

Application No: 2008/661	Application Type: Reserved Matters
Proposal: Erection of Agricultural Building	Location: Pisgah Farm, Ivy Bank, Whitworth
Report of: Planning Unit Manager	Status: For Publication
Report to: Development Control Committee	Date: 19/11/08
Applicant: Mr M Williams	Determination Expiry Date: 29/12/08
Agent: Alison Rowland Town Planner Ltd	

REASON FOR REPORTING	Tick Box
Outside Officer Scheme of Delegation	<input checked="" type="checkbox"/>
Member Call-In	<input type="checkbox"/>
Name of Member: Reason for Call-In:	
3 or more objections received	<input type="checkbox"/>
Other (please state)	MAJOR

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

Pisgah Farm is situated in the open countryside rising to the east side of the settlement of Whitworth. This area is designated in the Rossendale District Local Plan as Green Belt.

Pisgah Farm ceased to function as working-farm some years ago. It comprises of a house, adjacent buildings utilised for stabling and associated storage, and approximately 5 hectares of land. The land is in part rough-grazing and in part former quarry-workings.

Use of the lower part of the un-made switch-back road by which the complex of buildings is reached from Market Street (A671) is shared with St John's Church and Church Hall. Before reaching the complex of buildings an old quarry-working is passed, the floor of which had been used to form an outdoor riding arena.

2. Relevant Development Control History

Application 2004/87

In February 2004 the applicant sought Outline Permission to replace the outdoor riding arena with a building to have a floor-area of 1,147sq m and accommodate an indoor riding arena and 8 loose-boxes.

Committee was minded to grant permission but, due to the scale of the proposed building and the use intended for it, the application had to be referred to the Government Office for the North West as a departure to national and local Green Belt policy. It directed that the application should be the subject of a Local Inquiry and determined by the First Secretary of State. In accordance with the Inquiry Inspector's report, the First Secretary of State refused Outline Permission for the proposed building.

Application 2006/392

In July 2006 the applicant sought Outline Permission to replace the outdoor riding arena with a building to have a floor-area of 1,147sq m and accommodate an egg-production enterprise; the matters of its design, external appearance and landscaping were reserved for later consideration.

The applicant advises that the proposed building will be capable of accommodating 6,000 productive birds, with adequate storage space for feed, egg packing, etc. It was envisaged that this agricultural enterprise would employ 2 people and result in 2 vehicles visiting the building each day.

This application was reported to Committee in October 2006 and, in accordance with the Officer recommendation, was granted permission. I advised that the main issues to consider in respect of this application were as follows :

- Whether the proposed building was reasonably necessary for the purposes of agriculture within the unit
- If so, whether it would detract to an unacceptable extent in terms of its impact on the landscape, neighbours, highway safety, etc.

To establish whether the proposed building was reasonably necessary for the purposes of agriculture within the unit the advice of LCC (Property Group) was obtained. It advised that the proposed building was of an appropriate floor-area to house the number of birds intended, together with the associated feed-storage, egg-packing, etc. It also said that care would need to be taken when considering the reserved matters application to ensure the design and facing materials are appropriate for the intended use.

Whilst landscape impact is most usually minimised by siting a new agricultural building adjacent to the existing complex of buildings, in this instance I was satisfied that the topography of the area made it appropriate to site the proposed building within the old quarry-working. This site is relatively level and the steep-slopes on three sides of the quarry-working would help minimise its impact on the essentially open and rural character of the area.

Consultees and I did not consider the use of the building, or the traffic movements associated with it, would detract to an unacceptable extent from the amenities of any neighbours or highway safety, subject to conditions; the proposed building will stand more than 400m from the nearest dwelling (excluding the applicants own house).

Accordingly, I concluded that there was no objection in principle to the erection of this agricultural building within the Green Belt subject to conditions requiring, besides the submission of the reserved matters :

- Submission of details of the drainage arrangements and the means by which waste generated by the development will be stored/disposed of.
- Submission of details for the proper surfacing of the first 10 m of the access road, as measured from the edge of the carriageway of Market Street

3. The Proposal

Approval is now sought for the reserved matters (namely design, external appearance and landscaping) and details of drainage/waste management/access improvement have also been submitted.

The proposed building will measure 31m x 37m, with a gutter-height of 5m and a ridge-height of 7m. Its walls are to be of dark-green profiled-metal sheeting and its roof of grey-coloured fibre-cement sheeting, with a bay-door in the southern elevation.

The applicant proposes to top-soil and seed with grass the surrounding banking and to plant a row of ten trees along the top of the western bank.

With respect to waste generated by the activities to take place within the building, the applicant advises that this is a valuable fertiliser and arrangements have been made with a local contractor for it to be removed from the site once a month by tractor and trailer and will then be spread upon the land. Water falling upon the roof of the proposed building is to be collected and directed to the existing surface-water drainage system.

The submitted drawings show that part of the access near to Market Street which is to be re-surfaced in tarmacadam.

4. Policy Context

National

PPS1

PPG2

PPS7

Development Plan

Regional Spatial Strategy (2008)

DP1

DP7

DP8

RDF2

RDF4

W1

EM1

Rossendale District Local Plan (1995)

DS3 - Green Belt

DC1 - Development Criteria

Other Material Planning Considerations

LCC Landscape Strategy for Lancashire

LCC Parking Standards

5. Consultations

RBC (Environmental Health)

No comments/objections

RBC (Drainage)

The surface-water drainage arrangements proposed entail connection to a private combined drain that connects to the public sewer. The applicant will need to obtain the consent of the private sewer and the comments of United Utilities should be sought.

United Utilities

No objection

LCC(Highways)

No objection so long as the part of the access near to Market Street which is shown on the submitted drawings for re-surfacing is re-surfaced to an adoptable standard and that part of the access nearer to the carriageway of Market Street is suitably repaired.

6. Representations

Whitworth Town Council

No objection

7. Assessment

The principle of erecting an agricultural building of the siting and floor-area proposed has been established by Outline Planning Permission 2006/392. The main issues to consider in dealing with this Reserved Matters application are as follows :

- Whether the proposed building is of a design/facing materials are appropriate for its intended use as accommodation for an egg-production enterprise.
- If so, whether it would detract to an unacceptable extent in terms of its impact on the landscape and neighbours.

Following consideration of these matters I comment on the adequacy of the details of drainage/waste management/access improvement that have been submitted.

Design/Facing Materials

To establish whether the design/facing materials of the proposed building are appropriate for its intended use for egg production the advice of LCC (Property Group) has been obtained.

It expressed 3 main reservations in respect of the design/facing materials of the proposed building as first submitted:

1. The eaves height and ridge-height are approximately 1m higher than typical for buildings for this use.
2. The building lacks adequate vehicular access doors when compared to the conventional design of buildings for this purpose in that it possesses one such opening when functional requirements for such buildings more usually result in a vehicular access door in opposite ends of a building (one for the 'clean' end of the building/activities such as egg-collection/packing and the other for 'dirty' end of the building/activities such waste removal).
3. A building for the proposed use will require a controlled environment for bird welfare and the submission does not provide details of the required insulation for temperature regulation or of mechanical ventilation system.

These matters have been discussed with the Applicant. It is usual for egg-production units to possess external feed storage silos. However, in this instance the limited size of the quarry floor has prompted the applicant to opt for feed storage within the building. Having regard to this, and to the height of the quarry-walls, I do not consider the proposed building to be unduly high or will have significantly more impact upon the character and appearance of the area by virtue of the 'extra' metre in height.

The limited size of the quarry floor prevents a vehicular access door being formed in opposite ends of the proposed building. Whilst this will result in a somewhat unconventional internal layout for the activities to take place within the building, LCC (Property Group) has confirmed that one vehicular access door does not preclude the building being used for its intended purpose.

The applicant has acknowledged that there will be a need to ensure the building is suitably insulated and ventilated. Conditions are recommended to ensure submission of the appropriate details prior to the commencement of construction; these details will not result in significant alteration in the external appearance of the building.

Landscaping

The submitted scheme of landscaping is somewhat lacking in detail. A condition is recommended to ensure the scheme to be implemented will be adequate to minimise the landscape impact of the proposed development.

Details of Drainage/Waste Management/Access Improvement

The Consultees are satisfied with the details submitted in respect of drainage/waste management/access improvement.

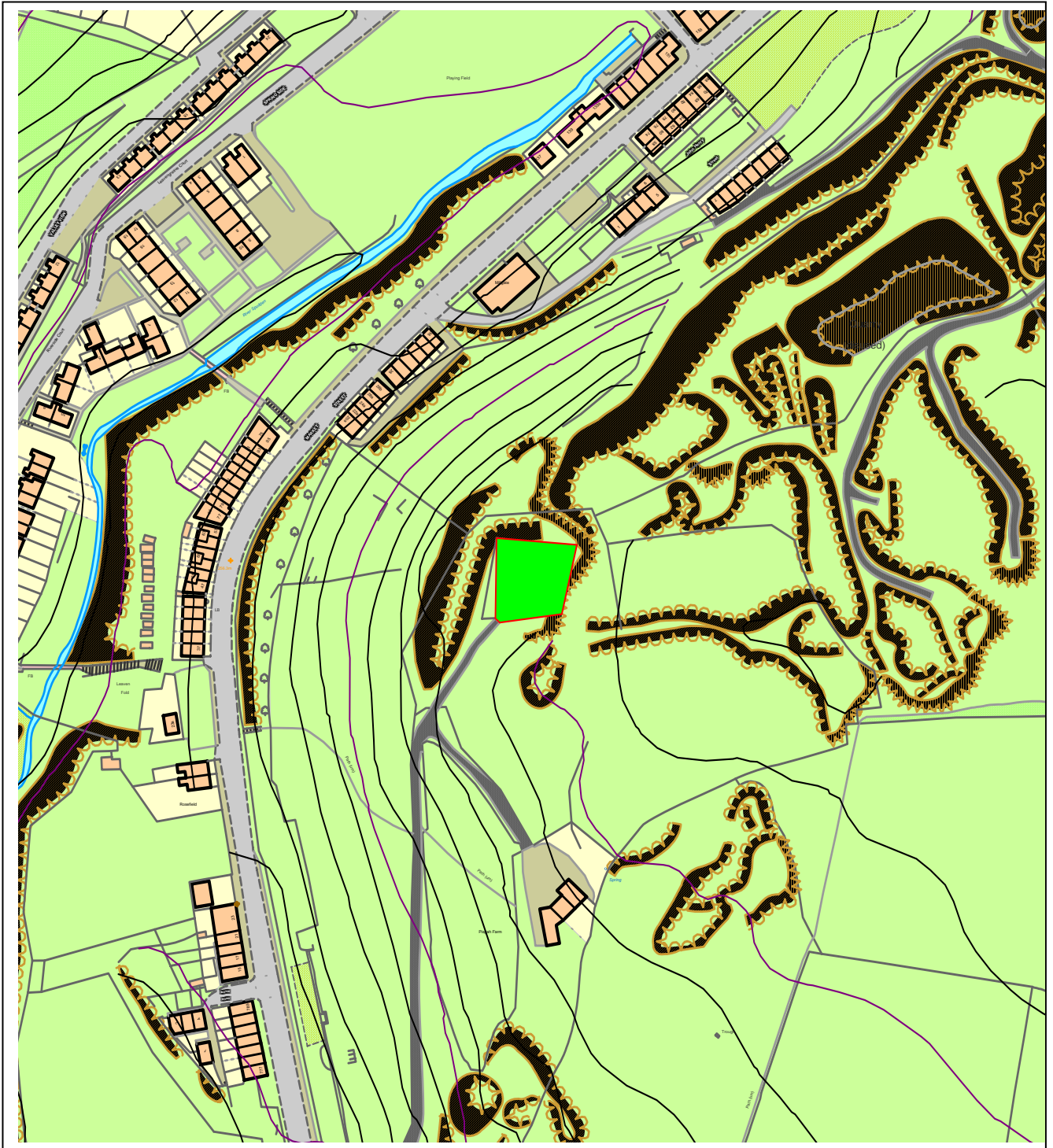
8. RECOMMENDATION

That Reserved Matters Approval be granted, subject to the following conditions :

1. Prior to the commencement of development details shall be submitted to and approved in writing by the Local Planning Authority in respect of : a) the insulation to be incorporated in the building; b) the system of ventilation to be installed in the building. The approved schemes shall be implemented prior to first use of the building. Reason to ensure the proposed building is fit for its intended purpose, to accord with PPS7 and the criteria of saved Policy DC1 of the Rossendale District Local Plan.
2. No development shall take place until a scheme of landscaping/boundary treatment has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped, together with details of walls/fences/gates to be erected; and detail any changes of ground level or landform. Reason: *In the interests of the amenity of the area, in accordance with the criteria of saved Policy DC1 of the adopted Rossendale District Local Plan.*
3. All hard-surfaced areas/walls/fences/gates forming part of the approved scheme of landscaping/boundary treatment shall be completed prior to first use of the building, unless otherwise first agreed in writing with the Local Planning Authority. All new planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following substantial completion of the building. Any trees or plants in the approved scheme of landscaping which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. Reason: *In the interests of the amenity of the area, in accordance with the criteria of saved Policy DC1 of the adopted Rossendale District Local Plan.*
4. The external walls of the proposed building shall be dark-green in colour, and the bay-door on a slide and similarly coloured, unless otherwise first agreed in writing by the Local Planning Authority. Reason: *In the interests of the amenity of the area, in accordance with the criteria of saved Policy DC1 of the adopted Rossendale District Local Plan.*
5. Any construction works associated with the development hereby approved shall not take place except between the hours of 7:00 am and 7:00 pm Monday to Friday and 8:00 am and 1:00 pm on Saturdays. No construction shall take place on Sundays, Good Friday, Christmas Day or Bank Holidays. Reason: *To safeguard the amenities of neighbours, in accordance with the criteria of saved Policy DC1 of the adopted Rossendale District Local Plan.*

Contact Officer	
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2008/0661 Location Plan



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