

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 16/06/2022	Ref: 68377/AG
Registration: 26/04/2022	LDfC:	Expiry Date: 24/05/2022
Site Visit: 29/05/2022	Site Notice: N/A	Press Date: N/A
Objections:	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: Dec Level: DEL Stat Class: NREQ

Proposal: Prior approval for proposed agricultural storage building

Location: Goosefield Farm, Springside Road, Bury

Description

The application relates to a site which is in a rural location in the Green Belt, Special Landscape Area, River Valley and Wildlife Corridor and accessed off a Springside Road which leads from the housing estate to the east. The access carries a PRow.

The site itself comprises approx 65 acres of agricultural land which also accommodates a dwelling, Goosefield Farm (also known as Springside Farm). The dwelling is located on level ground with a hard standing to the rear of approx 20m beyond which is a steep embankment which leads to a plateau and where a number of containers are located.

The proposal is for an agricultural building to be used for agricultural storage machinery. The proposed building would be sited to the rear of Goosefield Farm, approximately 9.5m from the rear elevation of the dwelling, off set slightly to the north.

The proposed building would be L x 23.3m and W x 8.3m and H 5.9m (2.9m to eaves) and would be open fronted constructed with a green oak frame. There would be a 2m stone plinth from ground level on the side elevations, with the remainder of the walls including the whole of the rear elevation constructed of timber boarding with a stone slab roof.

The applicant states that the building would be used for the storage of machinery associated with the farm. The existing containers which are currently used for such storage purposes would be removed from the site.

The application has been submitted for prior Approval under Part 6, Class A.

The applicant was notified on the 9/5/22, within the 28 day period from the date the application was received, that the prior approval of the Local Planning Authority was required for the siting, design and external appearance of the building.

The applicant posted a site notice on the 19/5/22 as required by conditions under paragraph A.2(iv) of Part 6, Class A of the General permitted Development Order.

Relevant Planning History

02680/E - Outline - 13 dwellings and access (all other matters reserved) -

51606 - Extension and conversion of existing pheasant rearing building to form single storey dwelling - 54549 - Variation of condition 3 of 53674 to enclose the patio area on the front (south west elevation - Approved 6-12-2011

53253 - Variation of Condition No 3 of Planning Application 51606 - Approved drawings, addition of gas tank, Air condition unit and external door on south east elevation. - Approve with Conditions 17/12/2010

53674 - Variation of condition 3 (Approved drawings) of 51606 to include an increase of

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600mm in the floor and roof height of the new extension. - Approve with Conditions
15/04/2011

54067 - Non material amendment to planning application 53674 to create (1) consistent ridge line and extend the eaves of the roof over the covered patio to the front elevation; (2) remove the high level glazing and replace with stone on the rear elevation - Refused
29/06/2011

54182 - Non-material amendment following grant of planning permission 53674 to remove the high level glazing and replace with stone on the rear elevation - Approve with Conditions 26/07/2011

54360 - Non-material amendment following grant of planning permission 53674 to incorporate 4 no. conservation rooflights above the kitchen and living room and form a single pitched roof over the front entrance (south west elevation) of the dwelling - Approve with Conditions 15/09/2011

54549 - Variation of Condition 3 of approved planning application 53674 to enclose the patio area on the front (South West) elevation. - Approve with Conditions 06/12/2011

54905 - Non material amendment of approved planning permission 54549 for the incorporation of a new chimney to the roof above the living room on the front (south west) elevation - Approve with Conditions 19/03/2012

55184 -Non-material amendment following grant of planning permission 54549 for variation of condition 3 of approved planning application 53674 to enclose the patio area on the front (south west) elevation:

1. Incorporation of canopy over front door entrance to south west elevation of dwelling - Approve 11/06/2012

55817 - Non material amendment following granting of planning permission 54549 for reposition of 1no. conservation roof light above living room to the study to incorporate 2no. additional conservation roof lights above bedrooms 2 & 3. - Approve 20/12/2012

62791 - NMA of 51606 to fit a small pitched roof over the entrance

Publicity

Applicant site notice - 19/5/22. No objections or comments received.

Statutory/Non-Statutory Consultations

N/a

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

OL5/2 Development in River Valleys

OL1 Green Belt

EN6/4 Wildlife Links and Corridors

EN9/1 Special Landscape Areas

OL1/2 New Buildings in the Green Belt

SPD8 DC Policy Guidance Note 8 - New Buildings in the Green Belt

NPPF National Planning Policy Framework

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due

regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Policies - UDP Policy OL1 - Green Belt says the Council will maintain a Green Belt, ensuring that it fulfils the following strategic purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns from merging into one another;
- to assist in safeguarding the countryside from further encroachment;
- to preserve the setting and special character of historic towns;
- to assist in urban regeneration, by encouraging the recycling of derelict and other land.

UDP Policy OL1/2 - New Buildings in the Green Belt says the construction of new buildings inside the Green Belt is inappropriate development, unless it is for one or more of the following purposes:

- agriculture and forestry (except where permitted development rights have been withdrawn);
- essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of Green Belt and which do not conflict with the purposes of including land in it;
- limited extension, alteration or replacement of existing dwellings, provided that this would not result in disproportionate additions over and above the size of the original dwelling, or, in the case of replacement of existing dwellings, the new dwelling is not materially larger than the one it replaces;
- limited infilling in existing villages as set out under Policy OL1/3.

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UDP Policy EN9/1 - Special Landscape Areas strictly controls development which is required to be sympathetic to its surroundings in terms of its visual impact. high standards of design, siting and landscaping will be expected. Unduly obtrusive development will not be permitted in such areas.

EN6/4 - Wildlife Links and Corridors seeks to consolidate and where appropriate strengthen such links and will not permit development which would adversely affect identified areas.

Policy OL5/2 - Development in River Valleys only considers development acceptable where the development would not lead to the division of open parts of the valley into sections and it would fall within the terms of the listed exceptions, which includes Green Belt.

The proposal would comply with all the limitations and conditions as laid out under Article 3 Schedule 2 Part 6 Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). However the LPA must make a determination as to the siting, design and external appearance.

Siting - The proposed building would be sited on a level platform directly behind the existing dwelling and therefore mostly screened from views from the west. At the rear of the building, to the east, would be a steep embankment with land which also slopes upwards to the north and as such views from these directions would be obscured by the topography of the land.

Part of the reasoning for the choice of this particular site as opposed to elsewhere on the applicant's land was due to the proximity of the build to the existing dwelling, for convenience as well as security purposes.

It is therefore considered that the visual impact of the building would be mitigated by the surrounding landform and existing dwelling and considered not to be a visually obtrusive or highly visible structure within the Green Belt landscape.

It is therefore considered that impact on the openness and character of the building would not be significantly harmful and therefore compliant with policies OL1/2, OL5/2, EN6/4 and EN9/1.

Design - The design, with an open fronted long elevation, monopitched roof and rectangular form would be similar to that of other agricultural type builds commonly used for the storage of agricultural machinery which are located in other farming settlements or rural areas and as such considered acceptable and compliant with policies OL1/2, OL5/2, EN6/4 and EN9/1.

Appearance - It is proposed to utilise natural materials of a stone plinth (to 2m) on the side elevations, Yorkshire timber boarding to the remainder of the elevations including the entire rear elevation, with a stone flag roof. The proposed agricultural building would be sited close to the dwelling and the applicant is keen to construct an agricultural building of a comparable quality, partly due to the proximity to the house.

The proposed materials would be naturally derived and within the landscape and Green belt setting would be unobtrusive and typical to the character of the area.

Given the design of the building with its wide open frontage, the proposed materials are considered to be acceptable and comply with OL1/2, EN9/1 and OL5/2. .

Recommendation: Prior Approval Required and Granted

Conditions and Reasons:

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This decision relates to drawings numbered Location plan 1 ref GF.250422.A;
Proposed open fronted tractor shed GE-19-04-22; Plan of Agric Unit GF.260422.B
and the development shall not be carried out except in accordance with the drawings
hereby approved.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of design
pursuant to the policies of the Bury Unitary Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	16/6/22		