

Committee Report

Application No:	DC/20/00043/FUL
Case Officer	David Morton
Date Application Valid	9 February 2020
Applicant	Mr A Willey
Site:	Land North of Ashtree Farm Ashtree Farm Chopwell NE17 7AZ
Ward:	Chopwell And Rowlands Gill
Proposal:	Erection of agricultural building for storage and stock rearing (amended 19/08/20, 16/04/21, 02/06/21 and 25/06/21 and additional information received 24/08/21,13/10/21, 05/03/22 and 09/04/22).
Recommendation:	GRANT
Application Type	Full Application

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

1.2 The application site is located within a 500-acre arable and dairy farm associated with Broomfield Farm. The main farmhouse, farm complex and milking parlour is located across Greenhead Road to the east of the application site. There is a mobile home located Broomfield Farm for the dairy worker and there is also at house at Leadgate where another farm worker lives.

1.3 The farm itself has a single agricultural holding number and single business identifier number from Defra.

1.4 More specifically, the application sites relates to an agricultural field to the west of Greenhead Road. The land was formerly part of Ashtree Farm and now forms part of Broomfield Farm. The former farm steading of Ashtree Farm is located to the south. Planning permission was granted in 2000 for the conversion of these buildings to residential and holiday let use (see planning history).

1.5 The application site is located within something a depression, with land levels rising both to the east and west. The application site is accessed via a farm access onto Greenhead Road. Land levels generally drop gradually from north to south.

1.6 The application site is located within the Green Belt, as defined by the Local Plan for Gateshead.

1.7 DESCRIPTION OF THE APPLICATION

The planning application seeks full planning permission for the erection of a single agricultural building associated with Broomfield Farm.

1.8 The proposed building would measure 91.1 metres by 42.67 metres and would have a ridge height of 8.3 metres. The applicant proposes for the building to be constructed from pre-cast concrete panels, steel sheeting and the roof would be constructed of grey cement sheeting. There will be a portion of the elevations left open to allow ventilation.

1.9 The application proposes that the building be utilised for storage and stock rearing. The building would be used to undertake activities already carried out on the farm. It is intended to be used to house existing cattle rather than 'out winter' them i.e., keep them outside. In addition to this, the storage element of the building would be used to store produce e.g. straw.

1.10 No works to the site access and/or internal farm roads are proposed.

1.11 PLANNING HISTORY

The planning history associated with the application site is set out below.

Ashtree Farm

- 00103/98; Planning permission granted for 'Refurbishment of disused farmhouse to dwellinghouse (use class C3).' Date; 05 May 1998.
- 00467/00; Planning permission granted for 'Conversion of redundant farm buildings to one dwellinghouse (use class C3) and three holiday cottages (use class C3) and change of use from dwellinghouse (use class C3) to bed and breakfast accommodation (use class C1).' Date; 26 June 2000.

Broomfield Farm

- DC/21/00714/FUL; Planning permission granted for 'Extension to existing agricultural cow sheds (additional information 26.10.2021 and 18.11.2021).' Date; 03 December 2021.
- DC/19/00889/FUL; Planning permission granted for 'Installation of a BioMass boiler and associated flue in an existing machinery store (retrospective).' Date; 22 October 2019.
- DC/18/01077/FUL; Planning permission granted for 'Erection of steel framed Cow Byre.' Date; 13 December 2018.
- DC/18/00849/AGR; Prior approved consent refused for 'Erection of an agricultural building.' Date; 10 September 2018.
- DC/16/00929/FUL; Planning permission granted for 'Extension to existing general agricultural store.' Date 11 November 2016.
- DC/14/00456/FUL; Planning permission granted for 'Agricultural shed for general storage.' Date; 28 October 2014.
- DC/12/00750/FUL; Planning permission granted for 'Erection of agricultural building to store agricultural machinery (retrospective) (amended 05/04/13).' Date; 07 June 2013.

- DC/11/01142/AGR; Prior approval consent granted for ‘Erection of agricultural building to store agricultural machinery.’ Date; 01 November 2011.
- DC/09/01508/FUL; Planning permission granted for ‘Extension to on-farm composting site including formation of new access.’ Date; 04 February 2010.

2.0 Consultation Responses:

The Coal Authority	No objection subject to conditions.
The Environment Agency	No objection.
Natural England	No objection.
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 Individual notification letters were sent local residents, site notices were erected, and a press notice was published in The Journal. The overall notification period ended on 08 June 2022. This is owing to the publication of the press notice on 18 May 2022.
- 3.3 No representations have been received at the time of drafting this report.

4.0 Policies:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

CS13 Transport

CS14 Wellbeing and Health

CS15 Place Making

CS17 Flood Risk and Waste Management

CS18 Green Infrastructure/Natural Environment

CS19 Green Belt

MSGP15 Transport Aspects of Design of Dev

MSGP17 Residential Amenity

MSGP20 Land Contamination/Stability

MSGP24 Design Quality

MSGP29 Flood Risk Management

MSGP37 Biodiversity and Geodiversity

5.0 Assessment:

5.1 The considerations are the impact of the development on the Green Belt, residential amenity, highways, and protected species.

5.2 GREEN BELT

In terms of the control of new development in the Green Belt, the relevant national policy is contained in paragraphs 147 to 151 of the NPPF and states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt (inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances).

5.3 Paragraph 149 a) of the NPPF sets out the following exception (to the above); *"buildings for agriculture and forestry..."*

5.4 Paragraph 138 of the NPPF gives five purposes of the Green Belt. These are; 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. Policy CS19 of the Core Strategy is in broad compliance with paragraph 134 of the NPPF and also sets out purposes for including land in the Green Belt in Gateshead.

5.5 It is clear based on the application that the proposed building would be used for agricultural purposes i.e., the keeping of livestock and the storage of farm produce/materials. The proposed development would comply with the exception set out at Paragraph 149 a) of the NPPF, as such the proposal would be appropriate development within the Green Belt.

5.6 Based on the above assessment, it is considered that the proposal would constitute appropriate development in the Green Belt and complies with the 'five purposes' of including land within the Green Belt. The proposal is considered to comply with Paragraphs 138 and 147-151 (inclusive) of the NPPF.

5.7 VISUAL AMENITY/LANDSCAPE

The development is to be located within a depression, when viewed from east to west. When viewed from the north of the site the undulating land levels and field boundaries would limit its impact. Further the location of the building has been selected for operational reasons and alternative locations have been considered by the application.

- 5.8 Views and impact of the building would be limited to more 'close up' views on approach to the site e.g., from Greenhead Road. However, these impacts have been limited as far as possible through both the selected location and the proposed design of the building i.e., the building will have a 'ruralistic' appearance and will be open sided. As such, it is considered that the proposed development would not have an unacceptable impact visual amenity or landscape.
- 5.9 It is considered that the proposed development would not be alien within it's context, subject to a condition pertaining to materials (Condition 3). The proposed development is considered to be acceptable from a visual perspective and accords with the aims and objectives of the NPPF and Policies CS15 and MSGP24 of the Local Plan for Gateshead.
- 5.10 **IMPACT ON RESIDENTIAL AMENITY**
The proposed development would be located a significant distance from any sensitive receptors (circa 230 metres) and wouldn't introduce any additional activities to the farm. Further, there has been no objection to the proposal by Environmental Health Officers or by the Environment Agency. It is considered that the proposed development would not result in any unacceptable impact as a result of noise or odour.
- 5.11 Further, given the separation distance afforded between the proposal and other built development, it considered that the development would not cause any significant harm to the living conditions of adjacent residents through loss of light, overshadowing or visual intrusion.
- 5.12 It is therefore considered that the development is acceptable from a residential amenity point of view and accords with the aims and objectives of the NPPF and Policies CS14 and MSGP17 of the Local Plan for Gateshead.
- 5.13 **TRAFFIC, ACCESS AND PARKING**
It is proposed that the building would be accessed via an existing farm access and using internal farm roads/assesses. Given the proposed development would result in the refinement of existing farm operations, as opposed to introducing any new enterprise, it is considered that no increase in traffic movements would occur. On this basis, it is considered that the development would not result in any impact on highway safety or the wider highway network.
- 5.14 However, to ensure that the proposal would not result in a significant traffic increase moving forwards, it is considered necessary attach a planning condition that restricts the use of the building to those specified in the application i.e., storage and stock rearing (Condition 4).

5.15 The proposed development is acceptable in highways terms and would accord with the aims and objectives of the NPPF and Policies CS13 and MSGP15 of the Local Plan for Gateshead.

5.16 LAND STABILITY

The application site falls within a defined Development High Risk Area and therefore the site and surrounding area is potentially at risk from coal mining features and hazards. As a result, the applicant has submitted a Coal Mining Risk Assessment, which has been assessed by the Coal Authority.

5.17 The Coal Authority is satisfied with the broad conclusions of the report, informed by the site investigation works; it is considered necessary to condition that an intrusive investigation is undertaken to identify any potential remedial works required. Subject to appropriate conditions (Conditions 5 and 6), The Coal Authority does not object to the proposed development.

5.18 The development is, therefore, considered to comply with the NPPF and policies CS14 and MSGP20 of the Local Plan for Gateshead.

5.19 DRAINAGE

A flood risk and drainage assessment has been submitted with the application, in accordance with Policies CS17 and MSGP40 of the Local Plan for Gateshead. The drainage hierarchy has been demonstrated by the infiltration testing that has been undertaken which demonstrates that draining to the ground is not appropriate. A greenfield runoff rate has been calculated and the proposed drainage system has been modelled to demonstrate the adequacy of the proposed surface water drainage system.

5.20 Officers agree with the submitted assessment, however it is considered that final details of the drainage system be provided alongside details of how the system will be managed and maintained (Conditions 7 to 8).

5.21 Subject to the conditions set out above, it is considered that the proposal would comply with the aims and requirements of Policies CS17 and MSGP29 of the Local Plan for Gateshead.

5.22 ECOLOGY

The proposed development had been amended through the application process, the development now proposes the removal of at least one tree and a section of hedgerow, and the creation of a SuDS pond; all of which were not originally proposed. As such, it is considered that an appropriate level of ecological survey and assessment be undertaken to inform the proposals, and, where impacts on biodiversity are predicted, allow for the development of an appropriate mitigation strategy.

5.23 Furthermore, the NPPF and policy MSGP now requires that development provide biodiversity net gain.

- 5.24 It is considered that the above requirements can be secured via planning conditions in this instance, taking into account the time of submission of the applicant and the land available to the developer which could be used to mitigate any impacts. It is considered necessary to condition the submission of both a Biodiversity Method Statement (Conditions 8 and 9) and a Biodiversity Net Gains Assessment and Plan (Conditions 10 and 11).
- 5.25 There is no objection to the proposal from Natural England.
- 5.26 Based on the above and subject to conditions, it is considered that the development complies with the requirements of the NPPF, and Policy CS18 and MSGP37 of the Local Plan for Gateshead.

6.0 CONCLUSION

- 6.1 Taking all the relevant issues into account, it is considered that the proposed development is acceptable and fully complies with the aims and objectives of the NPPF, and the relevant policies of Local Plan for Gateshead.
- 6.2 Therefore, it is recommended that planning permission be granted, subject to the below conditions.

7.0 Recommendation:

Authorise the Service Director of Climate Change, Compliance, Planning and Transport to determine the application at the end of the publicity period after consultation with the Chair and/or Vice-Chair with a view that permission be GRANTED subject to the following condition(s) and that the Service Director of Climate Change, Compliance, Planning and Transport 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 -
Site Location Plan
Internal Layout Plan
AW/20/02

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 and shown on plan number AW/20/02.

Reason

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with the NPPF and policies CS14, CS15 and MSGP24 of the Local Plan for Gateshead.

4

The building hereby approved shall be used for no purpose(s) other than those particularised in the planning application i.e., storage of farm related equipment/material and stock rearing.

Reason

In the interests of highway safety and in order to accord with NPPF and policies CS13 and MSGP15 of the Local Plan for Gateshead.

5

No further development other than site clearance shall be commenced until intrusive site investigation works have been undertaken in order to establish coal mining legacy issues on site. The findings of the intrusive site investigations works in relation to coal mining legacy issues along with details of any remedial works (and timescales) required shall be submitted and approved by the LPA prior to the commencement of the development hereby approved.

Reason

To ensure that risks from coal mining legacy issues to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours, and other offsite receptors in accordance with the NPPF and policies CS4, and MSGP20 of the Local Plan for Gateshead.

6

Any remedial works identified under Condition 5 shall be implemented in accordance with the timescale set out in the approved findings.

Reason

To ensure that risks from coal mining legacy issues to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours, and other offsite receptors in accordance with the NPPF and policies CS4, and MSGP20 of the Local Plan for Gateshead.

7

The development shall not progress beyond the groundworks phase until a detailed scheme for the disposal of foul and surface water from the development has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include the following details:

- a) details of existing land drainage;
- b) an assessment of the potential for disposing of surface water by means of a sustainable drainage system
- c) information about the design storm period and intensity
- d) the method employed to delay and control the surface water discharged from the site, including the method employed to delay and control the surface water discharged from the site, including a detailed layout plan showing existing and proposed levels, particularly at and in the vicinity of the proposed basin and existing ditch, together with electronic modelling and site-specific flow control details.
- e) the measures taken to prevent pollution of the receiving groundwater and/or surface waters
- f) a timetable for its implementation; details of when elements of proposed drainage scheme will be implementing and connected
- g) a Drainage Construction Method Statement: details of how these drains will be protected during the construction phase, and methodology and specification for their replacement should damage occur, shall be submitted
- h) a Drainage Management & Maintenance Document for the lifetime of the development, which shall include a schedule of inspection and maintenance activities and associated frequencies, together with confirmation of responsibility for ensuring maintenance will be implemented and therefore that the drainage system will be operational throughout its lifetime.

For the avoidance of doubt, criterion a) will be satisfied by the provision of an accurate survey of the existing live land drainage, to confirm line and invert levels/ pipe diameters, plus any connecting chambers. A proposal for the permanent re-instatement of any lengths of temporary drainage plus any connections shall be developed. This information shall be appended to the proposed drainage plan to demonstrate that there are no conflicts between existing and re-instated drainage and the proposed drainage and engineering works.

For the avoidance of doubt, criterion g) will be satisfied by the inclusion in the Method Statement of a surveyed plan of the existing live land drainage showing line and invert level of the drain plus any connecting chambers. Details of how these drains will be protected during the construction phase, and methodology and specification for their replacement should damage occur, shall be submitted as part of the details required by g) above.

Reason

To prevent the increased risk of flooding in accordance with the NPPF and policies CS17 and MSGP29 of the Local Plan for Gateshead.

8

The drainage scheme approved under condition 7 shall be constructed, implemented, managed, and maintained in accordance with the approved timetable and managed and maintained in accordance with the approved details thereafter.

Reason

To prevent the increased risk of flooding in accordance with the NPPF and policies CS17 and MSGP29 of the Local Plan for Gateshead.

9

Notwithstanding the submitted information, no development shall commence on site until a Biodiversity Method Statement (BMS) has been submitted to and approved in writing by the LPA.

Reason

To ensure adverse impacts on biodiversity (incl. trees and hedgerows) are avoided/minimise and that enhancements for biodiversity are provided in accordance with the NPPF, and Policies CS18, MSGP36 and MSGP37 of the Local Plan for Gateshead.

10

The approved BMS, approved under Condition 9, shall be implemented in full during the construction and operational phases of the development.

Reason

To ensure adverse impacts on biodiversity (incl. trees and hedgerows) are avoided/minimise and that enhancements for biodiversity are provided in accordance with the NPPF, and Policies CS18, MSGP36 and MSGP37 of the Local Plan for Gateshead.

11

Notwithstanding the submitted information, no development shall commence on site until a Biodiversity Net Gain (BNG) Assessment and plan, including a completed copy of the most up to date Defra metric, and which demonstrates that the development will deliver measurable BNG, shall be submitted to an approved in writing by the LPA.

Reason

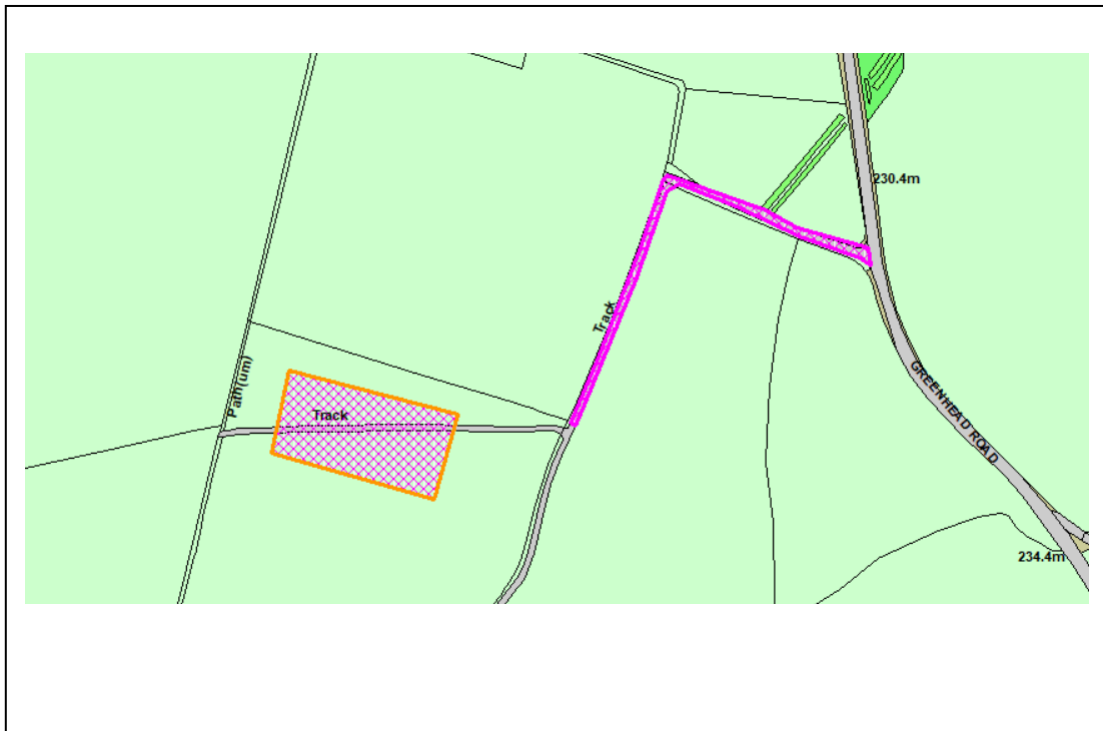
To ensure the development achieves measurable BNG in accordance with the NPPF and policy MSGP37.

12

The BNG Assessment metric and plan, approved under Condition 11, shall be implemented in full and retained thereafter for the life of the development or a period of no less than 30 yrs. (whichever is the longer).

Reason

To ensure the development achieves measurable BNG in accordance with the NPPF and policy MSGP37.



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