



2 February 2024

Our Ref: Hol/1123/3458/GH

Planning and Development Control
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Dear Sirs

Re: Our Clients – Mr and Mrs J Holden, Yew Tree Farm, Chipping Road, Chaigley, Clitheroe, BB7 3LX. Planning application for a proposed agricultural workshop and machinery/implement storage building at Yew Tree Farm. Resubmission of application 3/2023/0542 refused on 6 December 2023.

We have submitted the above-mentioned resubmission planning application online via the Planning Portal and it has been allocated the Planning Portal reference number PP - 12779220.

We enclose with this letter a copy of the covering letter that accompanied the original application which sets out background information regarding the type and nature of the agricultural enterprises that are undertaken at Yew Tree Farm, the reason why the proposed building is required and an assessment of the proposal against the relevant local and national planning policy and why the proposal should be approved.

There have been no changes to the information contained in the enclosed letter and the covering letter for this resubmission application deals with the applicants and our disappointment and concern as to how the last application was dealt with and about the basis for the refusal of that application, and the changes that have been made which we hope will result in a positive outcome.

On a positive note, it is clear from the decision in respect of the last application that the Council is satisfied that the proposed development is justified and the only reason why permission wasn't granted related to the choice of building materials which were proposed to be used. Furthermore, notwithstanding our opinion that there was nothing wrong with the materials that were proposed to be used in the last application, we have been instructed by the applicant to make amendments which will be described in this letter.

Before discussing the proposed changes and commenting on the design of modern farm buildings I would like to complain about how the last application was handled by the case

officer. Following the submission of the application, which was treated as valid from 12 July 2023, our first feedback from the officer arrived seven and a half weeks later on the 1 September 2023 which was an email asking me if I would *send photos of the site*, if I didn't have any *would I be able to advise the farmer that he would be round at some point today to undertake a site visit*. Not thinking too much of it at the time, and wanting to be helpful, I emailed the officer some photographs. In hindsight I wish I hadn't done so because they didn't provide any information about the setting of the building or the quality and materials used in the construction of the other buildings at the farm, which might have positively influenced the way in which the application was subsequently viewed. I thought I was being helpful, but what this meant was that a decision was made on this application without the officer ever having been to the site.

Following the request for photographs the officer sent my colleague Andrew Rothwell an email on 19 September 2023 which made the following comments:

*Hi Andrew, my apologies on this – I will require some **minor** amendments before approval, the current design is overtly industrial given the concrete block, uPVC windows and roller shutter doors. Amendments would need to reflect the agricultural nature of the holding, utilising commonly seen agricultural building features (for example, Yorkshire boards/concrete panel elevations).*

Had the officer made a site visit he would have seen the use of concrete blocks, box profile cladding and uPVC windows on other buildings at the farm. In any event I could not understand the rationale for the comments which showed a lack of knowledge about modern farming practices and the design of modern farm buildings.

In response to the email criticising the building for looking too industrial I sent quite a long email back to the officer on 5 October 2023 which referenced the Council's own SPD in respect of the design of farm buildings and the fact that it made the following statement at paragraph 1.2:

*“the main **industries** in rural areas are farming and forestry”.*

At paragraph 1.3 it states:

*“It has to be accepted that modern farm buildings are designed to be functional and that farming methods **often require large industrial style buildings** which can sometimes appear intrusive and out of place in the countryside”.*

The emphasis is mine; however it is quite perverse for the Council to produce an SPD which acknowledges that agriculture is an industrial activity and requires industrial style buildings and then to complain that a proposed building looks too industrial. I include a copy of my email with this letter it goes on to explain why certain building materials are used in preference to others depending on the use to which the building will be put, it gave

a clear explanation why timber boarding would not be the chosen material for the proposed building and why the use of concrete panels was not necessary. The materials chosen were those preferred by the applicants who would be using the building for the next forty years and who knew what would be best, windows for daylight and ventilation, box profile cladding for reduced maintenance, and roller shutter doors for security and ease of access in and out of the building.

By the 31 October 2023 I had not received any feedback in response to my email and I tried calling the officer but didn't manage to speak to him so I sent an email instead, I received a brief apologetic email in reply on 7 November 2023 telling me that he would get back to me today, but he didn't.

I emailed him again on 11 November 2023 and received a reply that he was *prioritising this morning*. I chased again on 13 November 2023 to be told on 14 November 2023 it was *on his list this morning*. I called him again on 24 November 2023 the reply was *thanks for your patience* and that he would *come back to me by close of play*, he didn't.

We received his response to my email of 5 October 2023 eight weeks later on 29 November 2023 and it read as follows:

Morning Gary, please accept my apologies on the delay in coming back to you.

Notwithstanding your comments below, I appreciate your clients flexibility with the plans:

- *I am happy with the stone coloured concrete blocks – if you could annotate their use on the plan (and perhaps include a photograph as you have done to support) I think that's okay.*
- *Cedar wood boards to the south-easterly elevation – would they be limited to this elevation for cost reasons? It might be beneficial to incorporate on one of the gable ends as well if viable for your client?*

Other than that, no further issues. *Subject to the above, can we agree to a week today (Wednesday 6th) assuming amended plans come in and I can get the decision out.*

After nearly eight weeks waiting for a reply to my email, I had received what seemed like a reasonably positive reply, following a conversation with the applicants we advised that the cedar cladding was very expensive/not viable, and that they could not afford to use it on one of the gable ends as suggested. Amended plans were emailed on the 1 December 2023.

We expected a positive decision being issued or to hear back from the officer if he had a problem with having timber on only one elevation when instead on 6 December 2023 I received a decision notice refusing permission for the building which came as a shock, both

because I had waited so long to get any feedback and would have expected to hear further from the officer before such a decision was issued and also because it was completely inconsistent with the email of 29 November 2023.

The reason given for the refusal of the application was:

The proposal, by virtue of the provision of overtly industrial elevational features into an agricultural setting, would comprise an unacceptable intrusion into the Area of Outstanding Natural Beauty that detracts from the visual and landscape character of the area. As such it would fail to comply with Ribble Valley Core Strategy Policies EN2, DME2, and DMG1, together with the National Planning Policy Framework (Paragraph 130).

The delegated report makes the following comments under the heading visual amenity and impact on the AONB:

As per CS Policy DMG1, all development must be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.

In addition, CS Policy DMG2 states that 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.

In this sense the proposal is not compliant with the above in that the materials used, as well as the elevational features are not reflective of the agricultural nature of the complex and would out of keeping and incongruous with the surrounding vernacular by virtue of an overly industrial appearance borne largely out of the provision of large metal roller shutter doors and a large number of uPVC windows.

Whilst it is noted the applicant has submitted amended plans introducing stone coloured concrete brick and cedar wood boards to parts of the elevation, these alone are not considered sufficient enough to ensure the building does not appear overly industrial, and as such out of keeping and incongruous with the design and visual amenity of the immediate surrounds.

The proposed building as with the other modern farm buildings at the farm is a large steel portal frame building which is both typical of most modern farm buildings and most industrial buildings. The pallet of materials used to clad portal frame agricultural buildings is quite limited and includes for roof cladding, box profile tin sheets or corrugated fibre cement sheets, the latter are generally used on livestock buildings as tin sheets cause condensation and are not beneficial, as a consequence, to the health of the housed livestock, but for storage buildings (not storing hay) box profile is generally used.

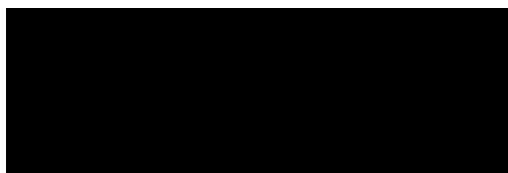
The side cladding will depend on the function of the building with timber space/Yorkshire boarding used on livestock buildings because it provides ventilation with either concrete block or concrete panels on lower walls to provide a structural element. Concrete panels have come into use in more recent years, and they are useful where material is stored against them such as manure or grain or animal feed. On livestock buildings the access ways are normally gated often with open areas above which again provide ventilation. On machinery sheds and workshops roller shutter doors are preferred and used regularly on farms in addition to steel or timber sliding doors, again the search for images of modern farm buildings on the internet, on the first page, shows multiple images of modern farm buildings with roller shutter doors and the suggestion that their use in a farm setting is inappropriate is simply wrong and unacceptable.

The delegated report is completely at odds with the last email that we received from the planning officer which clearly gave the impression that having heard what we had to say to explain the choice of materials and in light of the changes made that he was looking favourably at the application, and we were consequently expecting the application to be approved. Having waited eight weeks for a response from him I simply can't understand why if he was intending to refuse the application, he didn't have the decency to make me aware of that so that I could discuss with the applicants whether under such circumstances they were willing to make further changes. Furthermore, you will note that in the final email there was no reference to the proposed windows or roller shutter doors and yet they are specifically referenced in the delegated report as contributing significantly to the refusal of the application.

The resubmission application has made changes to one of the cladding materials, replacing the box profile cladding with timber boarding, and has removed all of the windows on the rear elevation of the building. With regard to the cladding material the applicant has proposed this change although I remain firmly of the opinion that the use of box profile cladding is appropriate and acceptable and is in widespread use in other buildings in the AONB.

I attach a picture of the dairy building at the farm which is a modern steel portal frame building and as you will see it makes use of both concrete blocks and uPVC doors and windows.

I trust that we have submitted everything that you need for the application to be validated and determined but if you need anything else, please let me know.



CC Mr & Mrs J Holden, Yew Tree Farm

Gary Hoerty

From: Gary Hoerty
Sent: 05 October 2023 16:10
To: Will Hopcroft
Subject: RE: 3/2023/0542 Yew Tree Farm
Attachments: IMG-20230927-WA0001.jpg; IMG-20230927-WA0000.jpg

Hi Will

I write further to your email to my colleague Andrew about this application.

Andrew shared your comments with the applicants and they have suggested certain changes that they would be willing to make to the cladding of the building which I will set out below. However before doing so I have some comments in respect of your comments about the building, which come from having spent a lot of time on farms during the last 35 plus years which followed working on a dairy farm for a year, an arable farm during summer holidays from agricultural college and a large sheep and beef farm at lambing time. The course that I did at Cirencester in rural land management dealt with all aspects of farm building design and at the time I graduated the RICS rural examination involved four full days of part practical part written exams one of which was specifically on the design of farm buildings.

I note that you have said that the buildings are overtly industrial, however that is what modern farm buildings are they are steel portal frame buildings used for an industrial type use, this is acknowledged in the Council's SPD on farm buildings. The SPD states (para 1.2) "*the main industries in rural areas are farming and forestry*". At paragraph 1.3 it states "*It has to be accepted that modern farm buildings are designed to be functional and that farming methods often require large industrial style buildings which can sometimes appear intrusive and out of place in the countryside*".

While I accept that the use of concrete panels has become popular in farm buildings in recent years they are generally used in buildings which are used for bulk storage for feed, grain, silage and manure because they are load bearing and can be erected quickly. However they have not replaced concrete blocks which are still widely used on farm buildings particularly where windows are required which cannot be easily inserted in concrete panels. The reason why there are windows in the workshop building is both to allow natural light into the building saving on electricity powering lights during the day, which is clearly the more sustainable option and also so that the people working in the building are able to enjoy the countryside that surrounds their buildings while they are working rather than staring at solid walls. I do not see any reason why uPVC windows are unacceptable, they can't be seen, they are durable and low maintenance and I know of plenty of farm buildings that have uPVC windows. The proposed windows will be anthracite coloured not white.

The reason why Yorkshire boarding is used on farm buildings is to allow ventilation into livestock buildings which is required to prevent lung problems such as pneumonia the boards have gaps in between them for this reason, this is also required for buildings that are used for storing hay which presents a risk of combustion if it isn't ventilated. There is no functional requirement for Yorkshire boarding on the proposed building because it will not be used to house livestock or hay. There is an ongoing maintenance requirement for Yorkshire boarding and it is not as durable as box profile cladding and most agricultural storage buildings are clad in box profile sheeting.

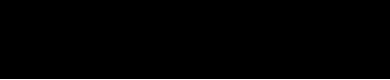
Given the fact that the Council's own SPD acknowledges the fact that agriculture is an industry and that new farm buildings are industrial in nature and design I do not agree that the fact that the proposed building has an industrial appearance makes it unacceptable or that a wholesale change of materials is necessary or appropriate. However, my clients are willing to make some changes which are that they have seen a stone coloured concrete block used in a dairy building at Laund Farm in Chipping (Ribble Valley) in respect of which I attach a couple of photographs, they are happy to use these blocks instead of the normal grey blocks and they are willing to use cedar wood boards on the south easterly elevation instead of box profile cladding.

I am happy to discuss this application with you and we can amend the plans to reflect the changes referred to above quite quickly once I have confirmation that you are happy with them. I look forward to hearing from you.

Regards

Gary

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