

SCHEDULE A: Applications with Recommendation

15/0436

Item No: 13

Date of Committee: 10/07/2015

Appn Ref No:
15/0436

Applicant:
Mr Eric Norman

Parish:
Orton

Agent:

Ward:
Burgh

Location: Little Orton Farm, Little Orton, Carlisle, CA5 6EP

Proposal: Erection Of Steel Portal Framed Building For Storage Of Machinery And Cereal

Date of Receipt:
29/05/2015

Statutory Expiry Date
24/07/2015

26 Week Determination

REPORT

Case Officer: Barbara Percival

1. Recommendation

- 1.1 It is recommended that this application is approved with conditions.

2. Main Issues

- 2.1 Principle of development
- 2.2 Scale, form and siting of the proposed building
- 2.3 Impact of the proposal on the living conditions of neighbouring residents
- 2.4 Impact of the proposal on biodiversity
- 2.5 Impact of the proposal on surface water drainage
- 2.6 Other matters

3. Application Details

The Site

- 3.1 The application site is located within a large rectangular field to the north of two residential properties, Lake View and Demar, both of which have agricultural worker restrictions. An existing access track would serve the application site which also provides access to other parcels of land and agricultural buildings, including the applicants farmstead.

- 3.2 The building would be sited to the rear of an existing informal stackyard which has an agricultural building in the south west corner of the site. The boundaries of the site, excluding the accesses, are delineated by mature hedgerows.

The Proposal

- 3.3 The proposal seeks Full Planning Permission for the erection of a steel portal framed building for the storage of machinery and cereals. The building would be 39.62 metres in length and be 18.29 metres in width with a ridge height of 7.2 metres located to the west of other farm buildings of similar scale and design, albeit not in the ownership of the applicant.

4. Summary of Representations

- 4.1 This application has been advertised by the direct notification of four neighbouring properties and the posting of a Site Notice. In response, four representations of objection has been received together with one verbal comment.
- 4.2 The representations identifies the following issues:
1. the proposal does not comply with Policy LE25 of the Carlisle District Local Plan 2001-2016.
 2. application form post-dates receipt of application by the Council.
 3. some questions on the application form has not been completed correctly.
 4. inaccuracies in respect of location plan.
 5. block plan is misleading as the existing farm buildings are not in the ownership of the applicant.
 6. adequacy of access track to serve the proposed building.
 7. alleged damage to land/structures by the applicants farm vehicles.
 8. intensification of farming activities within the village.
 9. adverse impact on residential properties.
 10. surface water drainage.
 11. accuracy of plans as doors/hardstandings and access track not shown.
 12. potential impact to increase vermin within the immediate vicinity.

13. intensification of noise from vehicle movements along the lane.
14. potential damage of the access lane.
15. unable to safely move livestock along the lane without entering the applicants land.
16. questions why the site has been chosen.
17. access track is not in the applicants ownership.
18. alleges application is retrospective.

5. Summary of Consultation Responses

Cumbria County Council - Highways & Transportation: - Considering the existing use of the site and other planning applications at the address, it is considered that the proposal will be unlikely to have a material affect on existing highway conditions. I can therefore confirm that the Highway Authority has no objection to the proposed development;
Clerk to Orton PC: - no objections.

6. Officer's Report

Assessment

- 6.1 Section 54a of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 6.2 The Development Plan for the purposes of the determination of this application comprises the Carlisle District Local Plan 2001-2016 of which policies CP1, CP2, CP5 and LE25 are of particular relevance.
- 6.3 At a national level, material considerations include the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) are also material planning considerations in the determination of this application.
- 6.4 Carlisle's emerging new Local Plan 'The Carlisle District Local Plan 2015 - 2030' was submitted to the Secretary of State on 22nd June 2015 under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Paragraph 216 of the National Planning Policy Framework identifies that:

"From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- *the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*

- *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- *the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)”.*

Carlisle City Council resolved at their meeting of the 10th February 2015, with regards to the emerging Local Plan, that *“once published for consultation, weight be given to the Carlisle District Local Plan (2015–2030) as a material consideration when exercising Development Management policy decisions, in accordance with paragraph 216 of the National Planning Policy Framework”.*

In exercising a decision on the proposal regard has therefore been had to the relevant policies and proposals within the emerging Carlisle District Local Plan 2015-2030. The particular weighting afforded to policies and proposals of relevance has been arrived at by considering each in turn and by way of reference to the provisions of paragraph 216 of the NPPF.

6.5 The relevant planning policies of the emerging Local Plan are GI1, GI3, SP6 and EC12.

6.6 These proposal raises the following planning issues:

1. Principle Of Development

6.7 The siting of a new agricultural building has the potential to impact on the surrounding landscape. Policy LE25 of the Local Plan and Policy EC12 of the emerging Local Plan recognise this and seek to ensure that, where possible, new buildings integrate with both the surrounding landscape and existing agricultural buildings through the use of natural contours in the land or existing natural screening such as trees or mature hedgerows.

6.8 The proposal seeks Full Planning Permission for the erection of a steel portal framed building for the storage of machinery and cereal for use by Little Orton Farm. Although the proposed building would not be immediately adjacent to Little Orton Farm it would be adjacent to other agricultural buildings in the ownership of Croft Farm. The boundaries of the field delineated by mature hedgerows. Furthermore, the land on which the building would be located is currently used as an informal stackyard with a smaller agricultural building in the south west corner of the field. Accordingly, the proposal would not be so visually detrimental to the character of the area given the sites existing use, the boundary treatment and it's location adjacent to other agricultural buildings, albeit not in the ownership of the applicant.

2. Scale, Form And Siting Of The Proposed Building

6.9 Policy CP1 of the Local Plan and Policy GI1 of the emerging Local Plan seek to ensure that proposals for development in the rural area conserve and enhance the special features and diversity of the different landscape

character areas. Development proposals are expected to incorporate high standards of design including regard to siting, scale and landscaping which respect and, where possible, should enhance the distinctive character of the landscape.

- 6.10 As previously outlined, Policy LE25 of the Local Plan and EC12 of the emerging Local Plan requires that agricultural buildings and other farm structures relating to agricultural development are sited where practical to integrate with existing farm buildings and take advantage of the contours of the land and any existing natural screening.
- 6.11 Given that the proposal would be viewed against the backdrop of other agricultural buildings of a similar scale and form, the visual impact of the building would be minimal. Furthermore, the scale and form of the proposed building is commensurate with the scale of the agricultural operation and adjacent agricultural operations, therefore, the proposal accords with Local Plan policies.

3. Impact Of The Proposal On The Living Conditions Of Neighbouring Residents

- 6.12 Policies CP5 and LE25 of the Local Plan and Policies SP6 and EC12 of the emerging Local Plan seek to ensure that development proposals do not adversely effect the residential amenity of existing areas or other land uses.
- 6.13 The occupiers of several neighbouring residents have raised objections in respect of the intensification of use of both the application site and the existing access track serving the proposed building. It is acknowledged that the erection of a further building in an otherwise open field may have to potential to generate additional noise and traffic movements. In mitigation, however, Little Orton is by its very nature a farming community given that there are three farms within the village. Furthermore, those residential properties in close proximity to the application site are either farmhouses (Prospect Farm and Croft Farm) or have agricultural occupancy restrictions (Lake View and Demar). The building would also be partially screened from the aforementioned properties by existing agricultural buildings and/or mature hedgerows.
- 6.14 The objections of the neighbours are noted; however, given the existing use of the land and access track the proposal is unlikely to have a detrimental impact on the living conditions of neighbouring residents through intensification of use, unacceptable noise levels or over-dominance to warrant a refusal of the application.

4. Impact Of The Proposal On Biodiversity

- 6.15 The Councils GIS Layer has identified that the site has the potential for several key species to be present. Given the application sites currently use as a stackyard and agricultural field, it is not considered that the development would not harm a protected species or their habitat. However, an Informative is recommended to be included within the decision notice ensuring that if a

protected species is found all work must cease immediately and the Local Planning Authority informed.

5. Impact Of The Proposal On Existing Surface Water Drainage

- 6.16 Neighbours have raised objections for the potential to exacerbate existing problems with surface water run-off from the access track onto the public highway. This issue has been raised with the applicants who have subsequently supplied drawings on which the Parish Council and third parties have been consulted. The revised drawings illustrate that rain water from both the roof and the proposed hardstanding surrounding the building would be channelled into an existing field drainage system which run northwards away from the village and highway. Accordingly, the proposal is unlikely to exacerbate the current situation to such an extent to warrant a refusal of the application on these grounds.

6. Other Matters

- 6.17 Third parties have questioned the accuracy of the submitted documents and forms; however, the Officer is satisfied that the submitted documents are sufficient on which to base the recommendation.
- 6.18 A further allegation is that the building is retrospective. At the time of the site visit there was no evidence of any building works being commenced on the application site.
- 6.19 Other issues raised by third parties are: ownership/damage to access track; damage to other structures/land by farm vehicles; suggesting alternative sites; previous applications within the vicinity; potential increase in vermin and difficulties involved of moving neighbouring livestock. These issues are not material planning considerations in respect of this application.

Conclusion

- 6.20 In overall terms, the principle of development is acceptable with the scale and form of the building commensurate to the farming operation and other farming operations within the immediate vicinity. The proposal is unlikely to have a detrimental impact on the living conditions of adjacent properties through intensification of use or overdominance nor on biodiversity. Furthermore, the proposal would not have a detrimental impact on surface water drainage; however, at the time of preparing the report the comments of the Parish Council and Third Parties are awaited in respect of the revised drawings in respect of surface water drainage, therefore, Members will be verbally updated of any further consultation responses during the Committee Meeting.

7. Planning History

- 7.1 The farm steading has a long and varied planning history; however, this parcel of land has no relevant planning history.

8. Recommendation: Grant Permission

1. The development shall be begun not later than the expiration of 3 years beginning with the date of the grant of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

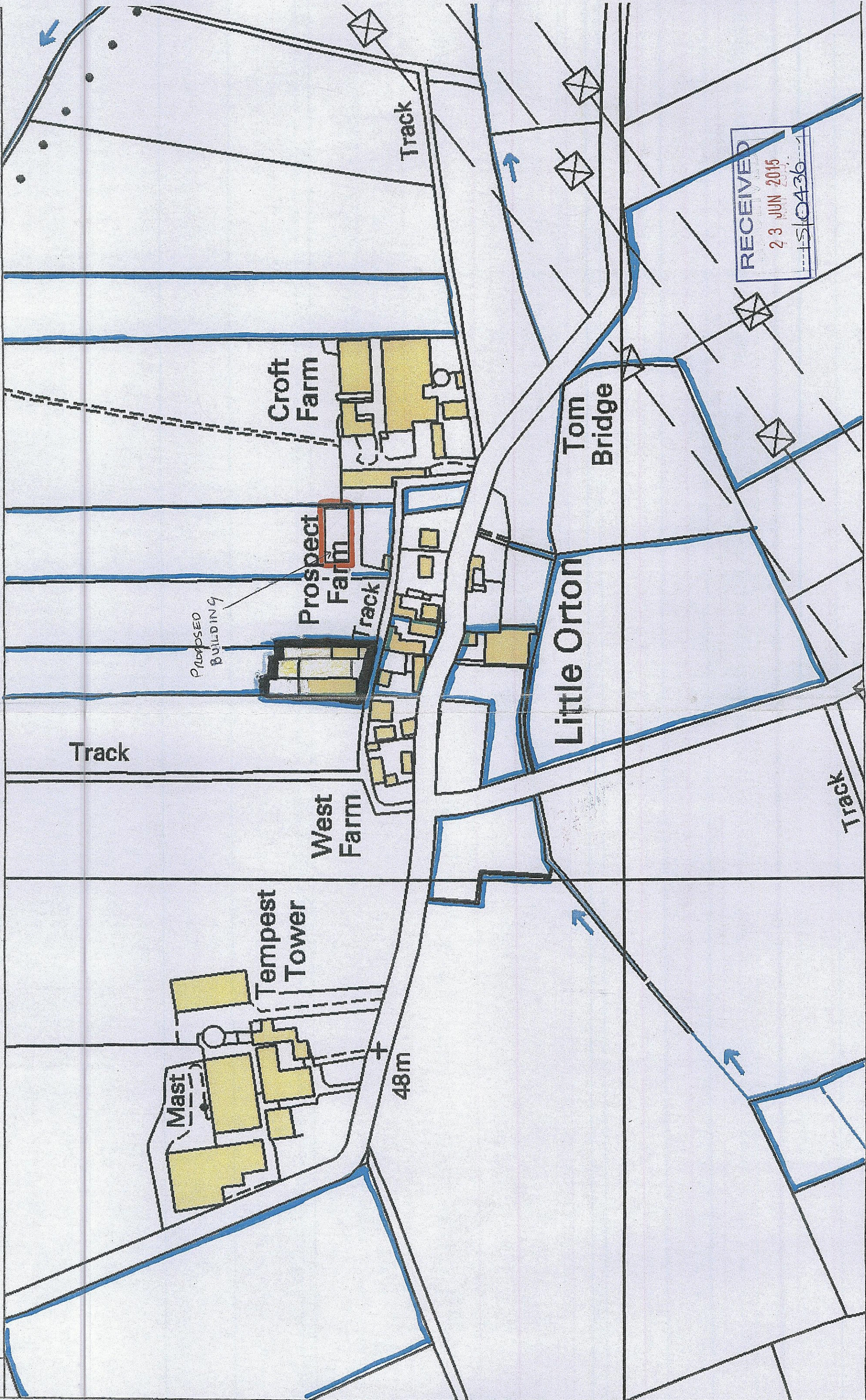
2. The approved documents for this Planning Permission comprise:
 1. the submitted planning application form received 22nd May 2015;
 2. the location plan received 23rd June 2015;
 3. the block plan received 23rd June 2015;
 4. the elevations received 23rd June 2015;
 5. the floor plans received 23rd June 2015;
 6. the sections received 23rd June 2015;
 7. the Notice of Decision; and
 8. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.



LOCATION PLAN

Little Orton Farm, Little Orton



BLOCK PLAN

PROPOSED MACHINERY & CROP STORE

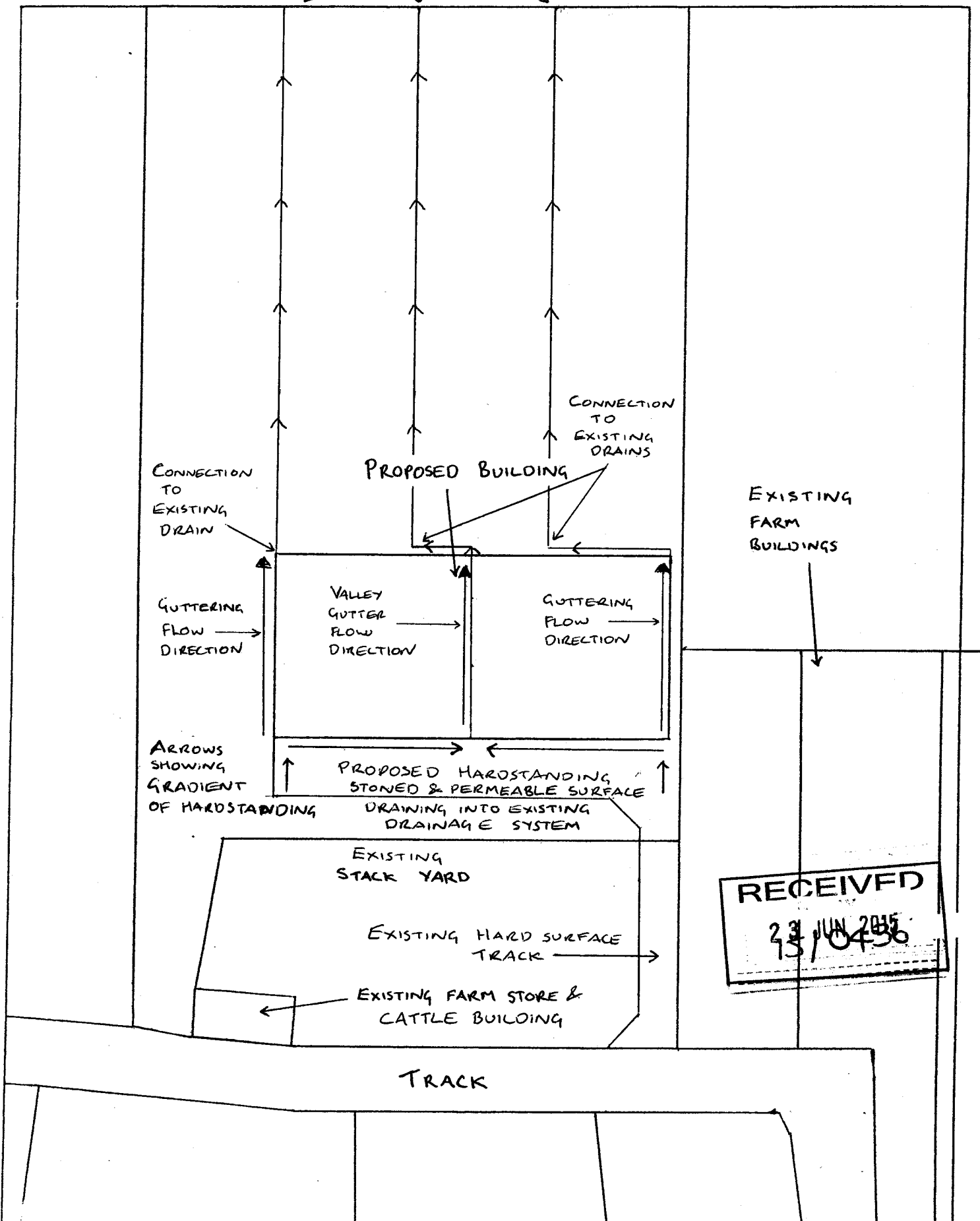
ES & E NORMAN, LITTLE ORTON

INCLUDING DRAINAGE PLAN

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EXISTING DRAINAGE SYSTEM
ARROWS SHOW DIRECTION
OF FLOW

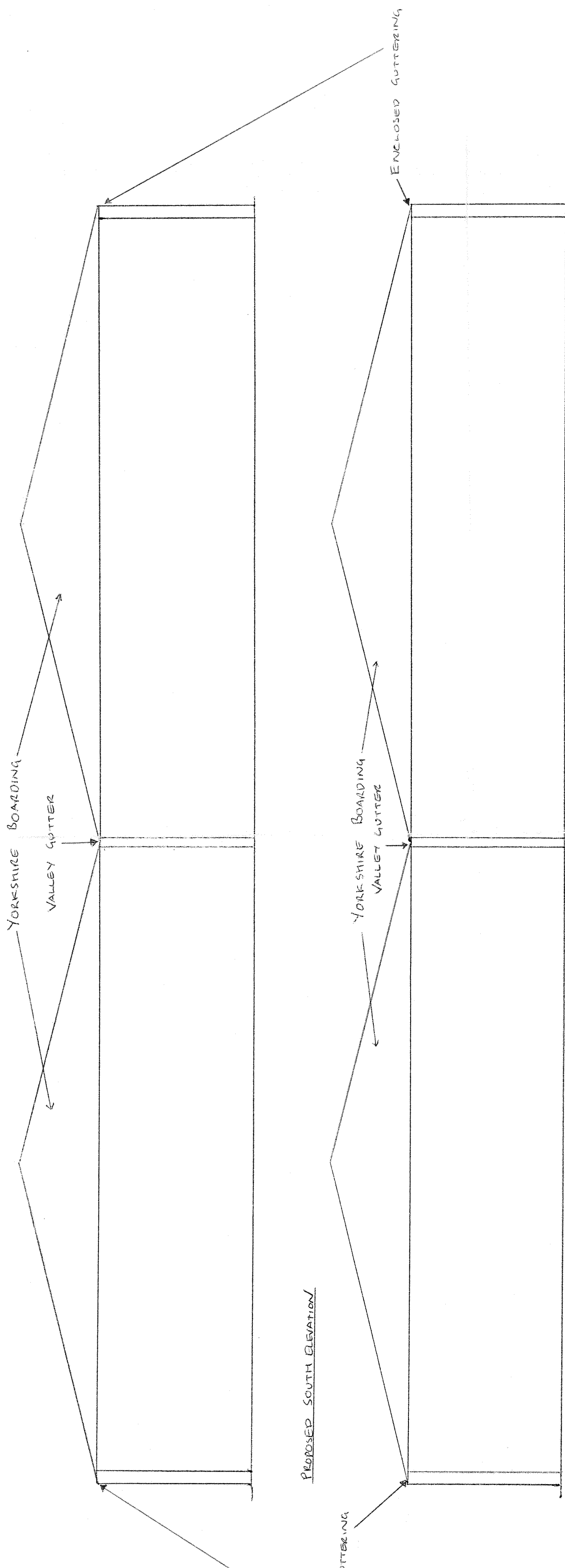
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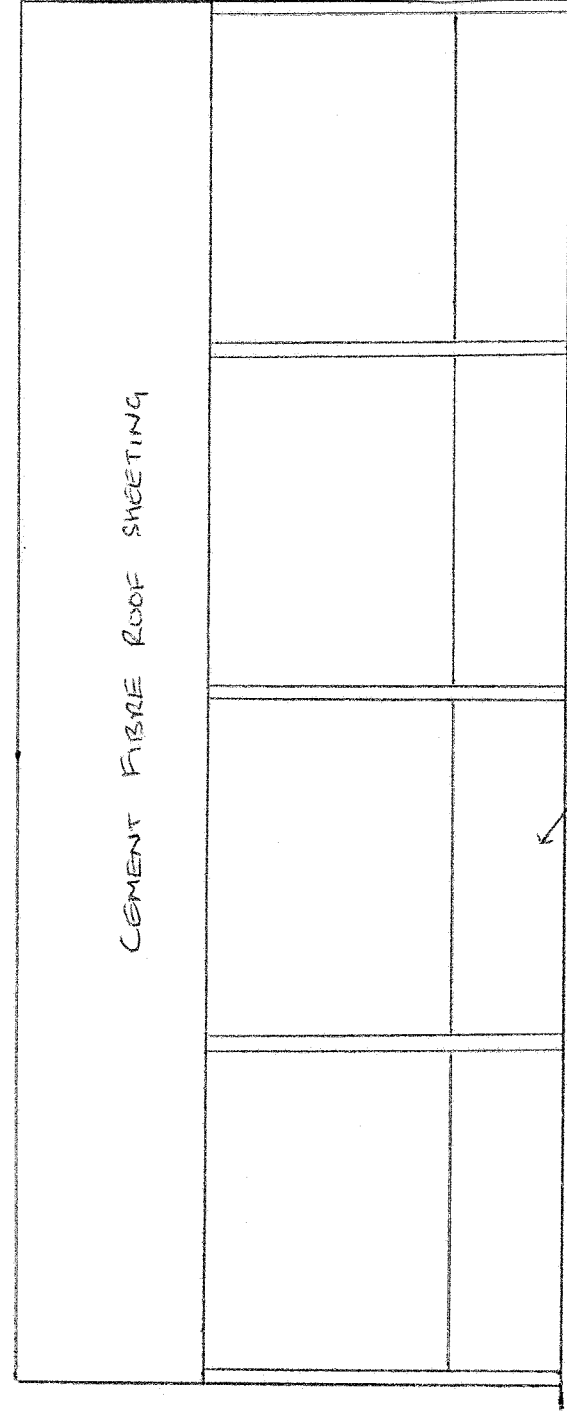
23 JUN 2015
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PROPOSED NORTH ELEVATION

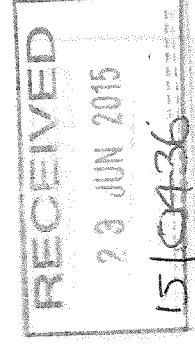
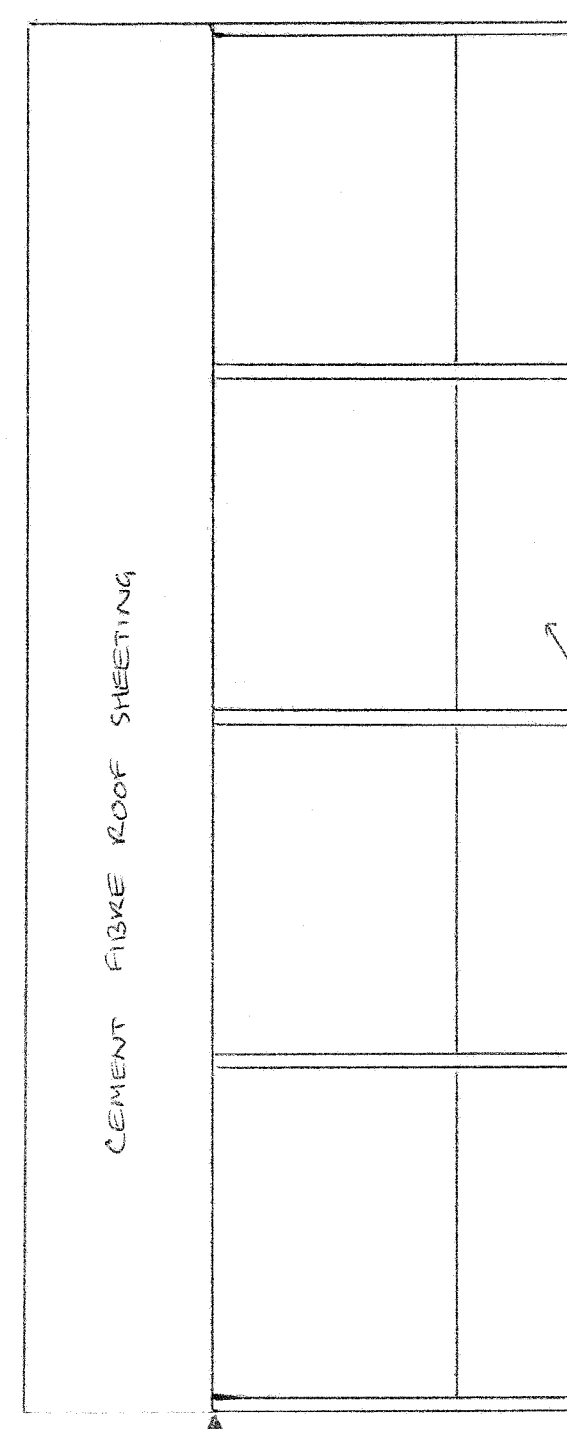


PROPOSED SOUTH ELEVATION

PROPOSED WEST ELEVATION



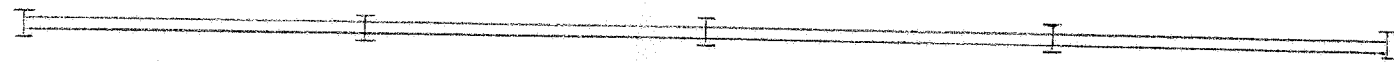
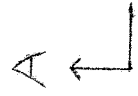
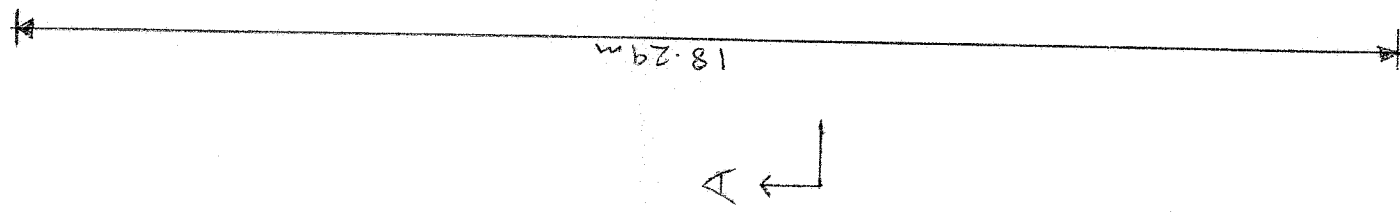
PROPOSED EAST ELEVATION



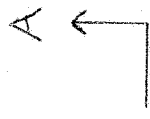
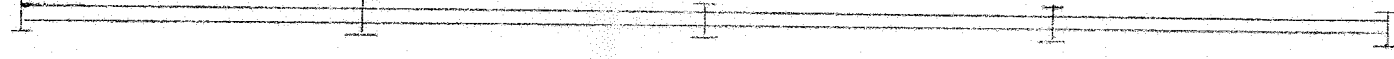
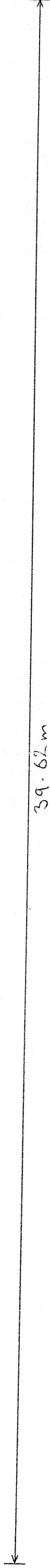
FLOOR PLANS

PROPOSED MACHINERY AND CEREAL CROP STORE

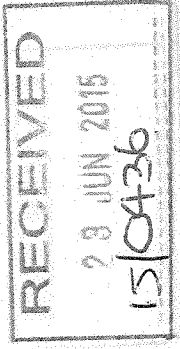
ESSE NORMAN, LITTLE ORTON FARM



39.62m



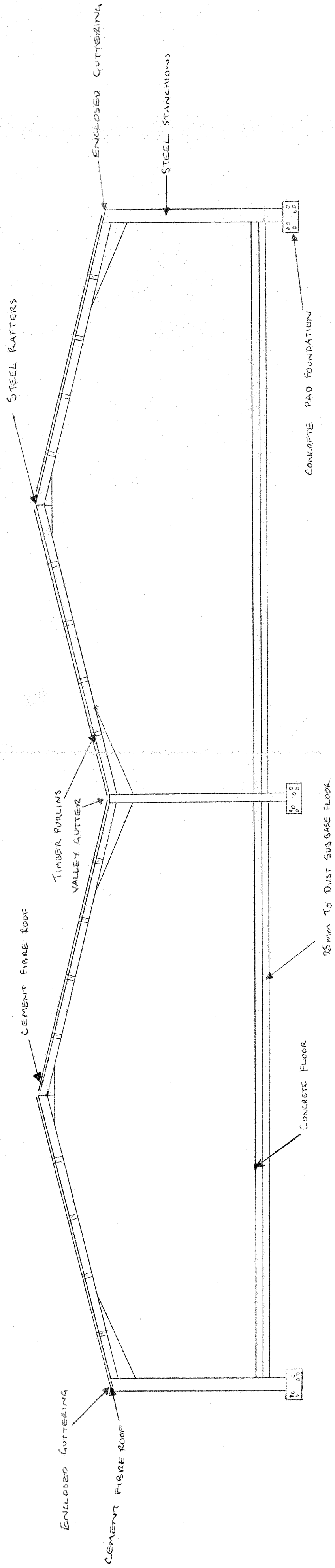
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SECTION A-A (see floor plan)

PROPOSED MACHINERY AND CEREAL CROP STORE

MESSES E & E NORMAN, LITTLE ORTON FARM



SCALE 1:100

