

ADDENDUM TO PLANNING COMMITTEE REPORT 07/2018/1838/FUL

Application Number 07/2018/1838/FUL

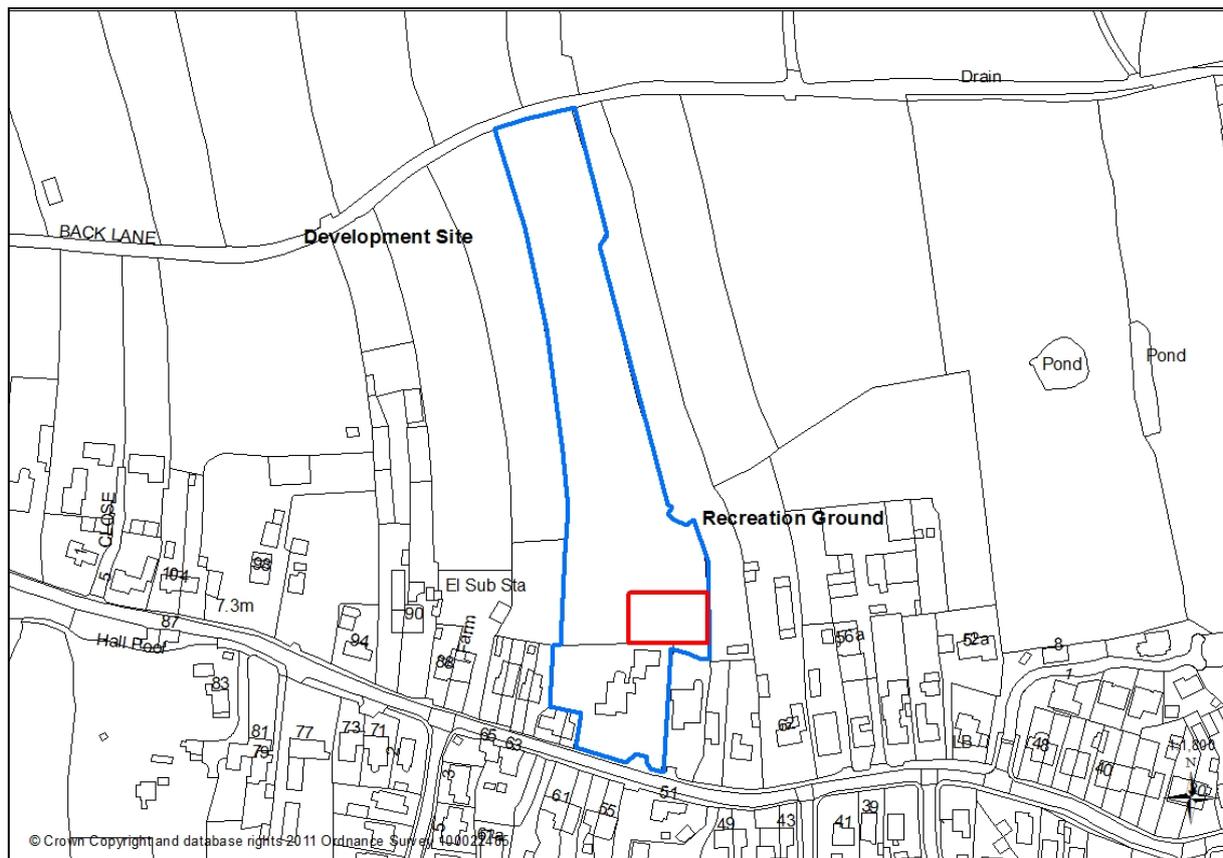
Address
72 Marsh Lane
Longton
Preston
Lancashire
PR4 5ZL

Applicant Mr Andrew McKerney

Development Erection of 2no agricultural stores (steel shipping containers) to accommodate storage of equipment and to house sheep/feed and the formation of silo area for grass

Officer Recommendation **Refusal**
Officer Name **Mr Chris Sowerby**

Date application valid 22.03.2018
Target Determination Date 17.05.2018
Extension of Time 31.05.2018



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1. INTRODUCTION AND UPDATE

1.1 As a Councillor is an immediate neighbour to the application site and is opposed to the development in its submitted form the application is to be determined by the Planning Committee.

1.2 The application was presented to the Planning Committee at their meeting on the 30th May 2018 and decided to defer the application to allow for further dialogue to take place regarding the siting of the buildings and information on the intended use of the land and buildings for the keeping of sheep.

1.3 Officers have since received advice from appointed independent agricultural advisors and have received further comments from the applicant. These are referred to in this addendum report to the Planning Committee.

1.4 Given the Officer recommendation has changed in the addendum from the original report that was taken to Planning Committee it is necessary to prepare a full new report to support any potential appeal should the application be refused.

2. REPORT SUMMARY

2.1 The application relates to an open agricultural field to the rear of 72 Marsh Lane, which also extends to the rear of 68, 74 and 76 Marsh Lane. The application site is within an area of land designated as Green Belt in the Local Plan.

2.2 The application proposes the siting of two timber clad steel storage containers on the agricultural field together with a contained grass cutting storage area and associated area of hardstanding. The stores would be used to accommodate equipment used in the maintenance of the field and would provide shelter and a feed store for a flock of sheep that the owner is acquiring. The applicant has advised that should the Planning Committee object to the use of steel alternative build materials for the sheds can be considered (e.g. wood, concrete etc.)

2.3 The Council's agricultural advisors, ADAS, are of the opinion that sheep only need accommodating under cover for a small part of the year and that this need can be provided by a smaller, appropriately designed, structure and that there does not currently appear to be the need for the development as there are no sheep on the land.

2.4 As the agricultural need has not been suitably justified and there are outstanding concerns relating to suitability of the structures for their stated purpose it is considered that the proposed development constitutes inappropriate development in the Green Belt resulting in definitional harm to the openness of the Green Belt. No 'very special circumstances' have been provided by the applicant which clearly outweigh the harm that would be caused to the Green Belt by reason of inappropriateness and no such circumstances are considered to exist, contrary to the requirements of the NPPF and Policy G1 of the South Ribble Local Plan. The application is therefore recommended for refusal.

3. APPLICATION SITE AND SURROUNDING AREA

3.1 The application relates to an open agricultural field to the rear of 72 Marsh Lane, which also extends to the rear of 68, 74 and 76 Marsh Lane.

3.2 The field is in the ownership of 72 Marsh Lane but does not form part of the domestic curtilage of the property. The application site is immediately to the north of the existing field access adjacent to the dwellinghouse.

3.3 The application site is within an area of land designated as Green Belt in the Local Plan.

4. PROPOSAL

4.1 The application proposes the siting of two timber clad steel storage containers on the agricultural field together with a contained grass cutting storage area and associated area of hardstanding.

4.2 The proposed stores would be arranged in an 'L' shaped form with one measuring 2.3m (wide) x 12m (long) x 2.6m (high) and the second one measuring 2.3m (wide) x 6m (long) x 2.6m (high). The stores would be used to accommodate equipment used in the maintenance of the field and would provide shelter and a feed store for a flock of sheep that the owner is acquiring. Adjacent to the stores would be a 3m x 6m area enclosed by 1.5m high timber post and panel fencing to provide an enclosure for grass cuttings. The stores are proposed to be located to the rear of 68 Marsh Lane, adjacent to the existing field access from the rear of the domestic curtilage of 72 Marsh Lane.

4.3 A 21.5 x 22m area of hardstanding (road planings/tarmac) is proposed that would provide turning capabilities for a 4x4 vehicle towing a 6m long trailer (to be used for the transportation of livestock).

4.4 The application was amended at the request of Officers prior to the Planning Committee meeting on the 30th May 2018 which resulted in the size of one of the proposed stores being reduced, a reduction in the proposed area of hardstanding and the reorientation of the proposed stores in relation to 68 Marsh Lane so that the closest store is side facing the boundary.

4.5 Despite discussions with the applicant no amended plans have been submitted since the Planning Committee's decision to defer the planning application at their meeting on the 30th May.

5. SITE HISTORY

5.1 Whilst there is a planning history relating to the associated dwelling, the open field to which the application has a longstanding agricultural use and no planning history.

6. REPRESENTATIONS

6.1 One letter of objection has been received from a neighbouring residential property. A summary of the points raised follows:

Policy

- ☐ No 'very special circumstances' presented to warrant the development in the Green Belt

Character and Design

- ☐ Detrimental impact the proposed development would have on the character and appearance of the area

Drainage Issues

- ☐ Potential for the proposed development to result in increased flooding of stream at the rear of 68 Marsh Lane

Other Issues

- ☐ No need for the proposed development
- ☐ Proposal could be the precursor for further development
- ☐ Amendments could be made that would result in a better scheme

7. CONSULTATION REPLIES

7.1 The Council's appointed **agricultural advisors (ADAS)** have confirmed that a steel container, with no means of ventilation, are not appropriate accommodation for sheep. Using the John Nix Pocketbook (2018 48th Edition), the space provision for each sheep is a recommended 1.35sq metres pen space per ewe. ADAS therefore advise that the stated needs of the applicant would be better served by a modest structure to accommodate the livestock – approximately 10sq metres. ADAS also confirm that the need for a silo area has not been demonstrated and can also be served by a smaller limited structure. Justification would also need to be provided to demonstrate the need for the storage of implements as this appears to already be met by the existing garage.

8. MATERIAL CONSIDERATIONS

Policy Considerations

8.1 i) Core Strategy Policy Considerations

8.1.1 Policy 17 of the Core Strategy, which is entitled 'Design of New Buildings', requires an assessment to be made of the design of new buildings to ensure that they are in character with the surroundings and will not adversely affect neighbours.

8.2 ii) South Ribble Local Plan

8.2.1 Within the South Ribble Local Plan the site is allocated as Green Belt. The policy relating to development in the Green Belt, Policy G1, states:

"As set out in the NPPF (National Planning Policy Framework), planning permission will not be given for the construction of new buildings unless there are very special circumstances.

Exceptions to this are:

- a) buildings for agriculture and forestry;*
- b) provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;*
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or*
- f) limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development."*

8.2.2 Buildings to be used in connection with agriculture, fall within criterion a) and are an acceptable form of development in the Green Belt negating the need for 'very special circumstances' to be presented.

8.3 'Need' for the Proposed Development

8.3.1 ADAS have disputed the suitability of the proposed stores for the intended use to accommodate sheep together with the 'need' for the proposed buildings in their consultation response, stating:

"To conclude, the applicant has not provided sufficient information to demonstrate an agricultural need for the proposed structures and works. No confirmation has been provided to the Council that there is any livestock on the land and all the information which has been provided to the Council appears to be deficient in demonstrating a clear and credible agricultural requirement in this instance. Notwithstanding this, any requirement for the

accommodation of livestock can be undertaken by a smaller structure which is appropriately designed for livestock and in accordance with the welfare requirements for such livestock.”

8.3.2 In response to the advice given by ADAS the applicant has not submitted any amendments but has provided supporting information which states the following:

“The storage shed within the application relating to the keeping of sheep, 6m x 2.3m, has been proposed in steel in order to be weather proof and long lasting, albeit with a wood cladding on the exterior to soften the appearance. As can be seen the storage shed has the addition of a 3m door, comprising two openings of 1.5m each, in wood, in a stable door style, providing shelter, light and air for the livestock. The 6m x 2.3m space will be divided internally, as required, to provide sheep pens, the dimensions in line with the John Nix Pocketbook (2018 48th Edition) of 1.35 sqm for each ewe, along with food troughs, walk ways for access and the remainder of the space given over to storage of feed, bedding and general equipment. We note the ADAS comments and so if the SRBC Planning Committee has specific objection to steel being used for this particular shed, we’re happy to consider alternative build materials, such as wood, concrete, etc.”

8.3.3 A photograph has also been provided from the application site towards the rear boundary of 68 Marsh Lane to which the applicant has stated *“the objector does not have a view north up the greenbelt land and would not see the proposed development”*.

8.3.4 ADAS have provided further written advice in response to the rebuttal points made by the applicant and reaffirm that sheep only need accommodating under cover for a small part of the year – normally during severe weather and when giving birth. ADAS repeat their advice that this need can be provided by a smaller, appropriately designed, structure and that there does not currently appear to be the need for the development as there are no sheep on the land.

8.3.5 With no sheep currently present on the site and the site not forming part of an established agricultural enterprise the need for the proposed structures cannot be established. Furthermore, it has not been demonstrated to the satisfaction of the Council’s agricultural advisors that the proposed structures are suitable for the intended purpose of providing accommodation for sheep or justification of the general storage need for containers of this size. As the agricultural need has not been suitably justified and there are outstanding concerns relating to suitability of the structures for their stated purpose, it is considered that the proposed development constitutes inappropriate development in the Green Belt resulting in definitional harm to the openness of the Green Belt. No ‘very special circumstances’ have been provided by the applicant which clearly outweigh the harm that would be caused to the Green Belt by reason of inappropriateness and no such circumstances are considered to exist, contrary to the requirements of the NPPF and Policy G1 of the South Ribble Local Plan.

8.3.6 With the application site currently being open and absent of built structures, the proposed development detrimental impact on the openness and visual amenity of the Green Belt, contrary to Policy G1 of the South Ribble Local Plan and paragraph 89 of the National Planning Policy Framework by introducing built development.

8.3.7 Should the Planning Committee be minded to approve the application a condition can be imposed requiring the removal of the stores and hardstanding, together with the site being returned to its current state, should the stores no longer be used for their stated purpose.

8.3 Character and Design

8.3.1 The proposed stores, whilst being of steel construction, would be clad in timber therefore giving the appearance of timber built structures. With the previously stated view from ADAS that the design of the structure are not appropriate for the intended use aside, the visual appearance of the stores are not considered to be out of character in a semi-rural

area where there is a significant variety of outbuilding styles present. The stores have been sited close to the southern boundary of the field therefore minimising the visual impact of the proposal.

8.3.2 A swept path analysis has been provided to demonstrate that the proposed area of hardstanding is required to provide turning capabilities for a 4x4 vehicle towing a 6m long trailer (to be used for the transportation of livestock. Whilst the extent of the hardstanding is not disputed by Officers there is concern that the proposed use of tarmac would result in an unnecessary urbanising effect on the Green Belt. Should the Planning Committee be minded to approve the application it is recommended that a condition be imposed to secure the surfacing of this area in loose road planings which would be more in keeping with the surroundings. With the imposition of such a condition the proposed development is not considered to have a detrimental impact on the character and appearance of the area.

8.4 Relationship to Neighbours

8.4.1 A minimum distance of 31m would be present from the main rear elevation of the nearest neighbouring residential property (68 Marsh Lane) to the side elevation of the nearest proposed store, with intervening tree planting and a 1.8m high boundary fence/wall. The application site is also set slightly lower than the rear garden of 68 Marsh Lane. This inter-relationship is considered to be sufficient to prevent the proposal from unduly impacting on the amenities of neighbouring properties in terms of overlooking / loss of privacy and overshadowing / overdominance. The proposal therefore complies with the requirements of Policy G17 of the Local Plan.

8.5 Highway Issues

8.5.1 The proposed stores would be accessed from an existing field gate from the domestic curtilage of 72 Marsh Lane. No new accesses would need to be created onto the adopted highway and the proposed development would not materially alter traffic to and from the site.

8.6 Drainage Issues

8.6.1 The application site is not within Flood Zones 2 or 3 and therefore is considered by the Environmental Agency as having a low risk of flooding. The imposition of the condition previously referred in relation to the use of loose road planings would ensure a porous surface through which water can drain.

8.7 Other Issues

8.7.1 An objector has questioned the need for the proposed development. Whilst the open field may not have been farmed in recent times its lawful use has clearly remained as for 'agriculture' The application has provided a justified reason for the proposal and this can be controlled by a suitably worded condition that would require the site is returned to its current form should the stated use cease.

8.7.2 Concerns have also been raised that the proposal could be a precursor for further development and there are amendments that could be made that would result in a better scheme. Each application however has to be judged on its own merits, as would any subsequent applications. The application therefore needs to be determined as presented.

9. CONCLUSION

9.1 The 'need' for the proposed siting of two timber clad steel storage containers on the agricultural field has not been established and it has not been demonstrated to the satisfaction of the Council's agricultural advisors that the proposed structures are suitably for the intended purpose of providing accommodation for sheep or justification of the general storage need for containers. The proposed development therefore constitutes inappropriate development in the Green Belt resulting in definitional harm to the openness of the Green Belt. No 'very special circumstances' have been provided by the applicant which clearly outweigh the harm that would be caused to the Green Belt by reason of inappropriateness and no such circumstances are considered to exist, contrary to the requirements of the Para

87-88 of the NPPF and Policy G1 of the South Ribble Local Plan. The application is therefore recommended for refusal.

RECOMMENDATION:

Refusal.

REASONS FOR REFUSAL:

1. The submission fails to demonstrate the 'need' for the proposed agricultural stores/shelter with the proposed structures also not considered to be suitable for housing of sheep. As such the proposal constitutes inappropriate development in the Green Belt. The applicant has not demonstrated 'very special circumstances' to justify the proposal. As such the proposal is contrary to Paras 87-88 of the National Planning Policy Framework (NPPF) and Policy G1 of the South Ribble Local Plan.
2. The proposal would introduce development into an open, green area which would result in a detrimental impact on the openness and visual amenity of the Green Belt, contrary to Policy G1 of the South Ribble Local Plan and paragraph 89 of the National Planning Policy Framework.

RELEVANT POLICY

17 Design of New Buildings (Core Strategy Policy)

POLG1 Green Belt

POLG17 Design Criteria for New Development

Note:
