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| **Report to be read in conjunction with the Decision Notice.** | | | | | | | | | | | | |
| **Signed:** | **Officer:** | SH | | **Date:** | | | 23/03/2022 | **Manager:** | |  | **Date:** |  |
| **Site notice displayed** | N/A | **Photos uploaded** | | N/A | | |  | | | | | |
|  | | | | | | | | | | | | |
| **Application Ref:** | | | 3/2022/0288 | | | | | | Graphical user interface, text, application  Description automatically generated | | | |
| **Date Inspected:** | | | N/A | | | | | |
| **Officer:** | | | SH | | | | | |
| **DELEGATED ITEM FILE REPORT:** | | | | | | | | | **REFUSAL** | | | |
|  | | | | | | | | | | | | |
| **Development Description:** | | | | | | Prior Notification for a steel portal frame agricultural building. | | | | | | |
| **Site Address/Location:** | | | | | | Cockshutts Farm, Main Street, Pendleton, Clitheroe, BB7 1PT | | | | | | |
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| **CONSULTATIONS:** | | | | | | **Parish/Town Council** | | | | | | |
| N/A | | | | | | | | | | | | |
| **Additional Representations:** | | | | | | | | | | | | |
| N/A | | | | | | | | | | | | |
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| **RELEVANT POLICIES AND SITE PLANNING HISTORY:** | | | | | | | | | | | | |
| Part 6, Class A of the Town and Country Planning (General Permitted Development) Order 2015. | | | | | | | | | | | | |
| **Relevant Planning History:**  3/2022/0289:  Prior Notification for a steel portal frame agricultural building. (Refused)  3/2020/0258:  Replace dairy cow cubicle shed with new steel framed building. Roofed with green cement fibre, clad with wood and concrete panels. (Withdrawn)  3/2019/0253:  Prior notification of proposed portal frame agricultural building length 13.5metres x breadth 27.4 metres height to ridge 6 metres height to eaves 4.2 metres for the storage of straw bedding and farm machinery. (Approved)  3/2015/0118:  Extension of existing agricultural building to the north east and south west gables for storage of feed and milk tank. (Approved)  3/2012/0398:  Portal framed barn for the storage of feed and bedding. (Approved)  3/2010/0967:  Proposed workshop for farm maintenance. (Approved) | | | | | | | | | | | | |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** | | | | | | | | | | | | |
| **Site Description and Surrounding Area:**  The application relates to a farmstead situated approximately 70m from which lays on the Southern side of Main Street within the settlement boundary of Pendleton. The proposed agricultural building is to be sited to the South of the curtilage, outside the conservation area, behind the existing farm buildings at Cockshutts Farm. The surrounding area is primarily residential, and the site itself is not situated on any designated land. | | | | | | | | | | | | |
| **Proposed Development for which consent is sought:**  The application seeks a determination as to whether the Council’s prior approval of details will be required for an extension of the existing covered manure area. The agricultural building will measure approximately 27.4m by 13.5m with a dual pitch roof with a maximum ridge height of 6m and an eaves height of approximately 4.2m. Materials will include concrete and wood to the elevations, with a green fibre cement roof. | | | | | | | | | | | | |
| **Observations/Consideration of Matters Raised/Conclusion:**  **Assessment of the proposal against Schedule 2 Part 6 Agricultural Buildings and Operations Class A:**  The agricultural holding for this development is 49.5 hectares in area. In order to be permitted development, the agricultural buildings need to satisfy a number of criteria as comprised in Part 6, Class A of the Town and Country Planning (General Permitted Development) Order 2015. The first of these requirements refers to how the development must be ‘reasonably necessary for the purposes of agriculture within that unit’.  The proposed agricultural building is required for an extension of the existing covered manure area. The current covered manure storage area has not enough capacity and to avoid storing manure outside, a water quality grant has enabled the applicant to extend the roof area therefore reducing the environmental impact. As such, the roof extension is considered to be reasonably necessary for agricultural purposes.  **Development is not permitted by Class A if –**  (a) the development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area;  ***The proposal shall be situated within the main parcel of land associated with Cockshutts Farm, measuring 49.5 hectares in area.***  (b) it would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins;  ***Development under Class Q or S of Part 3 (changes of use) has not been carried out within the last 10 years.***  (c) it would consist of, or include, the erection, extension or alteration of a dwelling;  (d) it would involve the provision of a building, structure or works not designed for agricultural purposes;  ***It would not include any of the above.***  (e) the ground area which would be covered by—  (i) any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations; or  (ii) any building erected or extended or altered by virtue of Class A, would exceed 1000 square metres, calculated as described in paragraph D.1(2)(a) of this Part;  ***It would not include any of the above.***  (f) the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;  (g) the height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres;  ***It would not include any of the above. The development will not be located within 3km of the perimeter of an aerodrome, and will have a maximum height of 6m.***  (h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;  ***The proposed agricultural building would not be within 25 metres of a metalled part of a trunk road or classified road.***  (i) it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building;  ***The proposed development would include an extension to a structure used for the storage of slurry or sewage sludge. The agricultural building will also be constructed within 400m of the curtilage of a protected building, and as such does not comply with Criteria Class A(i).***  (j) it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; or  (k) any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system—  (i) would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit; or  (ii) is or would be within 400 metres of the curtilage of a protected building.  ***It would not include any of the above.*** | | | | | | | | | | | | |
| **Observations/Consideration of Matters Raised/Conclusion:**  The proposal does not meet the criteria set out within Part 6, Class A of the Town and Country Planning (General Permitted Development) Order 2015 as the proposed agricultural building would be used for the storage of slurry or sewage sludge and fall within 400 metres of the curtilage of a protected building. Accordingly, prior approval is refused, and a full planning application is required. | | | | | | | | | | | | |
| **RECOMMENDATION**: | | | | | Permission required. | | | | | | | |