policy DMG2.

6.5 We consider the proposed building to have the appearance of a typical modern agricultural building that is therefore not inappropriate in this primarily agricultural landscape. It is to be appropriately located immediately adjoining existing buildings and will therefore not appear as an isolated or inappropriate building in the local landscape but will be viewed as part of the existing group of buildings.

- 6.6 We therefore consider that the proposal satisfies the “visual amenity” requirement of Policy DMG2, including those which relate to the location of the site within the AONB.
- 6.7 For reasons discussed above in relation to Policy DMG2, we consider that the proposal satisfies the “Design” requirements of Policy DMG1. The “infrastructure” and “other” requirements are not relevant to this application.
- 6.8 With regards to “Access” the proposal will utilise the existing access onto Back Lane which is considered to be adequate and safe and, in any event, the proposed building would not generate any additional vehicle movements or require any additional parking spaces.
- 6.9 With regards to “Amenity” the proposed building, in our opinion, would be sited sufficiently far away from the nearest residential properties that the amenities of their occupiers would not be unduly affected by the proposal.
- 6.10 With regards to “Environment”, other than the AONB location, there are no other specially designated or protected sites, and no designated heritage assets in the vicinity of the site.
- 6.11 For the reasons given in relation to the general policy DMG1, we do not consider that the proposal would contravene any of the more specific requirements of Policies ENV1, DME1, DME2, DME3 or DME4.
- 6.12 We consider that we have demonstrated that, as an agricultural building, the proposed development satisfies consideration No 2 of Policy DMG2 and is therefore acceptable in principle; and that it would also comply with the more detailed requirements of the other relevant policies.
- 6.13 We will now examine how applications relating to Meadow Top Farm have been considered against the relevant Policies.
- 6.14 The Council’s former Districtwide Local Plan that was adopted in June 1998 contained the following Policy G5:
- Outside the main settlement boundaries and the village boundaries planning consent will only be granted for small scale developments which are:
- i) essential to the local economy or the social well being of the area; or
 - ii) needed for the purposes of agriculture or forestry; or
 - iii) sites developed for local needs housing (subject to Policy H20 of this plan); or
 - iv) small scale tourism developments and small scale recreational developments appropriate to a rural area subject to Policy RT1; or
 - v) other small scale uses appropriate to a rural area which conform to the policies of this plan.
- 6.15 On 9 July 1998 (with a very new local plan in place) permission was granted for what we consider to be a very large building to house a private collection

of historic vehicles at Meadow Top Farm (3/1998/0330). As such a building does not fall within the first four requirements, we can only assume that it was considered to be an “other small scale use appropriate to a rural area” that conformed to the relevant policies of the plan.

- 6.16 In the adopted Core Strategy, Policy G5 is effectively replaced by Policy DMG2 which defines the same 5 types of development that are permissible in the open countryside (plus a sixth, which is of no relevance to applications in this locality).
- 6.17 Under reference 3/2015/0830 permission was sought for the erection of a timber building for the storage of historical military vehicles. That building had dimensions of 18m x 12.2m with a maximum height of 5.3m. This is a larger footprint and a higher building than that proposed in this current application for our client.
- 6.18 In the Delegated Item File Report (DIFR) for that application, the “relevant policies” are stated as DMG1 – General Considerations, ENV2 – Landscape and DME2 – Landscape and Townscape Protection. There is no reference to policy DMG2 in either the list of the relevant policies or in the text of the report; nor is this Policy stated within the reasons for the conditions on the Approval Notice.
- 6.19 There is therefore no documented reference to the question of whether the proposal was acceptable in principle. As with the much earlier application in 1998, it can only be assumed that it was considered to be a small scale use appropriate to a rural area.
- 6.20 With regards to more detailed considerations, reference is made in the DIFR to the requirements of Policy EN2 to protect and conserve the landscape and character of the AONB, in respect of which we would quote from the DIFR as follows:

“The proposed development would be visible in landscape from vehicles travelling along Back Lane, from the rear of properties along Hesketh Lane and from public footpaths close to the site. Nonetheless, the proposed building would be closely related to the existing farm complex and would be seen as part of the existing grouping. The proposed materials would complement the existing building and its size and scale would be commensurate with the existing buildings on the site. It is considered that the proposed building would appear as an agricultural building and would therefore be in keeping with its surrounds. It would not result in any harm to the appearance and character of the AONB nor would it result in any harm to amenities of residents. The use of the building to store military vehicles would be compatible with the existing uses.

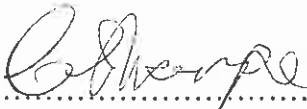
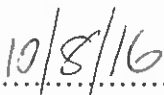
In conclusion, the proposed development would encroach onto surrounding agricultural land. However, it would be closely related to the existing buildings at the application site and would be of a scale, size and design to complement the existing built form. In order to retain control over the use of

the building, should consent be granted a condition would be attached to limit the use of the building only for the storage of vintage military vehicles and should this use cease the land should be returned to its original condition. The proposals would not harm the landscape and scenic beauty of the AONB and it is recommended that the application be approved."

- 6.21 Other than references to the "hobby" use of the building, we consider all of the above quoted comments to be at least equally applicable (if not more applicable) to our client's proposed (smaller) building. Our client's proposed building also has what we consider to be the considerable advantage that it is an agricultural building and therefore satisfies Policy DMG2, rather than just being a building that "would appear as an agricultural building".

7. SUMMARY & CONCLUSION

- 7.1 In this Statement we consider that we have demonstrated that the proposed building is necessary for the purposes of agriculture and that, in principle, it is therefore an appropriate building for this rural locality. We have also demonstrated that the development would have no detrimental effects upon the visual amenity, the amenities of nearby residents, ecology and highway safety; and that it is an acceptable form of development in relation to its location within the AONB.
- 7.2 As we have stated, this building is genuinely needed for, and will be used for, agricultural purposes. As we have demonstrated, however, buildings of similar design and external materials (but larger than our client's proposed building) have been approved on an adjoining property even though their intended use was for hobby purposes in the form of the storage of vintage military vehicles. We would state, for the avoidance of any doubt, that we do not disagree with the Council's approval of the "hobby" buildings at Meadow Top Farm. What we are saying is that the refusal of this current application on the grounds that the building was not considered by the Council to be necessary for agricultural purposes would be totally inconsistent with those decisions relating to the adjoining property and would, in our opinion, be unjustified and unsustainable.
- 7.3 As such we contend that the proposal represents sustainable development in compliance with NPPF and fully satisfies the requirements of the Council's Core Strategy.
- 7.4 The proposal, in our opinion, therefore accords with the development plan and to accord with paragraph 14 of NPPF, should be approved without delay.

Signed..........Date..........

Colin Sharpe Dip TP MRTPI
For and on behalf of Gary Hoerty Associates Ltd

APPENDIX 1

A copy of the Rural Land Register map

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Rural Land Register (RLR) Map SBI - 110187451

Map 1/1

Legends

-  Your RLR Parcel(s)
-  SPS Permanent Ineligible Features
-  Adjacent Parcel Boundary
-  Unconfirmed Boundary

RLR Information

Sheet ID	Parcel ID	Total Area (ha)	SPS Recorded Eligible Area (ha)	English Region
SD6241	0269	0.96	0.96	N
SD6241	0575	0.62	0.62	N
SD6241	0867	0.08	0.08	N
SD6241	1667	0.16	0.16	N

SD6142 SD6242
SD6141 SD6241

0575
0269
0867 1667



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Please return this sheet to us if you want to make any changes to the parcels shown on it.