01/00632/FUL — Erection of 1 no livestock building, 8 no polytunnels and caravan for temporary residence. Land at Sandy Lane Farm, Cut Lane, Kirkby. **MR GIELTY**

Ward — Northwood.

Proposal — The application is for the erection of a 1 no livestock building, 8 no polytunnels and the siting of a caravan for temporary residence on agricultural land situated between the northern side of Cut Lane and the southern side of Red Cut Lane, Kirkby.

APPROVED AS REPORT

The livestock building would have dimensions of 30m deep by 14m wide and would have a pitched roof attaining a maximum height of 5m. The building would be utilitarian in appearance like most farm buildings and would be of plastisol coated sheeting with a roof of corrugated sheeting incorporating roof lights. The livestock building would house 80 no beef cattle, 20 no breeding cows and up to 80 no calves.

The proposed polytunnels would be sited to the south west of the proposed livestock building and would form 1 no block of 4 no polytunnels wide by 2 no polytunnels deep. Each polytunnel would have dimensions of 32m deep by 16m deep and would attain a maximum height of 3.8m.

The proposed caravan would be sited to the north east of the proposed polytunnels and to the north west of the proposed livestock building. The caravan would have 3 no bedrooms. An access road and hard surfaced area is proposed leading from Cut Lane.

In addition 10 No chicken sheds would be sited on land to the north east of the proposed livestock building. The chicken sheds would house free range chickens (up to 1000 no chickens per shed). The sheds would have dimensions of 12m deep by 6m wide and would be single storey. The sheds would be sited on "skis" and would be moved about the land. The sheds do not require planning permission (as they do not constitute development) and do not form part of the application.

Site & Surroundings — The site consists of agricultural land underused and unused in a predominantly agricultural area. Along the southern boundary of the site is significant planting (also along the western boundary of the proposed access). The western boundary of the space has some planting but not to such a degree.

Relevant History — None

Representations — The application was advertised by a press and site notice, and the occupiers of properties in the vicinity of the site also notified by letter. No comments have been received.

Consultations — Transportation and Engineering Services Division – no objections.
Chief Environmental Health Officer – no objections.
Environment Agency – no objections.
Transco – no comments received.
Manweb – no comments received.
United Utilities – no objections.

National Grid – no objections in principle.
West Lancashire District Council – no objections.

UDP Allocation & Policy Context

The site is in the Green Belt.

Knowsley UDP Policies:
G2 – Development in the Green Belt.
G7 – Agricultural Buildings and Plant.
G9 – Dwellings for Key Workers.
G11 – Protection of the Best and Most Vesatile Agricultural Land.

Planning Policy Guidance Notes:
PPG – Green Belts.
PPG7 – The Countryside : Environmental Quality and Economic and Social Development.

Issues & Assessment

There are a number of relevant planning issues to be considered – these include the principle of development and its impact on the green belt, residential amenity and ecological considerations.

1. Green Belt Considerations

Applications for development in the Green Belt are considered taking into account the appropriate development listed in Policies G2, G7, G8, G9 and G11 of the Unitary Development Plan which itself relates to PPG2, the Government's policy and guidance for green belt developments.

a. Policy G2

The policy lists development appropriate for the Green Belt. Appropriate development includes that for the purposes of agriculture and forestry. As the proposal is agricultural it can therefore be considered appropriate in principle, subject to other detailed policy considerations discussed below.

b. Policy G7

The policy states that agricultural buildings should be sited to minimise the visual impact on the landscape, relate well to existing farm buildings and have no significant adverse impact on the amenities of adjoining land use.

The proposal would be sited to the north east of the group of buildings located on the northern side of Cut Lane including some dwellings and farm storage buildings. The proposal would also be sited adjacent to the boundary of a field.

The development would be visible to a significant degree due to the size of the various component parts of the application. However, this should be taken in the context that the development is agricultural (and to a certain degree horticultural which is also appropriate Green Belt development) in use and appearance within an agricultural setting.

The polytunnels would be sited approximately 80m from the rear of Hawthorne Cottage, the closest dwelling. Due to the planting along the southern boundary of the application site it is not considered that the visual amenities would be affected to any significant extent. Again the context of living in an agricultural environment needs to be taken into account.

The livestock building would potentially be detrimental to residential amenity. (Hawthorne Cottage, Sand Brow Farmhouse, Coopers Moss Farm House, Sandy Brow Cottage and the other dwellings notified are classified as 'protected' buildings in accordance with Annex C of PPG7). However, the siting of the livestock building with the polytunnels between it and Hawthorne Cottage would reduce the potential detriment, and the agricultural context of the site and area needs to be considered. However, it may be appropriate to condition any permission granted to ensure that livestock are not kept in the yard area (as stated in para 8 of the letter from the agent dated 10 April 2002) and that sewerage disposal details are agreed prior to commencement of development.

c. Policy G9

This policy relates to key workers dwellings. The policy states that where the need to provide accommodation for workers at their place of work has been accepted as justifying isolated residential development in the open countryside, the Council will ensure that dwellings are kept available for meeting the need subject to criteria. These require:

i. The dwelling for a key worker should be located within the curtilage of the source of employment. The caravan would be sited within the site area as shown on the location map submitted with the application and would be close to the livestock building, chicken sheds and polytunnels which form the proposed enterprise. In accordance with Policy G9 and advice in PPG2, it is necessary to restrict the grant of permission by way of a condition to ensure that the residential caravan is only occupied by persons employed in agriculture.

ii. The Council should be satisfied that the enterprise meets the functional and financial tests described in Annex E of PPG7. A report demonstrating how the enterprises would function and the financial basis on which the enterprises would succeed was submitted with the planning application. Whilst at this stage it is considered that the details are satisfactory and do indicate that the economics of the enterprise are viable there is a question mark in respect of the longer term viability. Accordingly, in line with advice in PPG7, it is prudent at this stage to ensure that consent for the caravan is given on a temporary basis and enable a further report on the viability of the farm to be assessed..

d. Policy G11

This policy aims to protect from irreversible development on the best and most versatile (BMV) agricultural land comprising land classified by MAFF as grades 1, 2 and 3A.

The broad brush 1988 Agricultural Land Classification Map classes the land as Grade 1 BMV Land. A report on the land on which the buildings would be sited was submitted, the conclusion being that the land is not suitable for cropping with root vegetables due to the quality of the land. Further information was submitted indicating good quality soil. The applicant is not disputing the quality of the soil and brokers the argument that for the loss of a relatively small area of BMV land underused and unused land would be utilised, and that the enterprise is for the provision of an organic farm which is likely to enhance the quality of the remaining land. The Environmental Advisory Service (EAS) accept that the livestock building would result in the loss of some BMV land. As EAS do not wish to stand in the way of the farm diversification a soil stripping condition has been proposed for the site of the livestock building (although an area including the access may be more appropriate) as the soil resource would not be lost and could be used on areas of poorer quality soil.

Particularly in these times of uncertainty for farmers such investment in the future should be encouraged, and as PPG7 points out (para 3.2) an efficient and flexible agricultural industry is essential. The loss of the BMV land can be alleviated by a soil stripping condition to ensure that the land is not lost.

2. Residential Amenity Considerations

The nearest dwellings to the proposed development are Hawthorne Cottage and Sandy Brow Farmhouse (80m and 100m away respectively). The development would be visible from Sandy Brow Lane, Cut Lane and Red Cut Lane. Whilst the proposed development is substantial it is of a type found in agricultural areas. Furthermore the development is grouped together and does not form isolated developments, indeed it could be argued that it is an extension of the existing complex of farm buildings to the north of Sandy Brow Farmhouse albeit of greater scale. Landscaping would lessen the visual impact of the proposal, although landscaping should be used to soften the appearance rather than try to shield it completely, agricultural buildings being acceptable development within the Green Belt. It is considered that for the reasons above and the landscape of the area the proposal would not be detrimental to the openness of the Green Belt.

3. Ecological Considerations

The proposed access would not require any breach to hedging, although some protection to planting on the western boundary of the access would be reasonable.

The proposal would now involve development on any area of nature conservation or wildlife value.

4. Highway Considerations

The access would lead up from Cut Land to the area of the site on which the livestock building would be located and would have a 10m radius at the junction with Cut Lane. The access would be on the boundary of the land in the control of the applicant. The Council's Highway Engineers have no objections to the proposal and it is considered that it would not be detrimental to road safety.

RECOMMENDATION

That planning permission be granted subject to the following conditions.

1. No part of the development hereby permitted shall be commenced until details of the proposed external facing materials to be used on the walls and roof of the livestock building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The livestock building shall only be erected in accordance with the agreed details.

2. No part of the development hereby permitted shall commence until full details of the access, access road and any area of hardstanding including a drawing at 1:200 scale and details of surfacing has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be installed prior to any part of the development coming into use and shall be maintained in accordance with the agreed details at all times that the site is use for any part of the development hereby permitted.

3. The site shall be landscaped in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the start of development.

   The scheme shall be wholly implemented in its finally approved form within the first available planting season following the substantial completion of the livestock building or polytunnels, which ever comes first. Any tree or other planting which is lost, felled, removed, becomes diseased, or is substantially damaged within a period of five years thereafter shall be replaced in kind during the first available planting season following the date of loss or damage.

4. The occupation of the caravan shall be limited to a person solely or mainly employed in connection with the agricultural development hereby permitted as defined in Section 336 of the Town and Country Planning Act 1990.

5. The caravan hereby permitted shall be removed and the land reinstated to its former condition, including the removal of all ancillary works and structures (not including the polytunnels nor the livestock building) at or before the expiry of a period ending on 31 August 2005 unless a further application for a renewal of the permission of a planning application for a permanent building has been previously submitted and approved by the Local Planning Authority

6. No part of the development hereby granted permission shall be commenced until details of sewage disposal have been submitted to and approved in writing by the Local Planning Authority. When assessing the suitability of the site for septic tank drainage, a percolation test shall be undertaken by a suitably qualified and experienced person in accordance with the appropriate current British Standards. The caravan and livestock building hereby permitted shall not come into use until the details of the sewage disposal have been implemented in full.

7. No part of the development hereby granted permission shall be commenced until a scheme has been submitted to by a person(s) the identity of whom has been previously agreed in writing by the Local Planning Authority and approved in writing by the Local Planning Authority for the stripping of the soil on the site of the access road, livestock building and areas of hardstanding. The scheme shall include details of the storage and re-use of the soil removed.

8. No livestock shall be kept on the yard area or any hardstandings approved as part of the scheme required by condition 2 of this planning permission.

9. No part of the development hereby permitted shall be commenced until the planting along the western boundary of the access road and the southern boundary with Sandy Brow Farmhouse/Hawthorne Cottage have been protected by fencing, of a minimum height of 1.2 metres, which shall use vertical or horizontal scaffolding poles or stout fencing with the uprights driven well into the ground. The fencing shall be erected in a location to be submitted to and agreed in writing by the Local Planning Authority and retained in the approved position until the development is completed.

   No storage of plant or material (including soil), works (including improvement of soil, changes in ground level, vehicular movement of soil, changes in ground level, vehicular movements, siting of temporary buildings or other works), lighting of fires or tipping of liquids shall take place within the protective fencing hereby defined.

10. At least two working days written notice shall be given to the Local Planning Authority of the intention to commence development. The protective fencing referred to in condition 9 shall be in place prior to the written notice of the start of development being given to the Local Planning Authority.

Reason

1. In the interests of visual amenity and to comply with policy G7 of the Knowsley Unitary Development Plan, adopted June 1998.

2. For the avoidance of doubt and in the interests of road safety and to accord with policy T12 of the Knowsley Unitary Development Plan, adopted June 1998.

3. In the interests of visual amenity and to comply with policy G7 of the Knowsley Unitary Development Plan, adopted June 1998.

4. the site is located within the approved Knowsley Green Belt, as defined in the Knowsley Unitary Development Plan. This plan, in accordance with national planning guidance, sets a strong presumption against most forms of residential development. Permission has only been granted in the light of the agricultural need.

5. To enable the Local Planning Authority to re-assess the proposal on the expiry of the permission having regard to the economic viability of the agricultural enterprise and to comply with AI of PPG7..

6. To ensure a satisfactory provision of sewage disposal facilities and in the interests of residential amenity and to comply with Policy G7 of the Knowsley Unitary Development Plan, adopted June 1998.

7. To ensure that the topsoil of Best and Most Versatile Land is not developed on and to comply with Policy G11 of the Knowsley Unitary Development Plan, adopted June 1998.

8. For the avoidance of doubt and to accord with the terms of the letter submitted by the agent dated 10 April 2002, and in the interests of residential amenity.

9. To protect existing trees and other planting along parts of the western and southern boundaries of the site and to comply with Policy En14 of the Knowsley Unitary Development Plan, adopted June 1998.

10. To ensure that the proper protection of trees and other planting has been carried out in the interests of visual amenity and to comply with policy En14 of the Unitary Development Plan.