

**Committee Report**

<b>Application No:</b>	<b>DC/17/00358/FUL</b>
<b>Case Officer</b>	<b>Joanne Munton</b>
<b>Date Application Valid</b>	<b>3 April 2017</b>
<b>Applicant</b>	<b>Mr Chris Lawrence</b>
<b>Site:</b>	<b>Ravenside Bungalow U8116 County Boundary To Woodhead Stocksfield NE43 7SX</b>
<b>Ward:</b>	<b>Chopwell And Rowlands Gill</b>
<b>Proposal:</b>	<b>Erection of general purpose agricultural barn (amended 09/05/17 and 22/05/17 and additional info received 22/05/17 and 02/06/17).</b>
<b>Recommendation:</b>	<b>GRANT</b>
<b>Application Type</b>	<b>Full Application</b>

**1.0 The Application:**

1.1 This application was deferred at the meeting of the Planning and Development Committee on 31 May 2017 to allow the Committee to visit the site. Members visited the site on 15 June 2017.

**1.2 DESCRIPTION OF SITE**

The site is located in Ravenside, Stocksfield, close to the boundary with Northumberland County Council. The planning application relates to land east of residential dwellings Ravenside Bungalow, North House, Ravenside Farm and Stable House, all of which are in Northumberland. The land east of these properties is in the Gateshead Borough.

1.3 The site is located in the Green Belt and in a Wildlife Corridor.

1.4 The site is accessed via a lane running north east to south west between Lead Road in the north and Lead Lane to the south.

1.5 The land generally inclines from south to north.

1.6 There is an existing agricultural building south west of the application site and the residential dwellings.

**1.7 DESCRIPTION OF APPLICATION**

The application is for an agricultural barn, amended plans show this would be 28m long, 13m wide and 5.3m high to the ridge (3.6m to the eaves). The proposed barn would have the same floor area as the barn reported to Planning Committee on 25 January 2017, but would be 1m lower and would be located approximately 44m further south, on the southern side of the existing hedge. Additionally, whereas the previously proposed barn was orientated south west to north east, the barn proposed would be closer to a west to east orientation.

- 1.8 Supporting information submitted with the application confirms that the building would be for agricultural use, specifically, equipment storage and winter fodder/bedding storage to free up the existing barn for overwintering animals, calving and lambing.
- 1.9 The proposed building would be constructed of concrete panels and timber Yorkshire boarding, with corrugated fibre cement and clear plastic roof panels.
- 1.10 The applicant has also provided additional information in support of their application.
- 1.11 **RELEVANT PLANNING HISTORY**

DC/06/01629/FUL - Removal of agricultural occupancy condition on permission GD/463/77/DM - Granted 23.11.2006

DC/07/01417/DPA - DETERMINATION OF PRIOR APPROVAL: Erection of agricultural building for storage purposes - Prior Approval required and approved 01.10.2007

DC/08/00825/DPA - DETERMINATION OF PRIOR APPROVAL: Erection of agricultural building for storage purposes - Prior Approval required and approved 07.07.2008

DC/16/00995/AGR - DETERMINATION OF PRIOR APPROVAL OF AGRICULTURAL OR FORESTRY DEVELOPMENT: Erection of steel portal frame barn - Refused (not permitted development) 17.10.2016

DC/16/01180/FUL - Erection of general purpose agricultural barn (amended 15/12/16 and additional information received 13/01/17) - Refused at Planning Committee on 25.01.2017

DC/17/00165/AGR - Erection of steel portal framed agricultural building (Amended 28/02/17 and 07/03/17) - Withdrawn 03.04.2017

## **2.0 Consultation Responses:**

Northumberland County Council      No objection

## **3.0 Representations:**

3.1 Neighbour notifications were carried out in accordance with formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015.

3.2 An objection has been received from Councillor Caffrey:

Impact on visual amenity as the area is of an open nature;  
Loss of views;  
Proposal out of proportion with the existing buildings;

Previous refusal by Planning Committee on 25 January 2017 due to the size and siting of the agricultural building resulting in harm to the visual amenities of the area.

3.3 Eight objections from local residents have been received:

The need for the additional barn is questioned;  
Inconsiderate and unsustainable location of the proposed barn;  
Recent planting would impact on nearby structures and access to septic tank;  
Negative relationships with neighbours;  
Loss of property value;  
Obstructing access to existing septic tank;  
Loss of views;  
Overbearing effect;  
Additional noise and disturbance;  
Loss of privacy;  
Unsuitable size and overdevelopment;  
Increased risk of infestations of flies and vermin;  
Loss of light.

3.4 Two objectors requested to speak at Planning Committee and spoke at the meeting on 31 May 2017.

3.5 One letter of support has also been received from a resident:

Financial benefits to Ravenside Bungalow the local farming community, economy and local agricultural providers;  
Provide safe and appropriate storage and the ability to use the existing barn for safe storage and protection of livestock;  
Improved facilities on site.

**4.0 Policies:**

NPPF National Planning Policy Framework

DC2 Residential Amenity

NPPG National Planning Practice Guidance

ENV3 The Built Environment - Character/Design

ENV51 Wildlife Corridors

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS18 Green Infrastructure/Natural Environment

## CS19 Green Belt

### **5.0 Assessment of the Proposal:**

5.1 The key considerations to be taken into account when assessing this planning application are the appropriateness of the development in the Green Belt, amenity, highway safety and parking and ecology.

#### 5.2 GREEN BELT

The site is located in the Green Belt.  
Paragraph 89 of the NPPF states that:

'A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are [amongst others]:  
- buildings for agriculture and forestry.'

5.3 It is considered that the proposal to erect an agricultural barn falls within the above exception and therefore would not be inappropriate development within the Green Belt. As such, it is considered that the proposal would comply with the aims and requirements of policy CS19 of the CSCUP and the NPPF.

#### 5.4 RESIDENTIAL AMENITY

The proposed building would be located east of residential neighbours at Ravenside Farm, North House and Stable House, and would be a minimum of 17.2m away from the nearest dwelling, Stable House.

5.5 Given the orientation and the proposed distance from these neighbours, it is considered that the proposal would not result in an unacceptable loss of light or privacy, or an overbearing impact.

5.6 Additionally, given the existing agricultural use of the land, it is considered that the proposed additional building would not result in an unacceptable increase in noise, vermin or smell.

5.7 The applicant has also submitted additional information to provide clarification on potential vermin/pests and smell:

- The applicant has stated that it is not in their interest to attract rats as they could potentially damage winter fodder. The use of concrete walls and floors has the potential to limit access for rodents to the barn. The applicant has stated that they intend to use appropriate means to protect winter fodder inside the barn (eg. cats/poison/mechanical traps/electronic traps/CCTV as appropriate).

- The applicant has stated that flies are present particularly where livestock are, but normally only in the summer, and that the new barn is for equipment and fodder storage, so it is not anticipated that the proposed new barn would result in an increase in fly population.

- The applicant has confirmed that slurry is a by-product of the dairy industry, and as they are beef and lamb producers create no slurry.

5.8 It is recommended that condition 4 be imposed restricting the use of the building so it could not be used for the accommodation of livestock or for the storage of slurry or sewage sludge, housing a biomass boiler or an anaerobic digestion system, storage of fuel or waste from that boiler or system, or housing a hydro-turbine.

5.9 The proposal would not conflict with the aims and requirements of saved policy DC2 of the UDP and policy CS14 of the CSUCP.

#### 5.10 VISUAL AMENITY

There are no public rights of way within the immediate vicinity, but the site is visible from the road. This area is generally rural and agricultural in nature and it is considered that the proposed design and materials are typical of agricultural buildings. The proposed building would be a typical size for an agricultural barn and would not constitute overdevelopment on the site.

The applicant has stated that the choice of location for the proposed barn is due to the barn entrances being visible from the applicant's house for security purposes and that it would not block the view of the field for monitoring the animals. Additionally, the applicant has stated that the proposed barn would blend with other buildings on site, as opposed to being potentially more visible if it was more isolated from the existing buildings.

5.11 The proposal would respond positively to local distinctiveness and character and it would not conflict with the aims and requirements of saved policy ENV3 of the UDP and policy CS15 of the CSUCP.

#### 5.12 HIGHWAY SAFETY AND PARKING

The proposal is for an agricultural barn that would serve the existing agricultural use and it is considered that the proposal would not result in an unacceptable increase in traffic. It is considered that the proposal would not have an unacceptable impact on the publicly adopted highway or parking in the area. Therefore it is considered that the proposal would comply with the aims and requirements of policy CS13 of the CSUCP.

#### 5.13 ECOLOGY

The application site is agriculturally improved grassland and it is considered that the proposal would not have an unacceptable impact on the Wildlife Corridor. Therefore, it is considered that the proposal would comply with the aims and requirements of saved policy ENV51 of the UDP and policy CS18 of the CSUCP.

#### 5.14 OTHER MATTERS

The potential financial benefits, potential impact on neighbours' right to access their septic tank, potential loss of views, impact on property values, the necessity of the proposed barn, neighbour disputes, and planting are not considered to be material planning considerations.

- 5.15 Application DC/16/01180/FUL was refused by Planning Committee on 25 January 2017 for the following reason:

'The location and scale of the proposed building would detrimentally impact on the visual amenities of the surrounding area and would therefore fail to make a positive contribution to the established character and identity of its locality. The proposal would conflict with the aims and requirements of saved policy ENV3 of the Unitary Development Plan and paragraph 56 of the National Planning Policy Framework.'

- 5.16 Whilst the above decision by Planning Committee to refuse the previous application is noted, the current application has been assessed on its own merits in the report above. It is considered that this proposal would not have an unacceptable impact on visual amenity or the other material planning considerations above.

- 5.17 Additionally, whilst alternative locations for the proposal are suggested by objectors, it is considered that the location proposed in this application is not unacceptable.

- 5.18 It is considered that all other matters have been addressed in the main body of the report.

#### 5.19 COMMUNITY INFRASTRUCTURE LEVY

On 1st January 2017 Gateshead Council became a Community Infrastructure Levy (CIL) Charging Authority. This application has been assessed against the Council's CIL charging schedule and the development is not CIL chargeable development as it is not for qualifying retail or housing related. As such no CIL charge is liable.

## 6.0 CONCLUSION

- 6.1 Taking all the relevant issues into account, it is considered that the proposed development is acceptable in terms of Green Belt, residential amenity, visual amenity, highway safety and parking, ecology, and all other matters arising, and would comply with the aims and objectives of the NPPF and the relevant policies of the UDP and the CSUCP.

- 6.2 It is recommended that planning permission be granted, subject to the below conditions.

## 7.0 Recommendation:

That permission be GRANTED subject to the following condition(s) and that the Strategic Director of Communities and Environment be authorised to add, vary and amend the planning conditions as necessary:

1

The development shall be carried out in complete accordance with the approved plan(s) as detailed below -

Ravenside Location Plan January 2017 received 09.05.2017  
Ravenside Site Plan January 2017 received 09.05.2017  
Elevations received 22.05.2017

Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

Reason

In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

2

The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

3

The development hereby permitted shall be constructed entirely of the materials detailed on the application form received 03.04.2017.

Reason

To ensure that the external appearance of the development is of an appropriate design and quality in accordance with the NPPF, Saved Policies DC2 and ENV3 of the Unitary Development Plan and Policies CS14 and CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

4

The building shall not be used for:

- the accommodation of livestock (except in the case where no other suitable building or structure is available to accommodate the livestock and that the need to accommodate the livestock arises from quarantine requirements, or an emergency due to another building or structure in which the livestock could otherwise be accommodated being unavailable because it has been damaged or destroyed by fire, flood or storm; or in the case of animals normally kept out of doors, they require temporary accommodation in a building or other structure because they are sick or giving birth or newly born, or to provide shelter against extreme weather conditions. In these instances, the applicant shall notify the Local Planning Authority in writing within 7 days of the new

temporary use of the building starting and the temporary use shall cease as soon as is practicably possible.);

- the storage of slurry or sewage sludge;
- housing a biomass boiler or an anaerobic digestion system;
- storage of fuel or waste from that boiler or system;
- housing a hydro-turbine.

#### Reason

To ensure that the building would not have an unacceptable impact on the residential amenity of nearby neighbours and in accordance with the NPPF, Saved Policy DC2 of the Unitary Development Plan and Policy CS14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne.

