

SCHEDULE A: Applications with Recommendation

13/0682

Item No: 18

Date of Committee: 15/11/2013

Appn Ref No:
13/0682

Applicant:
Mitchell Haulage

Parish:
Burtholme

Date of Receipt:
29/08/2013

Agent:
Philip Turner Associates

Ward:
Irthing

Location:
Glenwood, Banks, Brampton, CA8 2JH

Proposal: Erection Of Agricultural Store

REPORT

Case Officer: Stephen Daniel

1. Recommendation

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

2. Main Issues

- 2.1 The Principle Of Development
- 2.2 The Scale & Design Of The Development
- 2.3 Impact On Hadrian's Wall And Archaeology
- 2.4 Impact On Public Rights Of Way
- 2.5 Other Matters

3. Application Details

The Site

- 3.1 Glenwood House is a single-storey stone dwelling, which has a garden/ parking area to the west of the dwelling. The garden area currently contains two storage containers, one of which is permitted development and one of which requires planning permission, which is unlikely to be granted. The applicant owns the field that lies to the south of Glenwood House and which slopes downhill away from the dwelling towards the River Irthing that runs along the southern boundary of the field. The field covers an area of 5.5 hectares and is adjoined at its northern end by Hadrian's Wall Vallum. A

public footpath runs south through the field.

- 3.2 Glenwood House is accessed via an unadopted shared access, that links the property to the main road. This track also serves a number of residential properties that lie to the west of the application site. The Li Yuan-Chia Foundation owns the building that lies directly to the west of Glenwood House. Part of this building was formerly used as a museum, with the remainder forming a single dwelling. The building is currently vacant and is up for sale

Background

- 3.3 In August 2013, an agricultural determination for the erection of an agricultural storage building was refused on this site (13/0011/AGD). The site lies in close proximity to the line of the Hadrian's Wall Vallum and is, therefore, in an area of high archaeological potential (for the presence of previously unknown archaeological remains). This meant that the applicant was required to submit a full planning application, so that the archaeological implications of the application could be fully considered.

The Proposal

- 3.4 This proposal is seeking planning permission for the erection of an agricultural store. The building would be sited in the northern part of the field in close proximity to The Vallum and within 45m of Glenwood House. The building has been re-sited to the east so that it is further away from the route of the public footpath that runs through the field. The building would measure 16.3m in length, 8.4m in width, 4.3m to the eaves and 5.9m to the ridge. The lower section of the walls would be constructed of prefabricated concrete panels, with the upper sections of the walls and the roof being constructed of juniper green plastisol coated profile steel. The roof would incorporate translucent sheets to allow some light into the building.
- 3.5 The applicant has submitted some supporting information which confirms that the building is to be used for agricultural purposes. The applicant is intending to put his own stock on the fields and farm the land himself. The building is needed for the welfare of the animals and would be used when any animals are sick. It would also be used to store feedstuffs, agricultural vehicles and bedding.

4. Summary of Representations

- 4.1 This application has been advertised by means of site and press notices as well as notification letters sent to one neighbouring property. Eight letters of objection have been received, which make the following points:
1. there has been a lack of consultation on the application;
 2. the size of the structure would suggest a non-agricultural use, particularly as the applicant is a road haulage contractor;
 3. the building is very large and is not in proportion to the area of land which

- it will serve;
4. the building might be used for the applicant's business rather than for agriculture;
 5. the field is owned by the applicant's brother and has never produced any agricultural products;
 6. the land has been let to local farmers to graze their cattle and sheep and no agricultural produce is stored anywhere on the land;
 7. the design of the building and its material usage does not blend into the landscape;
 8. the building is out of character with the rest of the properties in the area, which are stone built and residential;
 9. this area is a quiet residential area and a construction of this size will cause severe disruption to a quiet area with increased traffic flow;
 10. proposal would adversely affect the privacy of residents of nearby properties;
 11. the building would be a few yards from Hadrian's Wall from where it will be clearly visible;
 12. proposal could have an adverse impact on Hardian's Wall Path, which is of significant benefit to the wider community;
 13. vehicles accessing the building will have to use the access track which is unsuitable for large vehicles;
 14. the track is voluntarily maintained for domestic vehicle use - it has no sound base being effectively a dirt track, which has been covered by various materials over the years and could not withstand continual use by heavy goods vehicles and would soon fall into disrepair causing major access difficulties for various properties, who rely on the unadopted track for access to their properties;
 15. the track is not suitable for large agricultural vehicles - would create a road safety hazard and a noise disturbance;
 16. children live and play in the area;
 17. the applicant has a refrigeration unit on the site which the Council has failed to deal with - have little confidence in the Council being able to deal with any breach of use of the structure in the future;
 18. the building straddles over a well used footpath;
 19. there is no road leading to the where the proposed structure would be sited - would some form of suitable road surface need to be laid to access the building;
 20. neither the size, nor location of the proposed building or the suspected planned activities seem to be in accordance with the proposals of English Heritage regarding the application of the Ancient Monuments and Archaeological Areas Act 1979 for the area west of Coombe Crag to Lanercost at Banks.

5. Summary of Consultation Responses

Cumbria County Council - (Highway Authority - Footpaths): - the alignment of Public Footpath 107019 would appear to be obstructed by the proposed development - a diversion of the footpath alignment will be required or alternatively the building will need to be relocated;

English Heritage - North West Region: - no objections on World Heritage Site setting grounds. Need for watching brief, secured through a condition;

Cumbria County Council - (Econ. Dir. Highways & Transportation): - the PROW looks to be obstructed by the proposal and the footpath should be diverted or the location of the building changed;
Burtholme Parish Council: - disturbed by the size of the agricultural store - it was felt it was too big a development for this area of land. Also concerned that although a public footpath runs alongside the site no mention is made of this in the application;
Cumbria County Council - (Archaeological Services): - no objections, subject to conditions.

6. Officer's Report

Assessment

- 6.1 The relevant planning policies against which the application is required to be assessed are Policies LE7, LE10, LE25, LC8 and CP5 of the Carlisle District Local Plan 2001-2016. The proposal raises the following planning issues:

1. Whether The Proposal Would be Acceptable in Principle

- 6.2 The proposal is seeking to erect an agricultural store on part of a field which is in the applicant's ownership. The building would be used for the welfare of animals and would be used to store feedstuffs, agricultural vehicles and bedding for the stock. In response to a number of objectors who consider that the building might be used for commercial purposes, a condition has been added to ensure that the building is only used for agricultural purposes. Accordingly, the proposal would be acceptable in principle.

2. Whether The Scale and Design Of The Building Would Be Acceptable

- 6.3 The building would measure 16.3 metres in length, 8.4 metres in width, 4.3 metres to the eaves and 5.9 metres to the ridge. The size of the building is reasonable given the intended use. It would be constructed of prefabricated concrete panels and juniper green plastisol coated profile steel, which would be appropriate materials for an agricultural building. In light of the foregoing, the scale and design of the building would be acceptable.

3. Impact Of The Proposal On Hadrian's Wall and Archaeology

- 6.4 The building would be sited off the line of the Hadrian's Wall Vallum, where it is protected as a Scheduled Ancient Monument and this is welcomed by English Heritage. The site does, however, remain very close to the line of the Vallum, therefore, lies in an area of potential for the presence of previously unknown archaeological remains. English Heritage and the County Archaeologist, therefore, advise for the potential implications to be addressed through an archaeological watching brief and this has been secured by condition.
- 6.5 Whilst English Heritage would ideally like to see the building moved further to the south to minimise its impact on the World Heritage Site, it considers that the site is reasonably well screened from the wall itself, visually integrates

into the other buildings at Banks and does not interrupt any key Roman visual relationships. English Heritage, therefore, considers that the proposal would not harm unacceptably the setting of the World Heritage Site and would not wish to sustain an objection to the proposal on World Heritage Setting grounds.

- 6.6 In light of the above, the proposal would not have an adverse impact on the setting of Hadrian's Wall World Heritage Site or on existing archaeology.

4. Impact Of The Proposal On The Public Right of Way

- 6.7 The original plans showed the building sitting on the line of an existing Public Right of Way (Public Footpath 107019) that runs south through the field. The County Council's Countryside Access Officer asked for the building to be relocated away from the footpath, otherwise a diversion of the footpath would be required. The applicant has moved the building further to the east so that it is no longer on the line of the existing footpath.

5. Other Matters

- 6.8 A number of objectors have raised concerns about the existing track not being suitable for large vehicles. The existing track currently provides an access to the applicant's field. Given the use of the building for agricultural purposes and its relationship to the applicant's land holding the number of vehicles using the lane should be limited.
- 6.9 In response to a number of objections, the applicant has confirmed that he has no intention of using the building for commercial purposes. The applicant has full workshop facilities at Kingmoor Park Industrial Estate, which includes a three-phase electrical supply for specialist tools and a commercial vehicle ramp, which requires considerable height clearance. The shared private access lane that serves Glenwood House would not be suitable for use by commercial vehicles, given the width of the track and the presence of low overhead electricity cables. There would be no increased traffic to the private lane, which the applicant contributes to the upkeep of.
- 6.10 The applicant has stated that the storage containers that are currently sited at Glenwood House contain some of the materials and plant/equipment that would be used for the construction of the agricultural store. He has confirmed that both of the containers would be removed once the construction of the agricultural building begins. As one of the units is unauthorised it would be appropriate to condition the removal of that unit should the permission for this store be granted.

Conclusion

- 6.11 In overall terms, the proposal would be acceptable in principle. The scale and design of the building would be acceptable and it would not have an adverse impact on the Hadrian's Wall World Heritage Site, on existing archaeology or on the existing public footpath that runs through the site. In all aspects, the proposal is compliant with the objectives of the relevant national and local

planning policies.

7. Planning History

- 7.1 In August 2013, an agricultural determination for the erection of an agricultural storage building was refused (13/0011/AGD).

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 29 August 2013;
2. Location Plan, received 22 October 2013 (Dwg No. HD716/A/02P/R1);
3. Block Plan, Proposed Floor Plans & Elevations, received 22 October 2013 (Dwg No. HD716/A/01P/R2);
4. the Notice of Decision; and
5. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. The materials (and finishes) to be used in the construction of the proposed development shall be in accordance with the details contained in the submitted application, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the objectives of Policy CP5 of the Carlisle District Local Plan 2001-2016 are met and to ensure a satisfactory external appearance for the completed development.

4. No development shall take place until full details of the proposed landscaping have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved in the first planting season after the completion of the building or in accordance with the programme agreed by the Local Planning Authority. Any trees or other plants which die or are removed within the first five years following the implementation of the landscaping scheme shall be replaced during the next planting season.

Reason: To ensure that a satisfactory landscaping scheme is prepared and to ensure compliance with Policy CP5 of the Carlisle District Local Plan 2001-2016.

5. The premises shall be used for agricultural purposes only and for no other purpose.

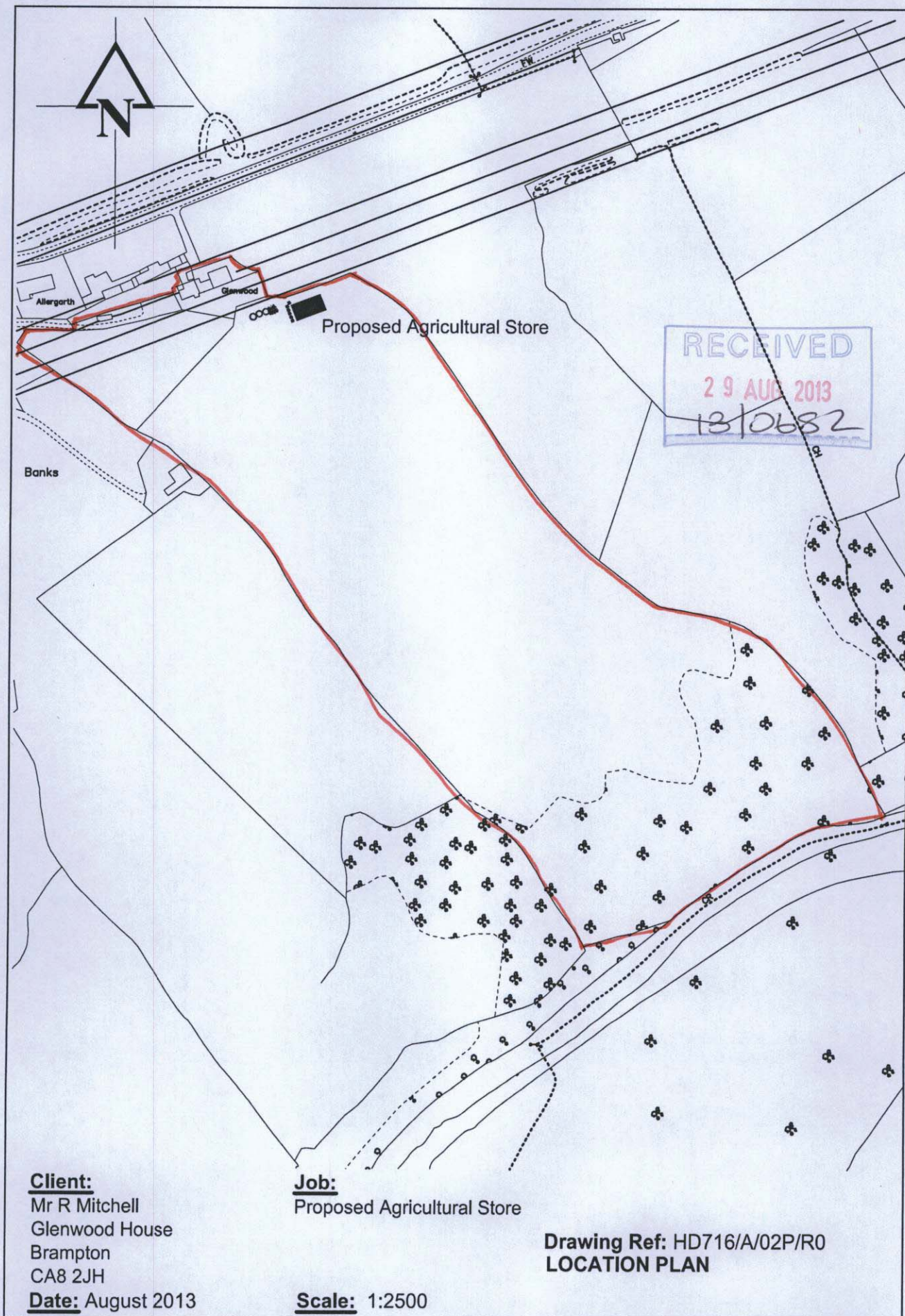
Reason: To preclude the possibility of the use of the building for purposes inappropriate in the locality in accordance with Policy CP5 of the Carlisle District Local Plan.

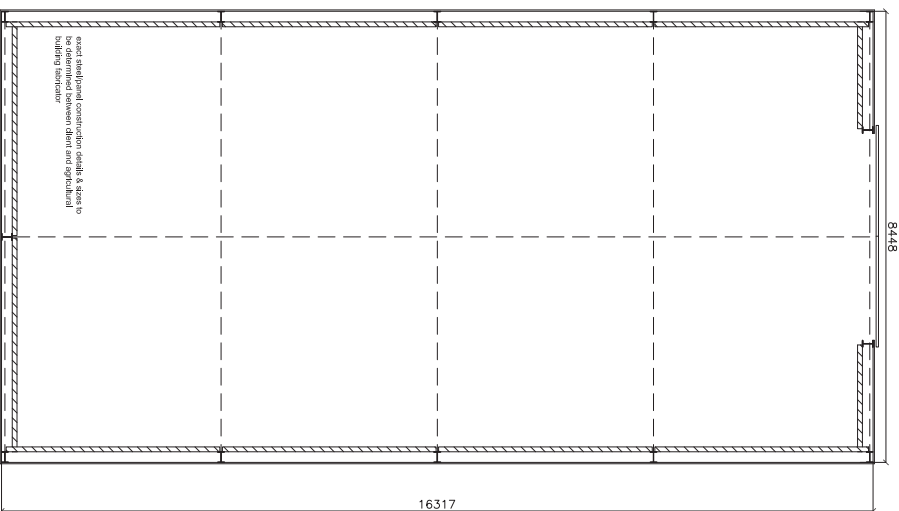
6. Prior to the commencement of development a written scheme of archaeological investigation must be submitted by the applicant and approved by the Local Planning Authority. Once approved, the scheme shall be implemented in full with an archaeological watching brief being undertaken by a qualified archaeologist. Within two months of the completion of the development, 3 copies of the archaeological report shall be furnished to the Local Planning Authority.

Reason: To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the investigation and recording of such remains.

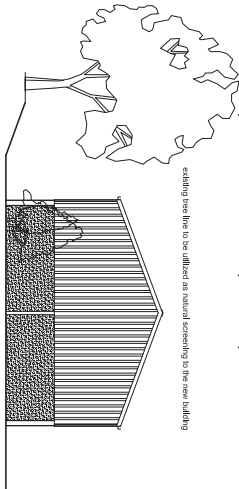
7. The unauthorised storage unit on site shall be removed within 3 months of the completion of the development.

Reason: To minimise the visual impact of the development in accordance with Policy LE25 of the Carlisle and District Local Plan 2001-16

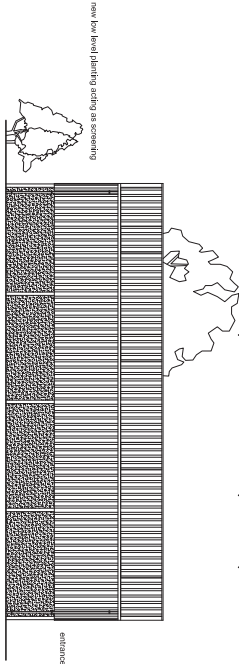




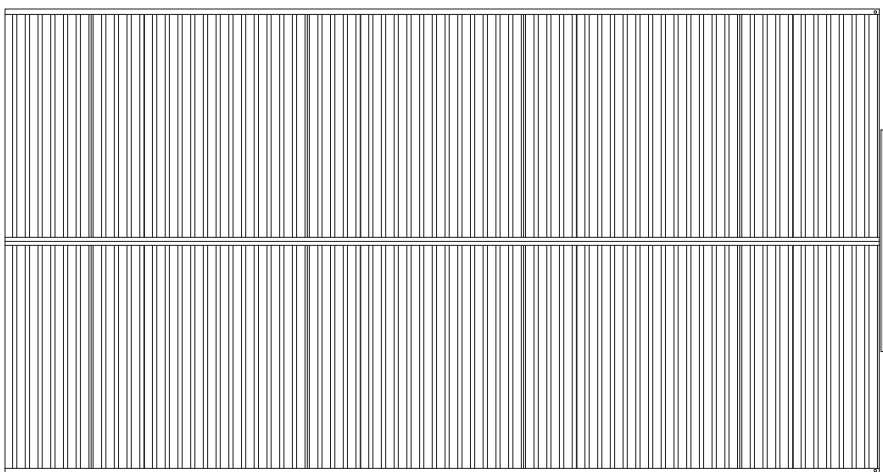
floor plan as proposed



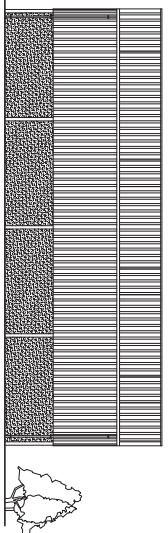
west



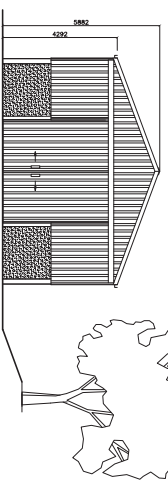
south west



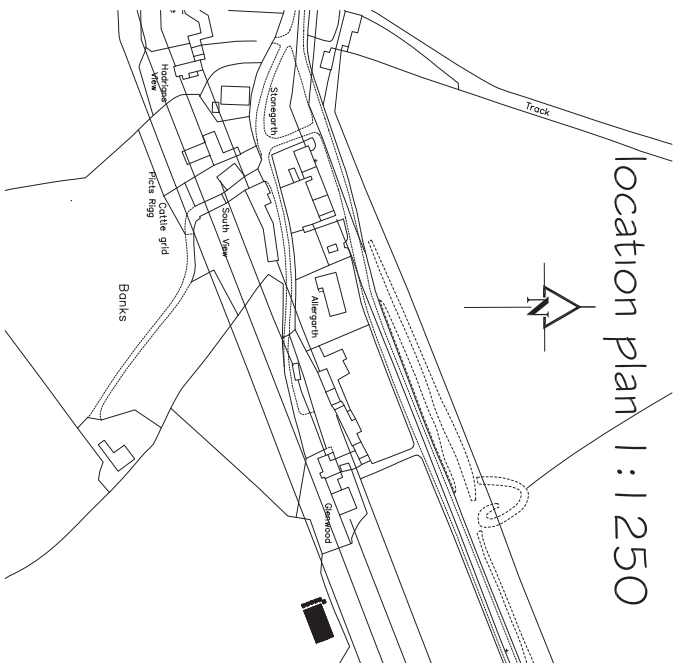
roof plan as proposed



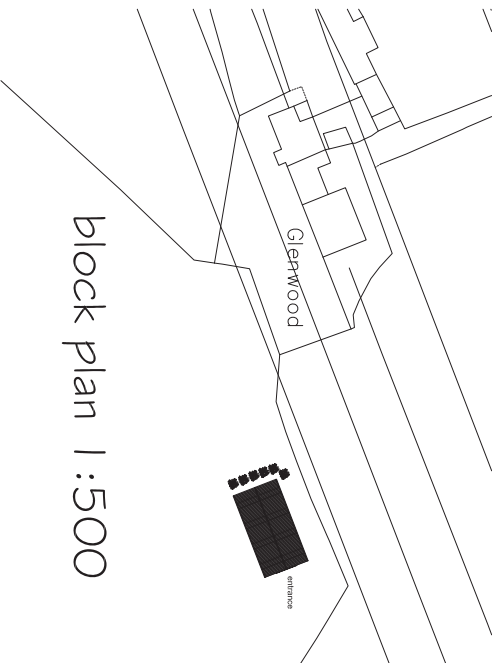
north east
elevations as proposed



east



location plan 1:1250



block plan 1:500

Materials:

- 1/ "Juniper Green" plastisol coated steel - box profile with matching coloured flashings.
- Steel framed sliding doors also faced in the same profiled material.
- Roof sheeting to incorporate translucent profiled skylights as indicated.
- 2/ 2 x 1m high prefabricated concrete panels between steel and finished floor level as indicated.
- 3/ hedge screening as indicated.

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