

<b>Application No:</b> 2007/114	<b>Application Type:</b> Outline Application with all Subsequent Matters Reserved
<b>Proposal:</b> Erection of Dwelling for Agricultural Worker	<b>Location:</b> Land Off Michael Wife Lane/Gincroft Lane Edenfield
<b>Report of:</b> Head of Planning, Legal and Democratic Services	<b>Status:</b> For Publication
<b>Report to:</b> Development Control Committee	<b>Date:</b> 24 <sup>th</sup> July 2007
<b>Applicant:</b> Mr S Preston	<b>Determination Expiry Date:</b> 16/04/2007
<b>Agent:</b> Hartley Planning and Development Associates	

**REASON FOR REPORTING**

<b>Outside Officer Scheme of Delegation</b>	No
<b>Member Call-In</b>	Yes
Name of Member:	
Reason for Call-In:	
<b>More than 3 objections received</b>	No

Other (please state) .....

**HUMAN RIGHTS**

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights: -

**Article 8**

The right to respect for private and family life, home and correspondence.

**Article 1 of Protocol 1**

The right of peaceful enjoyment of possessions and protection of property.

**APPLICATION DETAILS**

**1. THE SITE**

1.1 The application site is currently an open field, possibly pasture land located to the east of a narrow access road, bounded by trees leading to a United Utilities treatment works and a residential dwelling to the north of Michael Wife Lane, Edenfield. Managed woodland is located to the south and west of the proposal site and open farmland is located to the east. There is a public footpath

running adjacent to the site running in north easterly direction continuing on the opposite side of the road. The land slopes to the south and east.

- 1.2 The site is located within the Countryside Area as designated in the Rossendale District Local Plan.

## **2. RELEVANT PLANNING HISTORY**

- 2.1 No previous applications on this parcel of land.

## **3. PROPOSAL**

- 3.1 This is an outline application with all matters reserved for subsequent approval. The applicant seeks consent for the erection of agricultural workers dwelling located to the east of the access road leading to the United Utilities water treatment works and to the north of the public footpath that crosses the aforementioned road. Two car parking spaces would be provided for the dwelling house.
- 3.2 Additional information was requested as to the layout, scale, height, width, and length of the dwelling as well as indicative access points the agent presented information to the council stating the upper and lower limits of the dwelling. It was also requested that the applicant provide a justification of the design and access principles that would be used to develop future details of the scheme, and further details to demonstrate that the proposed location would be the most appropriate site for the dwelling. Following a conversation with Nick Bower of the County Land Agency on 09/03/2007 it was requested to see three years of accounts, and what all the existing dwellings on the site are associated with. It was considered important to gain further information on the proposal, although only an outline application, due to the sensitive nature of the application and the potential impact it could have on the countryside.
- 3.3 Of the information requested that was received, confirmation was given that the dwelling would be two storeys in height and would have a maximum volume of 210m<sup>3</sup> and a minimum volume of 120m<sup>3</sup>. Materials used would be coursed natural stone with a blue slate roof with stone walling or hedging to the garden boundaries. The dwelling would be set back some 5m from the road. The information regarding a justification of the design and access principles that would be used to develop future details of the scheme, and what all the existing dwellings on the site are associated with was not received. Additional information was received regarding the proposal location, however, this was substantially the same as already included in the initial application.

## **4. POLICY CONTEXT**

### Rossendale District Local Plan

Policy DS.1 (Urban Boundary)  
Policy DC.1 (Development Criteria)  
Policy DC.4 (Materials)

## **5. INTERNAL CONSULTATIONS**

The comments of Forward Planning are contained within this report.

## **6. EXTERNAL CONSULTATIONS**

- 6.1 The response to the application from the County Land Agency is that the application fails to satisfy the functional test of PPS7. The points raised were that the main enterprise on the unit is the breeding and rearing of sheep, and as such most observation is required during lambing time, a period concentrated within a short space of time annually.
- 6.2 It is also highlighted that the owner of the farm, Mr Nuttall, has an interest in other properties within Edenfield. There are therefore other dwellings associated with the unit that could possibly be used to accommodate an agricultural worker without the need to create a dwelling.
- 6.3 One of the main parts of the functional test is the financial stability of the farm and the accounts provided do not accurately reflect the scale of the agricultural enterprise. Within these accounts, however, it does show that the business made a loss in 2006. It is considered that these findings by the County Land Agency, along with the sensitivity of creating a dwelling within the countryside, further demonstrate that there is a need for further information to be supplied before an accurate decision can be made upon the proposal.
- 6.4 LCC Highways - cannot see that one additional property for a specific purpose would seriously affect the current traffic situation.
- 6.5 Edenfield Residents Association - no comments received.

## **7. REPRESENTATIONS**

- 7.1 2 neighbours were notified by way of a letter on 19/02/2007. Site notices posted 08/03/2007. No responses received.

## **8. REPORT**

- 8.1 The main considerations of the application are whether in this case the creation of an agricultural workers dwelling can be justified within a Countryside Area, the principle of the development in terms of sustainability within a rural area, and the impact of the proposal on visual and residential amenity, and highway safety.
- 8.2 Paragraph 10 of PPS7 makes it clear that isolated new houses in the countryside require special justification for planning permission to be granted. The Annex to PPS7 provides:-
- 1) Paragraph 10 of PPS7 makes clear that isolated new houses in the countryside require special justification for planning permission to be granted. One of the few circumstances in which isolated residential

development may be justified is when accommodation is required to enable agricultural, forestry and certain other full-time workers to live at, or in the immediate vicinity of, their place of work. It will often be a convenient and more sustainable for such workers to live in nearby towns or villages, or suitable existing dwellings, so avoiding new and potentially intrusive development in the countryside. However, there will be some cases where the nature and demands of the work concerned make it essential for one or more people engaged in the enterprise to live at, or very close to, the site of their work. Whether this is essential in any particular case will depend on the needs of the enterprise concerned and not on the personal preferences or circumstances of any of the individuals involved.

- 2) It is essential that all applications for planning permission for new occupational dwellings in the countryside are scrutinised thoroughly with the aim of detecting attempts to abuse (e.g. through speculative proposals) the concession that the planning system makes for such dwellings. In particular, it will be important to establish whether the stated intentions to engage in farming, forestry or any other rural-based enterprise, are genuine, are reasonably likely to materialise and are capable of being sustained for a reasonable period of time. It will also be important to establish that the needs of the intended enterprise require one or more of the people engaged in it to live nearby.
  - 3) New permanent dwellings should only be allowed to support existing agricultural activities on well-established agricultural units, providing:
    - i) There is a clearly established *existing* functional need (see paragraph 4 below).
    - ii) The need relates to a *full-time* worker, or one who is primarily employed in agriculture and does not relate to a part-time requirement.
    - iii) The unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so (see paragraph 8 below).
    - iv) The functional need could not be fulfilled by another existing dwelling suitable and available for occupation by the workers concerned and;
    - v) Other planning requirements e.g. in relation to access, or impact on the countryside, are satisfied.
  4. A functional test is necessary to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. Such a requirement might arise, for example, if workers are needed to be on hand day and night.
    - i) In case animals or agricultural processes require essential care at short notice.
-

- ii) To deal quickly with emergencies that could otherwise cause serious loss of crops or products, for example, by front damage or the failure of automatic systems.
5. In cases where the local planning authority is particularly concerned about possible abuse, it should investigate the history of the holding to establish the recent pattern of use of land and buildings and whether, for example and dwellings or buildings suitable for conversion to dwellings, have recently been sold separately from the farmland concerned. Such a sale could constitute evidence of lack of agricultural need.
  6. The protection of livestock from theft or injury by intruders may contribute on animal welfare grounds to the need for a new agricultural dwelling although it will not be itself be sufficient to justify one. Requirements arising from food processing, as opposed to agriculture, cannot be used to justify an agricultural dwelling. Nor can agricultural needs justify the provision of isolated new dwellings as retirement homes for farmers.
  7. If a functional requirement is established, it will then be necessary to consider the number of workers needed to meet it, for which the scale and nature of the enterprise will be relevant.
  8. New permanent accommodation cannot be justified on agricultural grounds unless the farming enterprise is economically viable. A *financial* test is necessary for this purpose and to provide evidence of the size of dwelling which the unit can sustain. In applying this test (see paragraph 3(iii) above), authorities should take a realistic approach to the level of profitability, taking account of the nature of the enterprise concerned. Some enterprises which aim to operate broadly on a subsistence basis, but which nonetheless provide wider benefits (e.g. in managing attractive landscapes or wildlife habitats), can be sustained on relatively low financial returns.
  9. Agricultural dwellings should be of a size commensurate with the established functional requirement. Dwellings that are unusually large in relation to the agricultural needs of the unit, or unusually expensive to construct in relation to the income it can sustain in the long-term, should not be permitted. It is the requirements of the enterprise, rather than those of the owner or occupier, that are relevant in determining the size of dwelling that is appropriate to a particular holding.

Although the creation of a dwelling can be justified when it is required for a fulltime worker to live on site “it will often be as convenient and more sustainable for such workers to live in nearby towns and villages, so avoiding new and potentially intrusive development within the countryside.”

- 8.3 Information has been provided to comply with certain aspects of PPS7, including three years of accounts for the farm and a woodland maintenance plan for the next ten years. The County Land Agency has commented on the financial accounts provided as part of this application, and highlights that the

business made a loss in 2006, and the information provided may not accurately reflect the size of the unit. The farm to which the application relates is located approximately 900 metres from the centre of Edenfield. Due to the size of the farm covering approximately 336 acres it is not considered that the creation of a new dwelling can be justified if there are dwellings available within, or in close proximity to, the centre of Edenfield where the agricultural worker could reside. The applicant has failed to demonstrate that there are no dwellinghouses in this area that could be used to accommodate an agricultural worker.

- 8.4 The approval for two new barns on Packhorse Farm were granted under applications 2005/159 and 2006/221 for lambing, storage of hay, and machines such as tractors, balers, and mowing equipment. It is considered that these buildings would significantly decrease the need for a worker to be on site to protect the farm. A requirement of a functional test as suggested in PPS7 would be for the need for the worker to deal quickly with emergencies that could otherwise cause serious loss of crops or products. As stated earlier the previous permissions for two new barns significantly decreases the need for somebody to be on site for protection of equipment, and the size of the farm coupled with the nearby location of Edenfield itself is considered that there is not a requirement for a new dwelling to be created.
- 8.5 PPS7 makes it clear that agricultural dwellings should be sited so as to be well related to existing farm buildings, or other dwellings. It is considered that the siting of the proposal is not well related to the existing farm buildings. Within the Design & Access Statement it is stated that the two new barns have been constructed under the policy that the activities of the farm were to be located away from suburban dwellings, highlighting potential conflicts with a nearby school in Edenfield. Whilst the potential residential amenity issues with the construction of 2 new barns close to the village envelope is acknowledged it is not considered that this can be the case for an existing dwelling. As such, if a dwelling, or a site for a dwelling can be found within Edenfield for the agricultural worker to reside in, this would not detract from amenity of nearby residents.
- 8.6 The scheme is therefore considered unacceptable in terms of the principle of creating an agricultural workers dwelling in the Countryside. The applicant has failed to provide evidence to meet the test of PPS7.
- 8.7 Policy C.4 of the Rossendale District Local Plan aims to protect agricultural land wherever possible from development. "When available, poorer agricultural, urban or reclaimed land will first be used." The applicant has failed to demonstrate that the area of land proposed is of a poorer type than other areas within the farm.
- 8.8 The application initially failed to demonstrate any evidence of the 3 dimensional envelope of the dwelling house to be constructed, nor did it provide a description of the indicative access points, or the size of the curtilage to be provided for the dwelling. Further information was requested and obtained, however, it is considered that the applicant has still failed to provide a sufficient amount of information to assess the impact of a dwelling in this sensitive location within the countryside. The proposed location for the dwelling, being

adjacent to a public footpath which would separate the proposal from an area of managed woodland is considered to be in an exposed area that can be readily seen from a distance. It is considered therefore, the dwelling would be detrimental to the visual amenity of the area. The proposed materials are considered appropriate for the area, however, the scheme is considered unacceptable in terms of visual amenity.

- 8.9 The only neighbouring dwelling is the detached bungalow located to the north of the proposal site in close proximity to the water treatment works. The creation of the dwelling, therefore, would not incur a negative impact on light, privacy, or outlook from the neighbouring property. The scheme is considered acceptable in terms of residential amenity.
- 8.10 The Highways Department have stated that the addition of a single property would not seriously affect the current traffic situation. The proposed access of the dwelling house located directly adjacent to a public footpath is considered to be in a potentially sensitive location in relation to highway safety. It is considered important to have a greater amount of information with regard to the exact siting and positioning of the dwelling before the proposal can be adequately assessed in terms of highway safety

## **9. FURTHER INFORMATION SINCE DEFERRAL BY COMMITTEE OF THIS MATTER**

### **9.1 Agent Correspondence**

Since the Committee in May the agent has also provided letters of support for the proposal from Athertons land agents on 20/05/2007 and the NFU on 22/05/2007. The agent stated that the Athertons letter contained new information and, therefore requested that it be put forward before the members at Committee along with the NFU support letter. It was not possible however, due to the dates that the two items were received for them to be included in the last Committee report.

- 9.2 Support also came in the form of a letter from the applicant himself, however, no new information was put forward within the letter to justify the application.

- 9.3 An email was received from the agent on 30/05/2007 following the deferral of the application at the May Committee meeting, attached with a 'compendium of information not given to Committee plus other relevant matters.' Within this the agent stated that the report didn't mention that he had provided further information. This is not correct (see paras 3.2 and 3.3, 8.3, 8.8 of the Committee report).

- 9.4 In the email dated 30/05/2007 the agent stated that 'it seemed [to him] that the information provided was sufficient to enable members and officers to assess the likely impact of the proposal. In a recent Ombudsman's decision relating to another site the Ombudsman commented that even though it was in outline, there is provision within the legislation for the Council to ask for evidence that three houses can be accommodated on the site. This was not done". Both these comments from the Ombudsman, it is considered are relevant to this application. It is clear, although the agent feels that there is sufficient

information, with regards to the Ombudsman letter the Council are correct in asking for further information.

- 9.5 On the week commencing 01/06/2007 the additional information provided by the agent was sent via post to the County Land Agency for their comments. On 18/06/2007 an email was sent requesting confirmation of receipt and an estimated time of response to the information. Confirmation of receipt and the date of 21/06/2007 was estimated for when the Council would receive the comments. The report from the County Land Agency was actually received on 22/06/2007. It was clear, therefore, that it was not possible for the application to go to the June Committee without such vital information being included in the report.
- 9.6 The agent stated in an email dated 21/06/2007 that he and members had expressed their surprise as to why the application was not on the June committee, and requested to know why, with evidence of chasers and dates of consultation.
- 9.7 On 21/06/2007 the Case Officer requested the agent provide the following additional information:
1. A map of an appropriate scale that details the applicants current house in relation to the farm.
  2. Details of all houses for sale in the area. Their value, type and location.
  3. A map/plan to show all of the buildings and their uses within the 336 acre holding.
  4. A map/plan to show all the land uses within the holding, for example grazing, hay making, managed woodland.
  5. A map/plan to show the residential units owned by the applicant within the holding and the vicinity.
  6. Evidence of crime within the holding. Police reports, crime numbers/incident log numbers.
- 9.8 The reasons for requesting this information were based on Development Control Guidelines, the Ombudsman's response to a previous complaint, and that the application was deferred during May Committee where Members felt unable to reach a decision based on the information presented before them.
- 9.9 On 21/06/2007 a response in relation to extra information was received. Taking each point in turn ;
- In relation to point 1; the agent stated the Council already had the information in various forms and that "it is easy for you to put the two together if required" The agent then asked for the reason for this request. For members I refer to paragraph 3 of the May Committee report – "It was considered important to gain further information on the proposal, although only an outline application, due to the sensitive nature of the application and the potential impact it could have on the countryside.
- 9.10 In relation to point 2; the agent replied that he did not have the information available to him. He then asked for the rationale behind the request. The



rationale is clear in relation to the functional test “Due to the size of the farm covering approximately 336 acres it is not considered that the creation of a new dwelling can be justified if there are dwellings available within, or in close proximity to, the centre of Edenfield where the agricultural worker could reside. The applicant has failed to demonstrate that there are no dwellinghouses in this area that could be used to accommodate an agricultural worker.” (end of paragraph 8.3 May committee report) and para 3, iv where it refers to one criteria of the Functional Test as set out in PPS7 “the functional need could not be fulfilled by another existing dwelling suitable and available for occupation by the workers concerned”

- 9.11 In relation to point 3; the agent replied “The only building of which I am aware of are the two new barns off Market Street and the former barn Market Street itself. All can be identified on the plans I have already submitted to you” Here again it is important to refer Members to a part of the functional test as highlighted in point 5 of the May Committee report “In cases where the local planning authority is particularly concerned about possible abuse, it should investigate the history of the holding to establish the recent pattern of use of land and buildings and whether, for example and dwellings or buildings suitable for conversion to dwellings, have recently been sold separately from the farmland concerned. Such a sale could constitute evidence of lack of agricultural need. No effort has been made from the agent on behalf of the applicant, therefore, to increase clarity in attempt to provide more accurate/further information and help to establish whether there is a need.
- 9.12 In relation to point 4; the agent referred to previous information supplied. This information was requested by the case officer for clarity to assess the location and to assess which land uses would be closest to the dwelling so that the need could be established. (refer to para 4 of the report and functional test).
- 9.13 In relation to point 5; this question was mistyped by the Case Officer.
- 9.14 Point 6; This information was supplied on 25<sup>th</sup> June.
- 9.15 On 01/07/2007 the agent requested a minor amendment to the proposed location of the dwelling. The reasons given for this revision were as follows:

“There are two main reasons for changing the location

1. The revised location gives a much better view of the farmland, meaning that the animals can be better looked after and that the security of the farm can be better controlled. As you know I have recently given you police incident numbers with regard to their visits to the farm.”

“I attach a photo showing how the farmland can be seen from this location.

2. When Members considered the matter, while it seemed to me there was general support for the application, some Members thought that the dwelling should be more closely related to existing buildings. The new location is better located in this sense - though the buildings nearby are not those belonging to Packhorse Farm. Nevertheless the new location gives a less sporadic development and addresses the concerns of some of the Members.”

- 9.16 It is considered by the Case Officer that this proposal to revise the location of the proposed dwelling reiterates the concerns raised regarding the position of the proposed dwelling as part of this application, and along with the points made in the previous committee meeting, provides justification for the initial deferral. The agent has now demonstrated that he considers there to be a more appropriate location for the dwelling, and it is considered important to explore the suggested revision as put forward by the agent. The Council's Policy however, does not allow the revised siting to be accepted as working amendment, and as such a new application would be required. This was highlighted to the agent on 02/07/2007. The agent appeared not to have a knowledge of the Council's Policy for accepting minor amendments, his response was that he did not wish to withdraw the application and wished it to be determined based on the original red edge "if need be".
- 9.17 It is clear from the proposal by the agent to amend the location that the current proposal is in an unacceptable location in its current form by reason of the admittance by the agent that there is a more suitable location for it. This is in addition to the lack of information provided by the applicant to justify the proposal as highlighted earlier in the report.

#### **9.18 County Response**

The County Land Agency responded to the additional information put forward by the agent in an email dated 21/6/2007. A copy of the response is appended to this report.

### **10. CONCLUSION**

- 10.1 It is considered that there is currently insufficient information to adequately assess the application. The agent has failed to provide sufficient detail to meet the requirements of National and Regional Policy for the reasons outlined above.

### **11. RECOMMENDATION**

- 11.1 That the committee be minded to refuse the application on the basis of a lack of information to adequately assess the need for an agricultural dwelling.

### **12. REASONS FOR REFUSAL**

- 12.1 The proposed development would constitute inappropriate development in the countryside by reason of the failure of the applicant to adequately demonstrate that there is a need for an agricultural workers dwelling for this farm in this location. The application therefore conflicts the Council's Interim Housing Policy and the criteria of PPS7 Sustainable Development in Rural Areas, PPG 13 Transport, and Policy C.1 (Countryside Areas), Policy C.4 (Agricultural Land), Policy DC.1 (Development Criteria), Policy DC.4 (Materials) of the adopted Rossendale District Local Plan.

- 12.2 The proposed development, by reason of its location away from existing settlements in the Countryside, is not considered to be in a sustainable location. The proposal would, therefore, be contrary to PPS7 – Sustainability.
- 12.3 There is insufficient information regarding access and layout to properly assess the impact of the dwelling on visual amenity and highway safety. The application therefore conflicts with the criteria of PPS 7 Sustainable Development in Rural Areas, PPG 13 Transport, Policy C.1 (Countryside Areas), Policy C.4 (Agricultural Land), Policy DC.1 (Development Criteria), and Policy DC.4 (Materials) of the adopted Rossendale District Local Plan.

<b>Contact Officer</b>	
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Your ref  
Our ref PG/LAWS/14/3/6986  
Date 21 June 2007

Dear Sir

**APPLICATION NUMBER: 14/07/114**  
**LAND OFF MICHAEL WIFE LANE/GINCROFT LANE, EDENFIELD**  
**GRID REFERENCE 805 194**

I refer to the above application, to which I provided comments dated 10 May 2007. Since this report, the applicant's agent has provided additional information. Whilst my comments given in my report dated 10 May 2007 remain unchanged, I would like to add the following comments in response to the additional information, with a summary being provided below, followed by more detailed comments.

**1. Summary of Key Issues**

The application does not meet the criteria for an agricultural worker's dwelling given in PPS 7 and the local plan because:

- The scale and nature of the application does not satisfy the functional test. There is not a need for someone to be readily available at most times.
- The business has functioned successfully for a number of years under the current arrangement and there is no justification as to why this should not continue to be the case.
- The current unit is an amalgamation of 2 original farm units i.e. Pack Horse Farm and Pinfold Farm, to which a number of dwellings have been associated, all of which have been in the Nuttall's family direct control, to which the current application relates, including his current address, situated at former Pinfold Farm. This knowledge is available from our previous involvement in earlier applications, listed in my initial report. No comments have been provided concerning these issues. The suggestion that the land has never had a farmhouse is therefore incorrect – Mr Richard Nuttall is the fourth generation to farm there.

- I am also aware that Mr Nuttall may have or is trying to get planning consent for residential units at Pack Horse Farm (the site of the industrial type building) and traditional barn.
- There are also a range of suitable and available dwellings in the village.
- The business does not meet the financial test, with the business not making a profit last year and only a small profit in the previous year. To satisfy a financial test, the enterprise would need to be able to sustain a living for the operator of the business as well as fund the cost of the proposed dwelling. The accounts show that only a very low wage (£5,200) is being paid to the operator which in my opinion would be unable to meet the above requirement.
- The fact that only a small wage is being paid also raises the question as to whether Mr Preston works full-time on the unit, which is another criteria of Annex A of PPS7.

In response to Mr Hartley's statement:

1. I consider the comment 'it is a large farm' to be misleading. A large area of the land is disadvantaged land which obviously has a bearing on productivity and in my professional opinion, the scale of the sheep enterprise by the very nature of the enterprise should not be described as large (PAGE 1).
2. In relation to my comment 1 above, through my advisory role to the district on agricultural matters, I have recently been informed when dealing with another application that Mr Preston has recently rented out in the region of 100 acres of land at Edenfield (further information can be provided if necessary).
3. Whilst I accept that security is a matter which should be taken into account, I consider the way in which problems have been described in terms of quad bikes is perhaps over emphasized. (PAGE 1).
4. I consider the statement 'it is no coincidence that farms usually have a farmhouse on the land' to be a sweeping statement which is not based on any sound basis. I would add that dwellings are associated with the land which have been under direct control of the Nuttall family (see summary above). National and local Planning Policy provides clear criteria when assessing applications for agricultural workers dwellings upon which my independent assessment was based. (PAGE 1).
5. I do not consider the reasons given provide sufficient justification for the proposed location. The main activity to which most supervision may be required is lambing and I have been informed when dealing with the applications for the two new buildings that it has been intended to bring

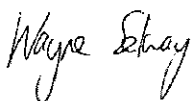
sheep inside for lambing. Therefore, had I been of the opinion that all the criteria was met and a dwelling was justified, in my opinion, it should be sited closer to these buildings. (PAGES 1 – 3).

6. **The functional test (PAGES 5 – 7).** My report dated 10 May 2007 has made it clear why in my professional opinion I do not consider there is a functional need, which includes the fact that this does not satisfy the 'at most times' criteria.
7. The reference to my previous involvement with regards to the two buildings is over simplified and **not accurate**. My reports for each of the three applications associated with the buildings are therefore attached for the record, with particular attention needing to be paid to my assessments.
8. **Other Cases (pages 7-8).** Whilst a comparison of land areas has been made with Dean Head House, this is mainly irrelevant, as it is a comparison of the nature and scale of the enterprises that is paramount to the functional test. I am aware that this enterprise had a wide range of enterprises, including egg laying hens, broiler hens, pigs and suckler cows.

In any case, whilst I was not personally involved in this case, I understand that the County Council **did not support** the application and this was a **Committee Decision against officer recommendation**.

9. I am unaware of the details concerning the application quoted at Rakehead. I do note however that this case is about 20 years old.
10. **Supporting Information (page 9).** The opinion that the County Council provide is completely impartial. I would comment that for obvious reasons, Athertons will have been instructed to write a statement in support of their client and I would also add that as the County Council provide specialist advice to all districts within in the County and beyond, we have a vast experience in dealing with these specialist applications. I do not consider that any additional information provided outweighs my analysis provided.
11. I note the applicant has provided a supporting letter. However, whilst I appreciate the applicant's comments, I consider this is heavily based on the applicant's personal circumstances with little knowledge concerning planning guidance, and I trust that my initial report and the above comments demonstrate why the application should be refused.

I would be obliged to receive a copy of your Decision Notice in due course.  
Yours faithfully



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on behalf of the Director of Property

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Mr B S Sheasby  
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(FAO Ian Lunn)

Your ref 2005/159  
Our ref PG/LAWS/14/3/6300/EJ  
Date 28 April 2005

Dear Sir

**APPLICATION NUMBER 14/05/159**  
**PACKHORSE FARM, MARKET STREET, EDENFIELD**  
**GRID REF 801 197**

I refer to your consultation letter concerning the above planning application and have the following observations to make:-

### **Introduction**

A planning application has been submitted by Mr Richard Nuttall for the erection of a building to house sheep, hay and agricultural machinery. An inspection of the application site was made on 13 April 2005, whilst the applicant was present and the information provided forms the basis of this appraisal.

### **Background Information**

I understand that Richard Nuttall is the fourth generation of the family who have been involved in Packhorse Farm. His father, who died last year, carried out the majority of the farming activities, and the business still trades under the name of Richard Nuttall and Son. Until last year, the applicant was also involved in Richard Nuttall and Son Haulage Ltd, which has operated from Packhorse Farm. The haulage business had six trucks, the applicant spent the majority of his time working in the haulage section of the business. When the applicant's father became ill, it was decided to sell the business as a going concern. Richard Nuttall has however retained a licence for one truck.

The trucks used to stay in the yard at Packhorse Farm and a brick built building was used as a garage and workshop facility.

I understand the applicant and his parents used to live at Pinfold Farm which is a short drive from Packhorse Farm. The land here is still retained, but the applicant informed me that the redundant barns were converted into residential units, with two of the units being occupied by the applicant and his mother.

The application is for a modern agricultural building to be erected on land at Packhorse Farm. The applicant feels that the unit is in need of such a building suggesting the existing facilities are not sufficient for the activities carried out.

### **Agricultural Land**

The land farmed by the applicant extends to approximately 356 acres/144 hectares. About 336 acres/136 hectares of this is owned by the applicant, the majority of which is at Packhorse Farm. The remaining 20 acres/8 hectares is rented by the applicant on a 5 year Farm Business Tenancy from United Utilities, and is land which adjoins the land owned at Packhorse Farm. All the land is within a less favoured area, which with about 56 acres/23 hectares being mowable.

### **Enterprise**

The principal enterprise on the farm is a breeding flock of ewes. The applicant currently has a flock of 400 ewes with 110 ewe lamb followers retained from last year. Lambing takes place outside from the end of March through to May. There is a timber framed lean-to building at the farm which is used to house sheep experiencing problems during lambing.

The applicant explained that in the past his father kept some store cattle but this was phased out 12 months ago, partly because of the poor housing facilities, although most of the cattle were simply taken on over the summer. I understand that Richard Nuttall may decide to keep some store cattle in the future.

Since the haulage business was sold the applicant endeavoured to set up a hand car wash from the buildings forecourt. This activity has now ceased however due to inadequate demand.

### **Buildings**

The main building at Packhorse Farm is a stone built barn with slate roof which fronts onto the market street. To the rear of the barn is a large yard area.



The first floor of the barn is used for the storage of hay. On the ground floor there are various divisions which include an old stable; feed store; areas used for general storage and former loose box. Attached to the eastern elevation of the barn is the former dairy which is now used for general storage with hay storage above.

Attached to the barn on the northern elevation is a former hotel which has now been converted to a number of flats.

To the north west of the flats is a brick built building with fibre cement roof. This building was the former workshop for the transport wagons, which is still used for this purpose, but for the one remaining wagon. The building is currently being used for the storage of some agricultural machinery. The applicant informed me that it is his intention to perhaps divide the building into two units which could be rented on a commercial basis.

Attached to the eastern elevation of the 'garage' building is a timber framed lean-to building with fibre cement roof and part Yorkshire boarded sides. The building measures approximately 12m x 6m and contains sheep pens.

### **Proposed Development**

It is proposed to erect a 6 bay steel portal framed building measuring approximately 36.8m x 23.9m with an eaves height of 4.877m. The building would have stone walls to 2.286m, with box profile plastic coated metal sheeting above. The roof would be constructed with profiled fibre cement.

The building would be used by the applicant to lamb sheep inside, which would enable the applicant to lamb earlier and improve success rates. It would also be used to store machinery, including: tractors, fertiliser spreader, 3 hay/tipping trailers, two PZ hay bales, a mowing machine, pasture topper and hay rakers.

The applicant informed me that currently about 3,000 mini bales of hay are produced each year, which equates to about 75 tonnes. The building would also be used for the storage of hay and some straw.

### **Assessment**

Annex E of PPG7 (revised) provides guidance upon proposed agricultural development within the provisions of agricultural permitted development rights. Although the subject application has been submitted as a full planning application I feel that the guidance contained therein also provides a useful basis for assessing applications made on this basis. Contained within the annex are listed a number of conditions of development which should be satisfied when considering such planning applications. I feel the following are most relevant to this application.

**1. The development must be reasonably necessary for the purposes of agriculture within the unit.**

The proposed building would be used for lambing and the storage of hay and machinery.

Lambing currently takes place outside, although an existing building is used for to house ewes and or lambs in need of special care. Although it is noted that lambing has taken place outside for a number of years, I feel an indoor lambing facility would improve the conditions and allow lambing to commence earlier in the year. The existing building mentioned above measures approximately 12m x 6m which the applicant suggests can house about 36 ewes with lambs.

The applicant informed me that he has multiplied the area of this building by 10 to give an area of 720 square metres. I understand how the applicant has calculated this area, but feel the area given for this use is somewhat larger than strictly necessary. The basis of area calculation has been based on the fact that any ewes housed at any one time will all have lambs at foot. In reality, although the majority of the flock may be housed at any given time, those with lambs at foot will only be housed for a short period of time. Also, only a percentage of ewes will be lambing at any given time. Taking this into account, I would anticipate an area in the region of 400 to 500 square metres to be appropriate.

The applicant currently stores hay in the stone built barn which fronts the main road. Traditional small Heston bales are produced, which is partly linked to the traditional nature of the building which in turn means that the movement of the bales is labour intensive. I understand, that if planning permission was granted for the new building, big bales of hay would be made, although the existing building would still be used for hay storage. He also suggested a loft would be installed in the new building which would be used to store hay. Given the fact that the existing barn will be continued to be used for storage, the need for additional storage space would be on a small scale basis and I feel that the proposed loft would fulfil any additional storage requirements.

The final use of the building would be for the storage of machinery. The applicant suggested that he considers an area of 2000 square feet, which equates to 187 square metres is needed for the storage of the machinery. It is difficult to calculate the area needed for machinery owned by the applicant and understand that Mr Nuttall has his own views on space required. He informed me that most machinery is currently kept outside, although some machinery is kept inside the 'garage building' mentioned above. I understand that this building is used as a workshop for the remaining haulage wagon and also that it is the applicant's intention to perhaps divide the building into two units for leasing.

However, when assessing the application, the current situation should be taken into account and I feel that although some additional machinery storage facility is justified, some of the machinery can be stored in the 'garage' building which is still available to the applicant.

## **2. Design**

The proposed building is steel portal framed with stone walls to 2.286m with box profile coated sheeting to the eaves. The roof is designed with corrugated fibre cement roof with roof lights. Access to the building would be provided by two sliding doors in the centre of each gable end.

It appears that the building design has not taken into account the requirements of livestock accommodation. The walls are fully enclosed and there are also no openings in the roof, which means that ventilation in the building is inadequate. When discussing this issue with the applicant, he agreed that the ventilation was inadequate and suggested that Wareings may have made a mistake. In order to provide adequate ventilation, the majority of the elevations should have Yorkshire boarding and ridge ventilation could also be provided, with which Mr Nuttall agreed.

I note that part of the elevations include stone walling to 2.286m. It is common practice to provide some form of strong structure to this sort of height, but this is normally achieved by using concrete blocks or concrete shuttering. Using natural stone would normally increase the cost of the building substantially, however, I understand that it has been included in this case because old stone is available to the applicant and also to try and minimise any visual impact the building may have. In view of this I expect you will have your own views as to whether the use of stone is appropriate. In addition no doubt you will have your own views as to the colour of the fibre cement sheeting used on the roof.

With regards to my comments relating to the size of the building above, if a smaller building to that proposed was erected, I feel the width as well as the length of the building would need to be adjusted, in order to ensure the dimensions of the building remained proportionate to each other.

## **3. Siting**

The proposed site of the building is to the east of the yard at Pack Horse Farm, being about 180 m from the edge of the yard. The building would be sited on existing fields and would involve the creation of a new access track to it. (It should be noted that the size of the building on plan provided has been drawn incorrectly, as the building has been drawn at a scale of 1:1250 and the plan itself has a scale of 1:2500).

The applicant has suggested this site for a number of reasons, including:

- Keeping stock away from the yard area due to the proximity of residential properties.
- The proposed location would serve the land well e.g. ease of access by ewes.
- The proposed site was suggested by Hugh Morrison of Rossendale Borough Council in the late 80's/early 90's when an application for a new building was made.

I understand the reasons given above, particularly the concern by the applicant relating to possible problems with residential neighbours. It would be possible to locate the building closer to the existing yard but the applicant has suggested the proposed location due to the residential properties. The applicant is also aware that if the haulage business was to increase in scale again in the future, the yard could be needed for this use.

Paragraph 27 of Annex E states that "New buildings should normally form part of a group rather than stand alone in isolation, and relate to existing buildings in size and colour" whilst paragraph 28 says "The options for siting of agricultural buildings and private ways will be influenced by their functional relationship to other buildings and services". In this case, the proposed site is away from the existing buildings for the reason already given. The traditional barn which fronts the road is used for hay storage, and would I understand continue to be used for this purpose, even if the new building if erected would also be part used for hay storage.

Ideally, the proposed building would be located close to the existing buildings, so that trips between the buildings would be short in distance.

In this case, from an agricultural point of view, a building closer to the existing buildings would be preferred. However, I feel the concern regarding the proximity of residential properties is valid, and consider that the decision regarding the siting of the new building may need to take into account wider planning policy. From the site meeting, I understand the applicant is willing to locate the building to a site suggested by your department. I am aware that the proposed site is in the open and may have an adverse visual impact and felt that a site adjoining East Street may have less of an impact.

## **Summary**

The existing facilities on the farm are of a traditional nature and I feel that some form of modern multi-purpose building is justified. I consider the size of the proposed building to be excessive and feel that a building in the region of 500 – 600 square metres would be appropriate, taken into account the existing space already available for use by the applicant. The design of the building is inappropriate for housing livestock due to the lack of ventilation and I understand the applicant is obtaining an amended drawing from the building providers to increase the amount of ventilation provided.

Mr B S Sheasby

28 April 2005

The site of the proposed building is away from the existing farmstead, primarily due to the concern of nearby residential properties and I feel that in this case wider planning policy issued will need to be taken into account when considering siting.

Yours faithfully



 Land Agency Manager  
on behalf of the Head of Property

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Mr Paul Talbot  
Rossendale Borough Council  
Stubbylee Hall  
BACUP  
Lancashire  
OL13 0DE

Your ref  
Our ref PG/LAWS/14/3/6507/LK  
Date: 14 December 2005

Dear Sir

**APPLICATION NUMBER 14/05/636  
LAND OFF BLACKBURN ROAD, EDENFIELD  
GRID REFERENCE 799197**

I refer to your consultation letter concerning the above application and have the following comments to make.

**Introduction**

A planning application has been submitted by Mr Richard Nuttall for the erection of an agricultural general purpose building which would be used to store machinery, hay and straw. An inspection of the application site was undertaken on 22 November 2005 whilst Richard Nuttall was present. The information provided forms the basis of this appraisal.

**Previous Planning Applications**

A planning application was submitted by Mr Nuttall in March 2005 for the erection of a building to house sheep, hay and machinery at Packhorse Farm (application number 14/05/159). I visited the site on 13 April 2005 and provided a report on 28 April 2004. My report concluded that although I considered some form of building was justified on the unit, the size of the building was excessive and suggested a size of 500-600m<sup>2</sup> would be appropriate. I note that a building has been erected on the site which has an area of 595 square metres.

**Background Information**

Much of the background information concerning the applicant remains the same to that provided in my previous report.

Continued ....

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**Wayne Selway**  
Senior Assistant Land Agent  
Property Group • PO Box 26 •  
County Hall • Preston • PR1 8RE

The proposed development is on a former refuse tip which is detached from Packhorse Farm where the main agricultural buildings are located. One of the reasons behind the proposed development relates to the fact that the applicant has applied for planning permission for residential use on the 'garage' building on Market Street and also told me that he intends to apply for planning permission to convert the stone built barn, which is currently used to store straw and hay, into residential use.

### **Agricultural Land**

The land farmed remains the same as in my previous report i.e. a total of 144 hectares (356 acres). At the time my inspection in April was made, Mr Nuttall informed me that about 23 hectares (56 acres) was mowable. Mr Nuttall has told me now that about 57 hectares (140 acres) is mowable and explained that they had improved about 24 hectares (60 acre) of land.

### **Agricultural Enterprise**

The principal enterprise on the unit is a flock of 460 breeding ewes. Mr Nuttall explained that he also has 136 ewe lambs which will be coming into the flock next year. Lambing will take place in the recently erected building between March to June.

As mentioned in my previous report, the applicant is considering acquiring some store cattle.

### **Buildings**

The buildings at Packhorse Farm can be summarised as follows:

1. Stone built barn with slate roof which fronts onto Market Street. The first floor of the barn is used for the storage of hay. On the ground floor there are various divisions which include an old stable; feed store; areas used for general storage and former loose box. Attached to the eastern elevation of the barn is the former dairy which is now used for general storage with hay storage above. The applicant informed me that he has applied for outline planning permission to convert the barn into residential units.
2. Brick built building with fibre cement roof. At the time of my previous inspection, the building was being used as a workshop for a haulage wagon but also for the storage of agricultural machinery. The building is now accepted by a mechanic operating a garage business. Mr Nuttall said that he had recently submitted a planning application for a residential use on this site.

3. Attached to the eastern elevation of this building is a timber framed building with fibre cement roof and part Yorkshire boarded sides. This building measures about 12m x 6m and contains sheep pens. Mr Nuttall said that this building would be demolished if planning permission for residential development of the 'garage' site is granted.
4. Steel portal framed building in the process of being completed. The building measures about 24.4m x 24.4m and will have part stone walls to the side with Yorkshire boarding above and a fibre cement roof. This building, I understand, has been erected following application 14/05/159 and is found to the east of the farm yard.

The farmyard at Packhorse Farm is being used to store a number of vehicles and caravans.

### **Proposed Development**

It is proposed to erect a five bay steel portal framed building measuring 30.645m x 15.24m, with an eaves height of 5.5m. The building would have stone walls to 1.676m with box profile plastisol coated metal sheets above. The roof would consist of profile fibre cement sheeting with roof lights. Access into the building would be provided by two timber sliding doors on the north elevation.

The site of the proposed building is about 0.6km to the north-west of the Packhorse Farm buildings. The site is a former refuse tip and has a hard surface. Mr Nuttall explained that the site has been used as a compound by McAlpine Construction and Lancashire County Council in the past.

The principal use of the building would be for the storage of agricultural machinery and hay and straw.

### **Assessment**

Annex E of PPG7 (revised) provides guidance upon proposed agricultural development within the provisions of agricultural permitted development rights. Although the subject application has been submitted as a full planning application I feel that the guidance contained therein also provides a useful basis for assessing applications made on this basis. Contained within the annex are listed a number of conditions of development which should be satisfied when considering such planning applications. I feel the following are most relevant to this application.



**1. The development must be reasonably necessary for the purposes of agriculture within the unit.**

Since the time my previous inspection was made, there appears to be no significant change in the agricultural operations of the unit. As stated in my report, I considered a new building with an area of between 500-600 square metres to be appropriate and a new building with an area of approx. 595 square metres has now been erected. This building will be used mainly for lambing purposes, but can also be used for the storage of machinery and hay/straw.

It appears that the main reason for the proposed building relates to the fact that the applicant has applied for outline planning permission for residential development on the 'garage' site and intends to apply for planning permission to convert the barn into residential use.

At my previous visit, I was informed by Mr Nuttall that between 3,000 and 4,000 little bales of hay are produced each year and that about 80 tonnes of straw are purchased. At my recent meeting, Mr Nuttall said that over 10,000 little bales of hay are made and about 2000 little bales of straw are purchased. He also said that all the hay produced normally fits into the stone barn, with about 1000 bales being sold for equine use and also about a quarter of the straw also being sold for this use. At my last visit, I was also told that the stone built barn would continue to be used for hay and straw storage.

Taking into account the fact that the stone built barn is currently available to the applicant, and that a new building has recently been erected, I do not consider the proposed development to be reasonably necessary for the purposes of agriculture on the unit. However, I appreciate that the stone built barn can be restrictive in the way in which items can be stored and consider that some further undercover storage facility would be needed if planning permission was granted for residential conversion of the barn.

**2. The design of the agricultural building should be in accordance with its intended agricultural use.**

As mentioned above, the design incorporates two sliding doors on the north elevation. Although these doors do provide reasonable access, buildings used to store hay/straw and machinery are often (part) open fronted for ease of regular access.

The total height of the building is 7m, with an eaves height of about 5.5m. Although I recognise that the proposed use of the building includes the storage of hay and straw, I consider the height of the building to be larger than necessary and feel an eaves height not exceeding 4.5m to be appropriate.

The design of the building includes plastisol coated profile sheeting to the sides and fibre cement sheeting to the roof. In my opinion, the design of the building does not provide sufficient ventilation to deal with possible condensation problems and feel that some ventilation provision, for example, Yorkshire boarding, should be included. No doubt you will have your own view as to the appropriate colour of the sheeting used.

### **3. Siting**

As mentioned above, the site of the proposed building is in a hard standing area adjoining Blackburn Road.

Mr Nuttall explained that this site had been proposed principally because the area was hardcored and would therefore remove the need to take any land out of agricultural production. The applicant also said that the site was close to a number of fields from which hay is cut and close to an area of land which may be purchased by the applicant in the future. Within the area of land itself, the site of the building has been proposed on the southern boundary. Mr Nuttall explained that the reason for this is that there is a high area of banking on this boundary which would screen the building from properties on Hardsough Lane.

Paragraph 27 of Annex E of PPG7 (revised) states that 'new buildings should normally form part of a group rather than stand in isolation, and relate in size and colour.' I note that Policy C7 of the adopted local plan states that buildings should be sited 'in such a manner as to relate well to existing farm buildings'. I appreciate the reasons given above by the applicant for the proposed siting. However, I do not consider that the proposed site concords with the above guidance, as the building would be sited in isolation on a site which is approximately 0.6km from the other farm buildings. Also from a functional point of view, the storage of hay and straw and machinery should ideally be kept close to buildings housing livestock for obvious reasons. Mr Nuttall explained that the fields close to the proposed site are used for hay making and also that sheep are fed hay within the fields themselves. However, having been shown a plan of the holding, the majority of the land is better served by the existing location at Packhorse Farm. The applicant explained that a site at Packhorse Farm hadn't been chosen because of any visual impact to neighbours; however, as described above, a new building at Packhorse farm has recently been erected.

### **Summary**

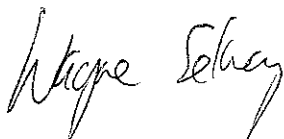
I do not consider the proposed development to be necessary taking into account the current facilities available on the unit. I do not consider the proposed site of the building to be appropriate as it does not relate well to existing buildings.

Mr Paul Talbot

14 December 2005

I would be obliged to receive a copy of your Decision Notice in due course.

Yours faithfully

A handwritten signature in cursive script, appearing to read "Nicole Selway".

 Land Agency Manager  
on behalf of the Director of Property

(01772) 530731

(01772) 533165

wayne.selway@property.lancscc.gov.uk

Development Control Manager  
Rossendale Borough Council  
Stubbylee Hall  
Bacup  
Lancashire  
OL13 ODE  
(FAO Neil Birtles)

Your ref  
Our ref PG/LAWS/14/3/6507/GCW  
Date 6 March 2006

Dear Sirs

**APPLICATION NUMBER 14/05/636  
PROPOSED AGRICULTURAL BUILDING  
LAND OFF BLACKBURN ROAD, EDENFIELD**

Thank you for your letter of 13 February concerning the above application enclosing a copy of a letter you have received from the applicant. I do not intend to address each of the points raised by Mr Nuttall but would comment as follows:

I accept that since making my report of 14/12/05 the applicant has obtained planning permission for a dwelling on the site of the garage building and therefore the applicant has by his own doing lost some building space. You will note in my initial report of 28 April 2005 that I suggested that some additional machinery storage facility was reasonable and therefore took this into account in recommending a building space of 500-600m<sup>2</sup>. I believe the new building can have a dual use in terms of storage and housing. However, I consider that some additional machinery storage facility is reasonable.

I note the applicant's comments regarding the stone built barn. I am not a structural engineer and am not able to comment on matters relating to the condition of the building and related costs. I recognise that the building is of a traditional nature and although I feel it can be used for storage, a modern purpose built facility would obviously be easier to use. I note the applicant now intends to apply for planning permission to convert the barn into units and I feel the desire for residential use could be linked to the application for the building. I note that at the time of my initial inspection in April, I was told by Mr Nuttall that he had no intention to convert the barn and that it would continue to be used for hay/straw storage and I was not informed of any structural problems.

Continued .....

Development Control Manager

6 March 2006

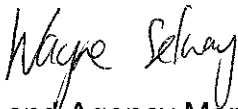
I therefore find some of his recent comments to be conflicting with this statement. It should also be noted that the initial application (14/05/159) proposed a loft to be provided in the new building. This has not been included I have been told due to costs, but could be installed if desired.

In summary, I consider that some additional storage facility for machinery is reasonable but some additional storage for hay/straw is not essential, due to the current facilities available to the applicant. It should be noted that the farm until recently has managed with all traditional buildings apart from a small lean-to which is attached to the 'garage' building. The erection of the new building under application 14/05/159 represents a significant facility to the farm and the need for additional facilities of the proposed scale after such a short space of time I feel is premature.

My comments relating to siting remain unchanged.

I trust the above response is satisfactory for your purposes.

Yours faithfully



Land Agency Manager  
on behalf of the Director of Property

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Mr Paul Talbot  
Rossendale Borough Council  
Stubbylee Hall  
BACUP  
Lancashire  
OL13 0DE

Your ref  
Our ref PG/LAWS/14/6664  
Date: 6 June 2006

Dear Sir

**APPLICATION NUMBER 14/06/221  
PACK HORSE FARM, MARKET STREET, EDENFIELD  
GRID REFERENCE 801197**

I refer to your consultation letter concerning the above application. I note the application is a resubmission for the same building which was submitted under application number 14/05/636 on which I provided comments dated 14 December 2005 and 6 March 2006 and which was subsequently withdrawn. The only difference between the two applications is that the proposed building is now proposed to be sited at Packhorse Farm, approximately 20 metres to the south of the existing modern building.

I have not visited the site nor spoken to the applicant, but have relied upon the information gathered from my two previous site visits together with the supporting letter for the current application submitted by Andrew Taylor of Athertons Chartered Surveyors.

**Assessment**

Annex E of PPG7 (revised) provides guidance upon proposed agricultural development within the provisions of agricultural permitted development rights. Although the subject application has been submitted as a full planning application I feel that the guidance contained therein also provides a useful basis for assessing applications made on this basis. Contained within the annex are listed a number of conditions of development which should be satisfied when considering such planning applications. I feel the following are most relevant to this application.

Continued ...

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**Wayne Selway**  
Senior Assistant Land Agent  
Property Group • PO Box 26 •  
County Hall • Preston • PR1 8RE

**1. The development must be reasonably necessary for the purposes of agriculture within the unit.**

As the circumstances surrounding the application appear not to have changed since my previous comments were made, I have no reason for such comments to change. I accept that the applicant has a requirement for additional storage space for machinery which has been brought about primarily due to the fact that Mr Nuttall has obtained planning consent to demolish an existing building available to him to create a dwelling. I have previously been informed by Mr Nuttall (in connection with application 14/05/159) that he estimates a floor area of 187 square metres is needed for his machinery.

I have previously commented that I consider the existing stone built barn to be suitable for the storage of hay and straw and indeed, Mr Nuttall told me at the first site visit that he had every intention to continue to use it for this purpose. I do accept that a more modern facility would allow easier handling of hay/straw and a building located adjacent to the new building would obviously help from a farm operational point of view.

In summary therefore I feel a new building of the proposed floor area can be justified at the proposed site for the agricultural storage uses provided as this would consolidate the farm buildings to one site.

**2. The design of the agricultural building should be in accordance with its intended agricultural use.**

My comments regarding the design of the building remain unchanged to that of my report dated 14 December 2005 in respect of application 14/05/636. The concerns which are raised relate to the access in and out of the building restricting versatility of use, the proposed eaves height, being excessive and lack of ventilation.

**3. Siting**

Paragraph 27 of Annex E of PPG7 (revised) states that 'new buildings should normally form part of a group rather than stand in isolation, and relate in size and colour.' I note that Policy C7 of the adopted local plan states that buildings should be sited 'in such a manner as to relate well to existing farm buildings'.

I consider the proposed site to be more suitable than the previous site off Blackburn Road. The proposed building would be within close proximity of the recently erected main livestock building which is preferential from an operational point of view.

Mr Paul Talbot

6 June 2006

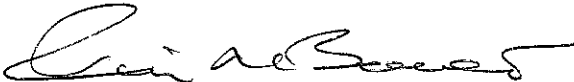
I note the proposed building is approximately 20m to the south of the existing building. I have not visited the site to assess ground conditions but would have thought it possible to locate the building closer to the existing building and perhaps make use of the existing structure i.e. by providing a further span. I note that the yard area at Pack Horse Farm appeared to have been used for the storage of caravans and vehicles and no doubt you will wish to restrict any new yard area created at the application site to what is needed for agricultural purposes only.

### **Other Comments**

The siting of building erected under application 14/05/159 which I understand was agreed between your council and the applicant, together with the proposed siting of the application building will result in the farming operations being concentrated away from the original farmstead at Packhorse Farm and will in essence result in the creation of a new farmstead. I note that Andrew Taylor suggests that further development is proposed at the site, including a new farmhouse.

I would be obliged to receive a copy of your Decision Notice in due course.

Yours faithfully



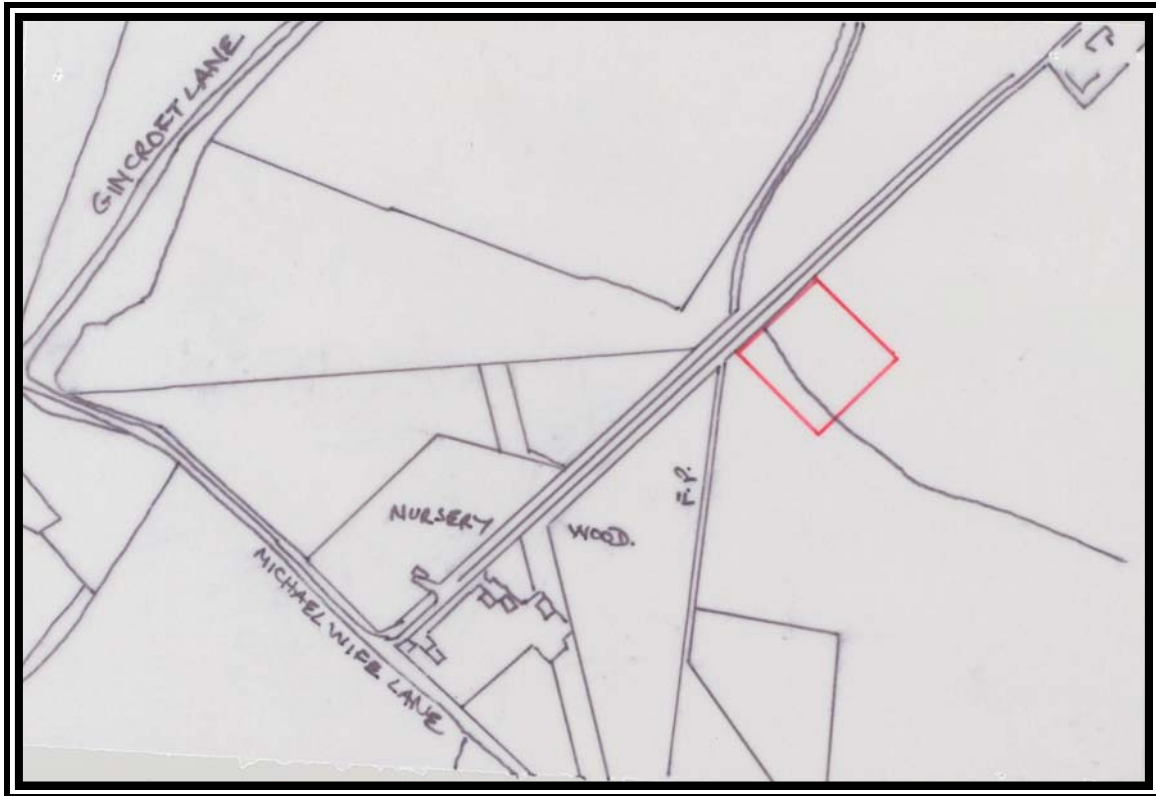
*NO* Land Agency Manager  
on behalf of the Director of Property



**Site Location Plan and red edge**

**Address and proposal: Outline application for agricultural workers dwelling, PackHorse Farm, off Gin Croft Lane and Michael Wife Lane, Edenfield.**

N  
^



Scale: 1 to 2500

