

Item Number: 10
Application No: 14/01318/MFUL
Parish: Luttons Parish Council
Appn. Type: Full Application Major
Applicant: Mr Andrew Thornton
Proposal: Erection of 3 no. open fronted cattle buildings and 1 no. open sided straw barn together with erection of extension to existing open fronted cattle building following demolition of 2 no. existing agricultural buildings (retrospective application)
Location: Outbuildings East Of Croome Dale Lane East Lutton Malton North Yorkshire

Registration Date:
8/13 Wk Expiry Date: 9 March 2015
Overall Expiry Date: 6 February 2015
Case Officer: Helen Bloomer **Ext:** 328

CONSULTATIONS:

Archaeology Section	As the application is retrospective no archaeological mitigation is appropriate
Parish Council	Object
Highways North Yorkshire	No objection
Environmental Health Officer	No views received to date
Sustainable Places Team (Yorkshire Area)	No views received to date
Land Use Planning	No views received to date
Neighbour responses:	None

SITE:

The application site contains a range of modern agricultural buildings and is within the open countryside within an Area of High Landscape Value. The site is accessed by an existing single farm track and is situated within a natural hollow in the high Wold landscape.

There are two planting blocks to the north and south of the site.

Prior to the erection of the current farm buildings the applicant has provided a plan to show that the site had previously three agricultural buildings situated.

PROPOSAL:

Planning approval is being sought for the retrospective erection of four modern agricultural buildings and the extension of an existing building. The buildings are tightly clustered and cover a floor area of approximately 2236 square metres.

When the applicant first introduced the cattle to the site there were approximately 150. Following further expansion of the farmstead through the construction of buildings two and four the number of cattle housed on the site has increased to 330 head of cattle. The cattle come from farms to the north of England in September and October aged between 18 -24 months, they remain onsite within the buildings until the following spring summer.

No mains services are provided to the site and so the applicant has adopted a straw based wet feed husbandry system. The cattle whom are housed on straw, are primarily fed on produce grown on the arable land which surrounds the site. In turn the straw muck is returned to the land and used as fertilizer.

ENVIRONMENTAL IMPACT ASSESSMENT:

The development is considered to fall within Section 1(c) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (Intensive livestock installations). It is for the Local Planning Authority to consider whether the development is likely to have significant effects on the environment by virtue of factors such as size, nature and location.

The agricultural buildings have an approximate floor area of 2236 square metres. However, as the development is not within a sensitive area as defined by the 2011 EIA Regulations, Part 1 Section 2.

The opinion of the Local Planning Authority is that the development does not compromise EIA development.

HISTORY:

This application is retrospective and seeks to regularise the works and operations which have already been carried out. The application has come forward following Officers enforcement investigation.

There is no other planning history on this site.

POLICY:

National Planning Guidance

National Planning Policy Framework
National Planning Policy Guidance

Ryedale Plan - Local Plan Strategy

Policy SP9 - The Land Based and Rural Economy
Policy SP13 - Landscapes
Policy SP16 - Design
Policy SP19 - Presumption in favour of sustainable development
Policy SP20 - Generic development management issues

APPRAISAL:

i) Principle

This application is 'Major' development because the proposed buildings have a floor area in excess of 1,000m². As such it is required to be determined by the Planning Committee.

Policy SP9 (The Land Based and Rural Economy) of the Ryedale Plan - Local Plan Strategy as well as Paragraph 28 of the National Planning Policy Framework seeks to support the sustainable growth and expansion of existing businesses. The site has now been in operation for the last three years, it now equates to approximately 40% of the farmsteads turnover, with potatoes and arable making up the remaining 60%. The principle of the development is therefore considered acceptable.

ii) Impact on the AHLV

The application site is nestled into a natural hollow in the top of the Wolds AHLV. On approaching the site along the existing single track it remains largely hidden until the final descent into the hollow. The only apparent view onto the site is from a section of the public highway which runs to the north west of the site approximately 1 kilometre away.

This is only a passing view and is soon lost due to the undulating nature of the landscape. The existing buildings gable end which are the most visible, are green and brown which aids them to sit neatly in the landscape further reducing any prominence.

Notwithstanding the above the site historically, was used for the purpose of agriculture, and although at a smaller scale did contain a significant collection of agricultural buildings (a satellite image has been added as an appendices alongside the previous site layout for information purposes). It is therefore Officers opinion that in terms of impact on the landscape this small part of the Wolds is characterised by a collection of agricultural buildings. Although the new buildings are larger in scale, they are tightly clustered. This coupled with the existing planting with once matured largely screen the most prominent views onto the site from any public vantage points. The landscape impact is considered to be very limited. It is therefore considered that the development does not result in a loss or degradation to the historic landscape character of the Wolds. Given the extensive landscaping which has already been carried out it is not being recommended to condition any additional landscaping.

iii) Management

The applicants original business was located at Manor Farm (approximately 1500 metres to the north) and mainly involved the growing of potatoes and other arable crops. A decision was made to expand the business via a beef rearing operation. This location was considered suitable for such an operation because of its isolated location and the fact there are no nearby protected properties.

The cattle (aged either 18 or 24 months), arrive to the site from farms across the north of England in October and November. They are kept on the straw based system and remain on site until the following spring/summer. In order to enable the growth of this aspect of the farming enterprise, the applicant has adopted a straw based wet feed husbandry system, This involves the animals being fed from food produced on the land managed by the applicant. In turn the straw muck is returned to the land and used as fertilizer. The buildings are not washed out following the dispatch of the cattle. If further cleaning is required above the clearing of muck the applicant has confirmed he uses lime.

The management of the site is a further consideration as the application site is situated within both a Surface Water and Ground Water Nitrate Vulnerable Zone. The Environment Agency formal consultation response has not been received at the time of writing this report. Members will be updated either in the Committee late pages, or at the Planning Committee Meeting. Officers have however been in discussion with the Environment Agency, whose officers have verbally confirmed that the existing management of the farmstead complies with the NVZ Rules. The Environment Agency is the relevant organisation that is responsible for dealing with any contravene of the rules.

iv) Other Issues

The Parish Council has objected to the development. Whilst they applaud the promotion of sustainable agricultural business; it is their view that this should not be at the expense of the Area of High Landscape Value nor the lawful planning system. Members will note that the impact of the development on the special character of the Wolds AHLV has been considered in an earlier section of the Officers report. This application is retrospective. However this is not a material planning consideration and cannot be given any weight when making a decision on the merits of the application.

The Parish Council dispute the description of the access being existing, do not believe that this should form part of the application. However the satellite image submitted by the Parish Council appears to show an access track leading into the former farmstead in the same position as is existing. Officers are reasonably satisfied that the access track has been in place for a significant period of time to be considered lawful although in more recent years, it could have been upgraded. The Highway Authority has raised no objection.

North Yorkshire County Council Archaeology were consulted as the application site is within an area of archaeological interest. However as the application is retrospective and the groundwork's having already been carried out, there is no archaeological mitigation appropriate.

A number of the points raised however do not form material considerations that are within the control of the Local Planning Authority.

Taking the above assessment into consideration it is considered that the development accords with both Local and National Planning Policy. The recommendation to Members is therefore one of approval.

RECOMMENDATION: Approval

Background Papers:

Adopted Ryedale Local Plan 2002
Local Plan Strategy 2013
National Planning Policy Framework
Responses from consultees and interested parties