

**Committee Report**

<b>Application No:</b>	<b>DC/18/00577/FUL</b>
<b>Case Officer</b>	<b>Joanne Munton</b>
<b>Date Application Valid</b>	<b>7 June 2018</b>
<b>Applicant Site:</b>	<b>MS Agriculture Land At Barlow Ashtree Lane Rowlands Gill</b>
<b>Ward:</b>	<b>Winlaton And High Spen</b>
<b>Proposal:</b>	<b>Proposed construction of timber frame agricultural education building and associated car parking and site access adjacent to agricultural shed previously approved under application DC/17/00433/FUL (amended 03/07/18).</b>
<b>Recommendation:</b>	<b>REFUSE</b>
<b>Application Type</b>	<b>Full Application</b>

**1.0 The Application:****1.1 DESCRIPTION OF SITE**

The site is located at the south west corner of a field, on the northern side of Ashtree Lane. This part of Ashtree Lane runs parallel with Pawston Road (further north) between High Spen and Barlow and the site is located between these two roads.

1.2 The land in the wider context inclines from Ashtree Lane north to a crest of a hill then drops away again before Pawston Road further north.

1.3 Proposed plans show a U-shaped agricultural building permitted under DC/17/00433/FUL, however, at the time of the officer site visit, this permission had not yet been implemented.

1.4 The site is in the Green Belt.

**1.5 DESCRIPTION OF APPLICATION**

The application proposes the erection of a timber agricultural education building, the installation of hard standing south of the building to provide car parking and the creation of a new site access onto Ashtree Lane.

1.6 The proposed building would be located north east of the agricultural building permitted under DC/17/00433/FUL (which is not currently on site) and the hard standing for the car parking would be south east of the proposed education building (between the proposed building and the proposed new access onto Ashtree Lane). This application does not propose the change of

use of the agricultural building for use as part of this application and has therefore not been assessed.

- 1.7 The proposed building would be single storey with a dual pitched roof, 3.9m high to the ridge and 2.5m to the eaves. The length and depth of the building would both be 14m. The external appearance of the building is proposed to be a slate roof finish, timber cladding and double glazed timber doors and windows.
- 1.8 The proposed plans indicate the building would be made up of activity spaces, kitchen, toilets and a small office. The statement submitted with the application states that while the building would be a base for outdoor farming related activities, that is of a suitable size that would allow for activities to also take place within the building.
- 1.9 The car parking area would have a gravel finish and would include designated disabled bays close to the proposed building. Proposed plans show twenty-five parking spaces to be provided.
- 1.10 The new access would be onto Ashtree Lane to the south and the vehicle access gates would be located 8m back from the road.

#### 1.11 RELEVANT PLANNING HISTORY

DC/17/00433/FUL - Construction of agricultural building (resubmission) - Granted 02.06.2017

#### 1.12 Land east of this application site:

DC/16/01294/AGR - Erection of building (25 x 36m) for storage of livestock and agricultural machinery - Refused 23.12.2016

DC/17/00031/FUL - Erection of agricultural building - Withdrawn 23.03.2017

## 2.0 Consultation Responses:

None

## 3.0 Representations:

- 3.1 Neighbour notifications were carried out in accordance with the formal procedures introduced in the Town and Country Planning (Development Management Procedure) Order 2015.
- 3.2 An objection has been received from Councillor Simpson, who has also requested to speak at Planning Committee.
- 3.3 Eight objections have been received raising concerns regarding:

- increased traffic as a result of the proposal and impact on existing road users such as horse riders, cyclists, dog walkers, hikers and children;
- condition and single lane nature of existing road not adequate to accommodate traffic generated by proposal, including larger vehicles transporting more people;
- highway safety in terms of existing drivers speeding on Barlow Road and the potential for more traffic speeding on Barlow Road and other nearby roads;
- the potential for the proposed building to be run down and replaced by a dwellinghouse or other development;
- the Rising Sun Farm example of an existing project is not comparable as it has better access;
- visitors to rural areas cause litter issues;
- internal and external planned demonstrations impacting on residential amenity through additional noise and vibrations;
- other locations being more suitable for the proposal.

3.4 Four letters of support have been received, commenting that:

- development helping others should be encouraged, but further information is required regarding visitor numbers, soft landscaping and potential screening of the building, and there is concern regarding traffic speed and potential for further development on the land;
- the facility would be a beneficial asset in Gateshead/a valuable community resource;
- the location is rural but accessible;
- the proposal would create employment opportunities;
- the proposed building's appearance would be in keeping with the area.

#### **4.0 Policies:**

NPPG National Planning Practice Guidance

NPPF National Planning Policy Framework

DC2 Residential Amenity

ENV3 The Built Environment - Character/Design

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS19 Green Belt

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

5.1 The main planning issues relating to this proposed development are considered to be Green Belt, highway safety and parking, visual amenity and residential amenity.

### **5.2 GREEN BELT**

The site is in the Green Belt.  
NPPF paragraph 79 states that:

'the essential characteristics of Green Belts are their openness and their permanence.'

5.3 NPPF paragraph 80 sets out the five purposes of the Green Belt:

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

5.4 Policy CS19 of the CSUCP reflects the above.

5.5 NPPF paragraph 87 states that:

'As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.'

5.6 The below assessment of Green Belt separately considers the proposed new building and the proposed hardstanding and access.

5.7 In terms of the proposed new building, paragraph 89 of the NPPF states that:

'A local planning authority should regard the construction of new buildings as inappropriate in Green Belt.'

5.8 Although paragraph 89 also sets out exceptions to this, that includes buildings for agriculture, the proposed education building would be for education not agricultural use and would not fall within any of the exceptions in paragraph 89. It is therefore inappropriate development in the Green Belt.

5.9 In terms of the proposed hardstanding and access, paragraph 90 of the NPPF states that:

'Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are [amongst others]:

- engineering operations'

- 5.10 The hardstanding and access would be deemed engineering operations; however, it is considered that the area of the land covered by the hardstanding, the resulting number of vehicles that could be on site at one time, and the creation of a formal access would not preserve the openness of the Green Belt. Similarly, the proposed hardstanding and access would conflict with the purposes of the Green Belt, particularly assisting in safeguarding the countryside from encroachment and assisting in urban regeneration, by encouraging the recycling of derelict and other urban land. Therefore, the proposed hardstanding would not fall within any of the exceptions in paragraph 90 of the NPPF. They are therefore inappropriate development in the Green Belt.
- 5.11 Whilst the proposed external materials for the building (timber and slate) would respond to the locality, the presence of an additional building/bulk where none currently exists would have an adverse effect on openness. Additionally, the regular use of the land for visiting members of the public would result in an increase in vehicles present, vehicle manoeuvring and movements on site, which would also harm the openness of the Green Belt.
- 5.12 The proposed new access would introduce formal boundary treatment and a break in the established boundary along Ashtree Lane. Post and rail fencing is proposed around the perimeter of the car park and along with the access works, these add further to the urbanising effect of the development and would impact on the openness of, and cause harm to, the Green Belt.
- 5.13 Additionally, the proposal would risk undermining the following purposes of the Green Belt: to assist in safeguarding the countryside from encroachment and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 5.14 The proposal would cause harm to the Green Belt as it would be inappropriate development in the Green Belt, would not preserve the openness of the Green Belt and would conflict with the purposes of the Green Belt.
- 5.15 Therefore, as stated above and in NPPF paragraph 87, in order for the proposal as a whole (new building, hardstanding and access) to be acceptable in Green Belt terms, very special circumstances must exist. In accordance with NPPF paragraph 88, very special circumstances:
- 'will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.'
- 5.16 The applicant has put forward the following proposed very special circumstances:

- the proposal would allow rural businesses to grow and would therefore help to maintain a prosperous rural economy; it is anticipated that the proposed agricultural education centre could create up to five jobs;
- the proposal would enable the farm business to diversify and provide an additional income stream;
- the social benefit of the proposed scheme offering opportunities and experiences to vulnerable sections of society;
- there is a known demand for a centre of this kind in the Gateshead area and the applicant has been seeking suitable sites for such a centre for a considerable time;
- a centre such as this needs to be in a rural location with a suitable amount of agricultural land to make the centre viable, and at the same time be easily accessible to clients and their carers in urban areas for whom travelling considerable distances into the open countryside is not always possible;
- the proposed unit would become a designated Care Farm aiming to provide educational care services for individuals from a range of vulnerable groups, provide a programme of farming related activities for individuals with a defined need, provide supervised, structured care services on a regular basis for service users, and be commissioned to provide services by a range of referral agencies;
- there would be opportunity to expand the business model to include visits from urban schools to learn about food production and agriculture, to see where food comes from and be exposed to agriculture, animals and the countryside;
- the proposed use would be directly and inextricably linked to the agricultural use of the land; the only other farm land suitable in the Gateshead area (Bill Quay Farm) included rights of way running across it that allow general public access, which would create significant safeguarding issues for vulnerable clients.

- 5.17 Considering the above, it has not been demonstrated that the proposed diversification is required to make an existing farm business viable. Additionally, whilst job creation is welcomed, the provision of five jobs would not in itself outweigh the level of harm identified.
- 5.18 Although the social benefits of agricultural education and group work are recognised, no evidence has been submitted with the application of particular demand in this area for such a service for vulnerable individuals.
- 5.19 In any event, NPPG advises that:
- 'A condition used to grant planning permission solely on grounds of an individual's personal circumstances will scarcely ever be justified in the case of permission for the erection of a permanent building'
- 5.20 Social or educational benefits to certain/more vulnerable individuals would not constitute an exceptional case that would justify granting planning permission

subject to a condition restricting the use of the building to those people. Therefore, if granted, the services provided by the education building could not be restricted to a certain type of individual (regardless of the applicant's current specific intentions). In terms of the planning use, the building could provide education to school groups or other adult groups.

- 5.21 The proposal would provide opportunities in Gateshead for learning about agriculture and practical involvement. However, farm education is not uncommon and is widely available in general for school trips etc. There is no clear evidence submitted with the application to demonstrate that the proposed centre would be out of the ordinary or unique in the region, or that it has any specific locational requirements, beyond what the applicant describes as needing “to be in a rural location with a suitable amount of agricultural land to make the centre viable, at the same time be easily accessible to clients and their carers in urban areas...”.
- 5.22 While it is acknowledged that the nature of agricultural activities means that some associated land is necessary, the applicant has failed to justify the location in open countryside. In Gateshead, an open countryside location equates to being in the Green Belt and consequently, Green Belt policy needs to be applied and in this instance the proposal amounts to inappropriate development in the Green Belt.
- 5.23 The agricultural building shown as having planning permission (DC/17/00433/FUL) on the site plan is not yet built and there are no means through planning to require this permission is implemented. Consequently, the agricultural building may or may not be built. The application does not provide justification for the location of the proposal site in an open field as opposed to part of the main group of farm buildings, or why a new building is required rather than using or extending existing buildings. The agricultural building would need a change of use if it were to be used in connection with educational provision on the site, and as that has not been sought through this application, the agricultural building has not been assumed to be part of the proposal.
- 5.24 It is considered that the above points neither separately nor cumulatively would not constitute very special circumstances that would clearly outweigh the identified harm to the Green Belt. Any other harm arising from the development is considered below.
- 5.25 Therefore, the proposal would constitute inappropriate development in the Green Belt and would not comply with policy CS19 of the CSUCP and the NPPF.
- 5.26 **HIGHWAY SAFETY AND PARKING**  
Anticipated numbers of visitors and trips to and from the site (for staff and visitors) are not clear from the detail submitted with the application. There is also no justification for the number of parking spaces proposed and why this would be appropriate for the proposed development.

- 5.27 Additionally, no information on the existing local traffic situation has been submitted with the application, which would be required to fully assess whether the proposed additional trips could be accommodated along Ashtree Lane and surrounding area.
- 5.28 The proposed layout also does not identify a turning facility for coaches or mini buses as these are likely to be used to transport groups to the education building. Nor is there any provision for refuse collection vehicles.
- 5.29 As such, it is considered that insufficient information has been submitted with the application to assess whether appropriate parking provision would be provided, whether the proposed additional trips could be accommodated along Ashtree Lane and surrounding area and whether the car parking area would allow for larger vehicles to turn in the site so they could exit in a forward gear.
- 5.30 Therefore, the proposal would not comply with the aims and requirements of policy CS13 of the CSUCP. Furthermore, the failure to demonstrate compliance with these policies, results in 'other harm' arising as a result of the development that further outweighs very special circumstances put forward by the applicant.
- 5.31 VISUAL AMENITY  
The proposed building would be single storey and it is considered that the external materials would be sensitive to the rural character of the area. The proposed gravel surface for the car park would also respect the agricultural character of the immediate locality, being a softer, more natural material than tarmac or concrete. If the application was recommended to be approved, conditions would be recommended to be attached requiring final details of the external materials, including boundary treatment.
- 5.32 The proposed building and hardstanding would bring an element of formality to the agricultural site, and whether or not the agricultural building permitted under DC/17/00433/FUL is ever constructed, it is considered that in design terms the proposal would comply with the aims and requirements of saved policy ENV3 of the UDP and policy CS15 of the CSUCP.
- 5.33 RESIDENTIAL AMENITY  
The NPPF states that a core principle of planning is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 5.34 The nearest residential properties would be Pawston Birks Farm House 295m to the north west, Pawston Birks Bungalow 313m to the north west and dwellings at Barlow Crescent 470m to the north east.
- 5.35 Given these distances, it is considered that the proposal would not result in an unacceptable loss of outlook, loss of privacy, loss of light or overshadowing, overbearing impact or level of noise or vibration. Therefore, the proposal



would not have an unacceptable impact on residential amenity of neighbours in the surrounding area.

5.36 The proposal would comply with the aims and requirements of saved policy DC2 of the UDP and policy CS14 of the CSUCP.

5.37 **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.

5.38 **OTHER MATTERS**

Each planning application is dealt with on its own merits and potential future development at the site would be considered at the appropriate time.

5.39 Additionally, it is considered that the proposal would not result in a significant amount of additional litter within the locality.

**6.0 CONCLUSION**

6.1 The proposal would not fall within any of the exceptions in paragraphs 89 or 90 of the NPPF and therefore amounts to inappropriate development in the Green Belt. Due to this harm and the harm to highway safety by the inability to demonstrate compliance with relevant policies, it is considered that very special circumstances do not exist in this case as the identified harm to the Green Belt and any other harm, has not been clearly outweighed by other considerations. Therefore, the proposal is unacceptable in principle.

6.2 As such, it is recommended that the application be refused as the proposal does not comply with the aims and requirements of policies CS13 and CS19 of the CSUCP and the NPPF.

**7.0 Recommendation:**

That permission be REFUSED for the following reasons:

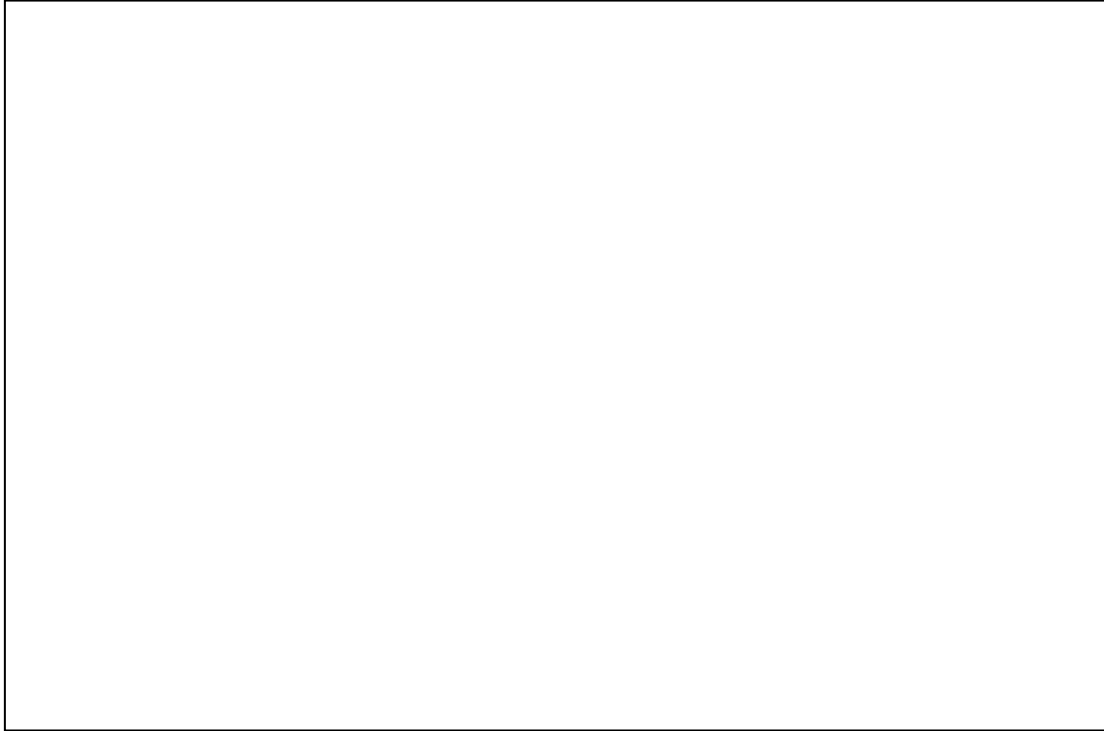
1

The proposal would be inappropriate development in the Green Belt and no very special circumstances exist that would clearly outweigh the harm to the Green Belt and any other harm. Therefore, the proposal would not comply with the aims and requirements of policy CS19 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.

2

Insufficient information has been submitted with the application to assess whether appropriate parking provision would be provided, whether the proposed additional trips could be accommodated along Ashtree Lane and surrounding area and whether the car parking area

would allow for large vehicles, such as coaches, minibuses or refuse collection vehicles to turn in the site so they could exit in a forward gear. Therefore, the proposal would not comply with the aims and requirements of policy CS13 of the Core Strategy and Urban Core Plan and the National Planning Policy Framework.



This map is based upon Ordnance Survey material with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Gateshead Council. Licence Number LA07618X