

Planning Committee 23 February 2016
Report of the Chief Planning and Development Officer



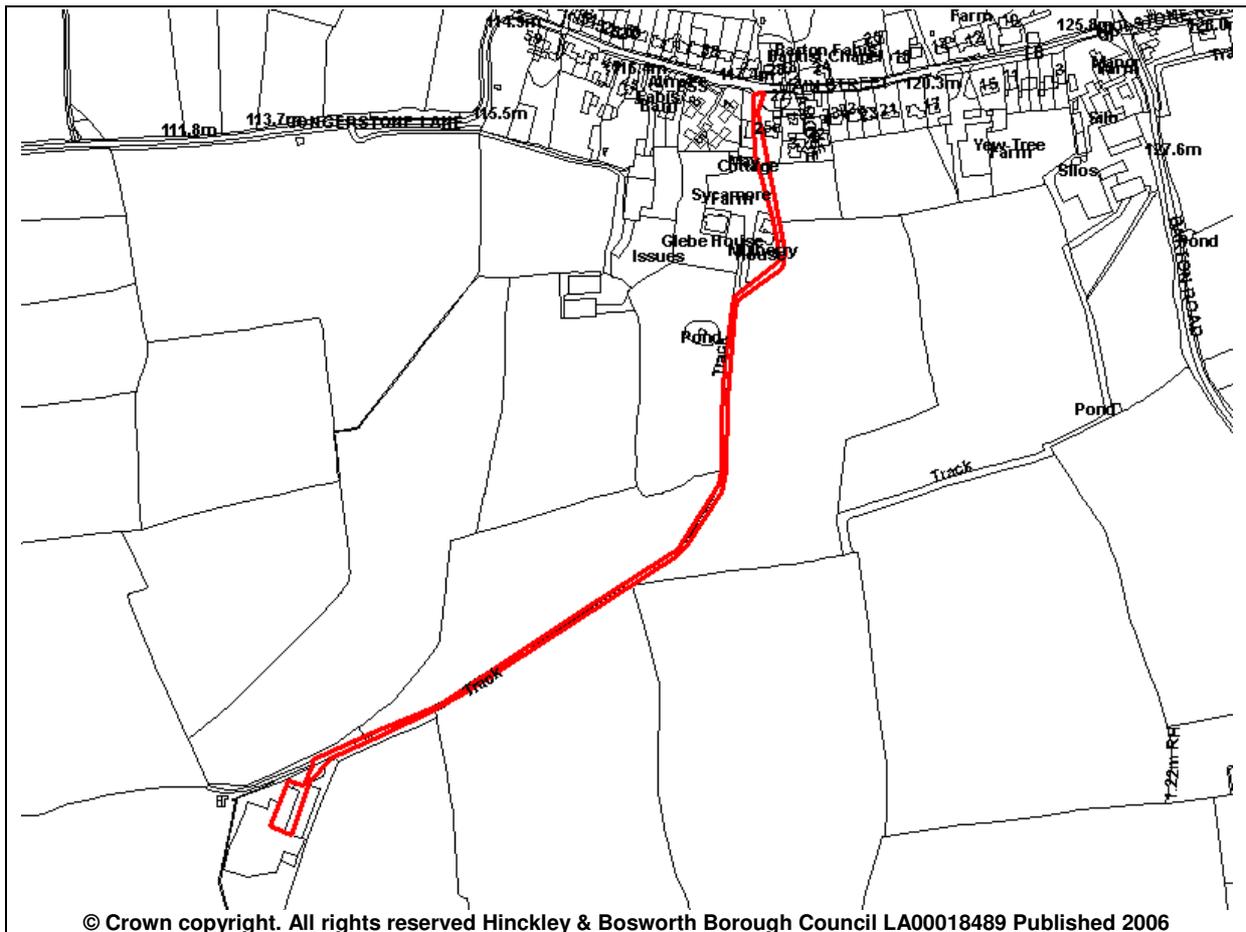
Hinckley & Bosworth
Borough Council

A Borough to be proud of

Planning Ref: 15/01189/GDO
Applicant: Veronica Sutton
Ward: Cadeby Carlton M Bosworth & Shackerstone

Site: Mulberry House Sycamore Farm Main Street
Barton in the Beans

Proposal: Erection of steel framed lean-to building



1. Recommendations

1.1. Prior approval not required

1.2. To advise the applicant that on the basis of the information supplied, prior approval is not required.

2. Description of Proposal

2.1. This submission is to establish whether there is a need for prior notification under the Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2, Part 6 for the erection of a steel framed lean-to building attached to an existing steel framed building on land to the rear of Sycamore Farm, Main Street, Barton in the Beans.

- 2.2. A developer must before beginning the development apply to the Council for a determination as to whether the prior approval of the Council will be required as to the siting design and external appearance of the building.
- 2.3. The agricultural holding comprises an area of 41 hectares and has been in operation for at least 99 years. The proposed building would measure 37.18 metres in length, by 7.92 metres in width, and would measure 3.32 metres in height to the eaves.
- 2.4. The building would be used for the drying, cleaning and agricultural storage of grain. After a recent site visit, the existing agricultural building was full of grain and the proposed lean-to building would provide additional space for the storage of grain.
- 2.5. As the application is a prior notification, confirmation of the Council's opinion must be provided to the applicant within 28 days, if not the development can go ahead.

3. Description of the Site and Surrounding Area

- 3.1. The agricultural buildings can be accessed from a large joint access shared with Sycamore Farm, which is situated to the north east of the site. The proposed agricultural building would be attached to an existing agricultural building within existing farm buildings and machinery.
- 3.2. The external walls of the building would comprise of natural grey, pre-stressed concrete panels and a reinforced natural grey fibre cement roof.

4. Relevant Planning History

88/00643/4	Pig pens	Refused	26.07.1988
91/00184/4	Erection of agricultural buildings	Permission	04.04.1991
93/00877/4	Continuation of use of pig rearing unit without compliance with condition 10 of consent no. 88/00643/4	Permission	23.02.1994
93/00878/4	Variation of condition 10 of planning permission 88/00643/4 breeding	Permission	24.02.1994
10/00504/GDO	Erection of an agricultural building	General Development Order	04.08.2010

5. Publicity

- 5.1. No publicity required.

6. Consultation

- 6.1. No consultation required.

7. Policy

7.1. National Planning Policies and Guidance

- Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2, Part 6, 'Agricultural and forestry'.
- National Planning Policy Framework (NPPF) (2012)
- Planning Practice Guidance (PPG)

7.2. Hinckley and Bosworth Local Plan (2001)

- Policy BE1 - Design and Siting of the Development
- Policy NE5 – Development in the Countryside

7.3. Emerging Site Allocations and Development Management Policies DPD Submission Version (Dec 2014)

- Policy DM1 – Presumption in Favour of Sustainable Development
- Policy DM4 – Safeguarding the Countryside and Settlement Separation
- Policy DM10 – Development and Design

7.4. Other relevant guidance

- Design of Farm Buildings (SPG)

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Requirements of the General Permitted Development Order 2015
- Impact upon the character of the area

Assessment against strategic planning policies

8.2. The main considerations in respect of this notification is whether the proposed agricultural building meets the criteria for permitted development of Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2, Part 6 and the design and siting of the structure.

8.3. Notwithstanding that the site is located in the countryside, the NPPF and Policy DM1 of the emerging SADMP provide a presumption in favour of sustainable development. Therefore the proposal is considered to be in accordance with Policies DM1 and DM4 of the emerging SADMP and saved Policy NE5 of the adopted Local Plan together with the overarching principles of the NPPF and is therefore acceptable in principle, subject to all other planning matters being appropriately addressed.

Requirements of the General Permitted Development Order 2015

8.4. Schedule 2, Part 6, Class A classifies as permitted development the carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of work for the erection, extension or alteration of a building or any excavation or engineering operations which are reasonably necessary for the purposes of agriculture within that unit.

8.5. The agricultural unit is approximately 41 hectares and the building is required for the purposes of agricultural storage.

8.6. Development pursuant to Class A is NOT permitted 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 development will not be carried out on a separate parcel of land of less than 1 hectare

- 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

No such development under Class Q or S has been carried out

- c) it would consist of, or include, the erection, extension or alteration of a dwelling

The development does not consist of or include the erection of, or extensions or alterations to, a dwelling house

- d) it would involve the provision of a building, structure or works not designed for agricultural purposes

The proposed building is designed for the purposes of agriculture, more specifically the cleaning, drying and storage of grain

- e) the ground area which would be covered by:-

- any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations; or
- any building erected or extended or altered by virtue of Class A, would exceed 465 square metres, calculated as described in paragraph D.1 (2) (a) of this Part

The proposed building would measure a total area of 294.65 square meters and will be used for general purpose storage. Although an agricultural building has previously been constructed by virtue of Class A, this building would not be included within the calculations as described in paragraph D.1(2)(a) of this Part as it was not been constructed within the preceding two years. This is in accordance with the guidance which states that applications for GDO buildings shall not be made within two years of one another

- 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

The proposed building is not within 3 kilometres of an aerodrome

- 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

No part of the proposed building exceeds 12 metres in height

- h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road

The proposed building is not located 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 building is not within 400 metres of the curtilage of protected buildings but will be used for general agricultural storage and not for the accommodation of livestock, or for the storage of slurry or sewage sludge

- j) it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; or

The proposal would not involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming

- k) any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system-
- 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
 - would be within 400 metres of the curtilage of a protected building

The proposed building will not be used for storing fuel or waste from a biomass boiler or an anaerobic digestion system

- 8.7. As such, it is considered that the proposed building meets the requirements within the General Permitted Development Order and is permitted by Class A, subject to the consideration of siting, design and external appearance.

Impact upon the Character of the Area

- 8.8. Policy BE1 (criterion a) of the Local Plan 2001, Policy DM10 of the SADMP and Supplementary Planning Guidance on Design of Farm Buildings requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. This is essentially echoed by saved Policy NE5 of the Local Plan and Policy DM4 of the SADMP.
- 8.9. The notification site is located outside the settlement boundary of Barton in the Beans. The building would be sited on an existing hard standing grouped with existing buildings. This is located a considerable distance from Main Street along an existing farm track. The building is of traditional agricultural appearance both in terms of design and appearance and would match the materials and design of the existing agricultural building in which it would be attached to. Whilst it is visible within the countryside it would not appear out of keeping or uncharacteristic with the surrounding area and therefore it is considered that prior approval will not be required.

9. Conclusion

- 9.1. The proposal meets the criteria of Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 and the proposed siting, design, and external appearance of the proposed building for the purposes of agricultural storage is considered to be satisfactory insofar as the building would not appear unduly prominent.

10. Recommendation

10.1. Recommendation: Prior approval not required

- 10.2. In dealing with the proposal, through ongoing negotiation the local planning authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the notification.

10.3. Notes to Applicant

1. The notified development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.