

Item Number: 9
Application No: 17/00400/MFUL
Parish: Welburn (Kirkbymoorside) Parish Meeting
Appn. Type: Full Application Major
Applicant: Mr William Shaw
Proposal: Erection of 3 no. steel framed and clad agricultural buildings for the housing of livestock, with associated works including circulation space, hardstanding and landscaping.
Location: Land Off Flatts Lane Welburn Kirkbymoorside

Registration Date:
8/13 Wk Expiry Date: 18 July 2017
Overall Expiry Date: 25 May 2017
Case Officer: Charlotte Comforth **Ext:** 325

CONSULTATIONS:

Parish Council	No comment
Highways North Yorkshire	Recommend conditions
Land Use Planning	Recommends condition
Environmental Health Officer	No views received to date
Countryside Officer	Submission of a landscaping plan required

Neighbour responses: None

SITE:

The proposed livestock buildings are to be located at Hall Farm and will be accessed off Back Lane, to the north of Flatts Lane on the western fringes of the hamlet of Welburn. The main A170 is located approximately 500 metres to the north of the site. The proposed livestock buildings are to be positioned in part on the site of an old steel framed agricultural building that the agent has stated is nearing the end of its useful life. The proposed buildings will be extend onto farmland to the immediate west of a number of existing partly redundant traditional farm buildings that are under the same ownership as the applicant. The surrounding land comprises of agricultural land of both pasture and arable use, comprising of c860 acres of which c300 acres is permanent grass.

PROPOSAL:

Erection of 3 no. steel framed and clad agricultural buildings for the housing of livestock, with associated works including circulation space, hard standing and landscaping.

The application is to be determined by Planning Committee as the floor areas of the building exceeds 1000 square metres (2517 square metres). The overall area of coverage of the new development, including the buildings, apron and hard standing is 0.55 hectares.

The largest building that will be positioned in the middle of the two smaller buildings. It will measure 45.9 metres in length, 27.7 metres in width, with an eave height of 5 metres and a ridge height of 8.6 metres.

The two smaller buildings to the north and south of the larger building will measure 45.9 metres in length, 13.7 metres in width, 5 metres to the eaves and 6.8 metres to the ridge.

All 3 buildings are to be of steel frame construction, with fibre cement roof sheets incorporating roof lights with open protected vented ridges and fibre cement barge boards to the gable end and verges.

The upper walls will comprise of a combination of open and overlap vertical boarding (Yorkshire Boarding) with 2.4 metre concrete panels to the base, with each building being part open to the ends and where facing into the feed passages. Rainwater goods will be uPVC. Rainwater will be collected from the roofs for livestock and for other uses on the farm.

The existing agricultural building will be demolished.

The proposed buildings will provide space for approximately 250-300 beef cattle. The applicant proposes to focus on high quality native beef cattle breeds such as Hereford which will be housed in the buildings over winter, grazing on adjacent pasture during the summer.

HISTORY:

There is no relevant planning history regarding the site.

POLICY:

The Ryedale Plan - Local Plan Strategy (2013)

Policy SP9 - Land Based Rural Economy

Policy SP13 - Landscapes

Policy SP16 - Design

Policy SP19 - Presumption in favour of sustainable development

Policy SP20 - Generic Development Management Issues

National Planning Policy Framework (NPPF) (2012)

Chapter 3. Supporting a prosperous rural economy

Chapter 7. Requiring good design

National Planning Policy Guidance (NPPG)

APPRAISAL:

The main considerations in relation to this application are

- i. The Principle of Development
- ii. Size, scale and design of the proposed buildings
- iii. Impact upon the wider open countryside landscape
- iv. Highway safety
- v. Impact upon neighbour amenity
- vii. Other matters
- viii. Conclusion

i. The Principle of Development

Policy SP9 (The Land Based and Rural Economy) of the Ryedale Plan – Local Plan Strategy is supportive of new buildings that are necessary to support land-based activity and a working countryside, including farming. Furthermore, Section 3 (Supporting a prosperous rural economy) of the National Planning Policy Framework is supportive of sustainable growth and expansion of all types of business and enterprise in rural areas, through well designed new buildings.

The agent has provided a commentary outlining the economic and land use benefits of a mixed use farming approach. The commentary states:

- *Increasing the level of grassland in use will have environmental benefits in that there be less use of/need for sprays that are normally required for arable land. Nutrients will be recycled on the farm via muck spreading from the livestock operation, therefore reducing the need for importing. The cattle will be bedded on straw, which will be collected and then spread on nearby land, under the ownership/control of the applicant. Soil health generally will be improved by the introduction of animal muck/organic matter*
- *Having a mixed use farming operation in this area with c300 acres of pasture within the 850 acre land holding will have clear benefits with regarding to improving and restoring the grassland and landscape character, much of which has been lost in recent years on other farms as intensive arable farming operations have development*
- *For the farming operation, business risk will be reduced with the risk being spread between two different farming methods/types.*
- *With a high end beef operation such as with this proposal, the market is more likely to be stable and local/UK focused, providing clear economic benefits for the region and country*
- *Benefits also include the employment of additional staff to include one further full time and two part time farm workers/stockmen for day to day farm management and animal husbandry etc, with significant related local and wider ranging spin off employment in construction, machinery, feed, butchers, sales to local shops etc.*
- *The development will provide up to date and high quality space/accommodation for livestock, compared with many other operations that exist, which must be regarded as a positive in relation to animal welfare/husbandry etc. An existing old framed building on the farm, which is nearing the end of its life and is quite unsightly, will be replaced resulting in visual enhancements.*
- *It is expected that as part of this development to provide modern up to date livestock buildings that will assist in moving forward a sustainable farm business, several adjacent and redundant traditional farm buildings will be converted for occupation by farm workers. This will benefit these currently redundant buildings in that they will have a future beneficial and sustainable use and from a general security perspective, the farm workers will be located on site.*

It is considered that the principle of erecting 3 no. steel framed and clad agricultural buildings for the housing of livestock, with associated works including circulation space, hard standing and landscaping in this location and within the farmstead is considered acceptable and satisfies Policy SP9 (The Land Based and Rural Economy) of the Ryedale Plan – Local Plan Strategy.

ii. Size, scale and design of the proposed building

This siting of the proposed buildings is considered to be the most appropriate within the farmstead and is considered to be a logical expansion to the existing farmstead. The floor level of the buildings will be lower than the existing ground level, varying from 1.74 metres to the east of the site and 3.19 metres to the west. The design of the building is typical of a modern agricultural building under a pitched roof. The Yorkshire Boarding and dark grey roof will also ensure that the building will be integrated into the surrounding landscape and relate to the existing buildings on the site.

It is considered that the proposal satisfies Policy SP16 (Design) and Policy SP20 (Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy.

iii. Impact upon the wider open countryside landscape

Policy SP13 (Landscapes) of the Ryedale Plan - Local Plan Strategy states:

Landscape Character:

Development proposals should contribute to the protection and enhancement of distinctive elements of landscape character that are the result of historical and cultural influences, natural features and aesthetic qualities including:

- *The pattern and presence of distinctive landscape features and natural elements (including field boundaries, woodland, habitat types, landforms, topography and watercourses)*
- *Visually sensitive skylines, hill and valley sides*

There will be views of the proposed building from both Flatts Lane to the south and Back Lane to the east. There will be closer views of the proposed building from the Public Rights of Way that runs to the north of the site. These views of the building will be within the context of an established group of buildings and will replace an existing old steel framed and clad building that is a state of disrepair.

The proposal will involve the removal of a mature tree. An additional plan has been received showing detailed planting which is appended to this agenda. A mixed hedge is proposed around the perimeter of the proposed buildings and additional tree planting is proposed along the western boundary and eastern boundary. The existing trees on the southern and east boundary are proposed to be retained and will be protected during construction in accordance with British Standard BS 5837:2012.

It is considered that the proposal satisfies the requirements of Policy SP13 (Landscapes) of the Ryedale Plan - Local Plan Strategy.

iv. Highway safety

The proposed buildings will be accessed via the existing vehicular access off Back Lane to the east of the site. The A170 is located 500 metres to the north of the site. The Local Highway Authority has raised no objection to the proposal and has recommended that conditions regarding the discharge of surface water and precautions to prevent mud on the highway are attached to the Decision Notice.

It is considered that the proposal satisfies the requirements of Policy SP20 (Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy.

v. Impact upon neighbour amenity

The closest residential property to the site (not within the applicants ownership) is Welham House, located approximately 60 metres to the east of the siting of the proposed buildings.

The proposed building is not considered to have a material adverse effect upon the amenity of the property of Welham House. This is in terms of being overbearing in presence, cause loss of light or loss of privacy.

The buildings will house livestock over the winter months and there is the potential for the livestock to cause issues regarding noise and odour.

However, the agents have submitted a Manure Management Plan. There is 667 acres of land available to spread manure on. The Manure Management Plan further states that straw bedding will be used in all of the buildings, with fresh straw being put in the cattle pens on a daily basis. The cattle housing will be mucked out, with the muck being transported from the buildings by tractors and trailers to the farm land. The manure will be stored in temporary field heaps, in each field where the manure will be spread. The manure will generally be applied in the arable rotation, prior to the drilling of the crops in the autumn and the spring. A Map has been submitted that shows 'Green' areas that are suitable for spreading subject to weather and ground conditions and 'Yellow' areas where more care is needed when spreading the manure due to slope, soil type or nearby non-agricultural uses.

A condition will be attached to the Decision Notice if Members are minded to approve the application to ensure that the Manure Management Plan is adhered to. If there are any future complaints regarding noise and odour will be dealt with by Environmental Health Officers. The proposal is therefore considered to comply with Policy SP20 (Generic Development Management Issues) of the Ryedale Plan - Local Plan Strategy.

There has been no response from the occupier of Welham House or any other third parties with regard to the proposal.

vii. Other matters

Yorkshire Water have stated the following with regard to the proposal in terms of its impact upon water supply:

If planning permission is to be granted, the following condition should be attached in order to protect the local aquatic environment and YW infrastructure:

Development shall not commence in the relevant part of the site until such time as evidence has been submitted to and approved by the Local Planning Authority that diversion of the 225mm water main laid within the site boundary has been agreed with the relevant statutory undertaker and that the required works have been undertaken without detriment to the public water supply .(In order to protect the public water supply and allow sufficient access for maintenance and repair work at all times)

A 225mm water main runs across this land and will need diverting to allow the proposed development. The developer has been working with Yorkshire Water in this regard and has submitted a request for a diversion estimate. The provisions contained in Section 185 of the Water Industry Act 1991 state that where it is reasonable to do so, a person may require the water supply undertaker to alter or remove a pipe where it is necessary to enable that person to carry out a proposed change of use of the land. The provisions contained in Section 185 also require the person making the request to pay the full cost of carrying out the necessary works.

Until such time as the pipe is diverted, the water main is lawfully retained in its existing position and the water supply undertaker (Yorkshire Water) is entitled to have the pipe remain so without any disturbance. The provisions of Section 159 of the Water Industry Act 1991 provides that the water supply undertaker may "inspect, maintain, adjust, repair or alter" the pipe. These rights are given to enable the water supply undertaker to perform its statutory duties.

The suggested condition will be attached to the decision notice if members are minded to approve the application.

Kirkbymoorside Town Council have no comments to make regarding the proposal.

viii. Conclusion

In light of the above considerations, the erection of 3 no. steel framed and clad agricultural buildings for the housing of livestock, with associated works including circulation space, hard standing and landscaping is considered to satisfy the relevant policy criteria outlined within Policies SP9, SP13, SP16, SP19 and SP20 of the Ryedale Plan – Local Plan Strategy and the National Planning Policy Framework. The proposal is therefore recommended for approval subject to the following conditions.

RECOMMENDATION: Approval

1 The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

- 2 There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme of their implementation have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall be implemented in accordance with the approved details and programme.

Reason:- In accordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy and in the interests of highway safety.

- 3 There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site, and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.

Reason:- In accordance with Policy SP20 of the Ryedale Plan - Local Plan Strategy and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

- 4 Development shall not commence in the relevant part of the site until such time as evidence has been submitted to and approved by the Local Planning Authority that diversion of the 225mm water main laid within the site boundary has been agreed with the relevant statutory undertaker and that the required works have been undertaken without detriment to the public water supply .

Reason: In order to protect the public water supply and allow sufficient access for maintenance and repair work at all times.

- 5 The development hereby approved shall be carried out in accordance with the submitted Hall Farm Manure Management Plan dated 18.05.2017 unless details of a variation have first been submitted to, and approved in writing by the Local Planning Authority.

Reason: To ensure that the development does not have an adverse impact on the existing amenities of neighbouring occupiers nor water courses in the area and to satisfy the requirements of Policies SP17 and SP20 of the Ryedale Plan - Local Plan Strategy.

- 6 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

Site Location Plan - YSRU 383234/AG03.
Proposed Agricultural Buildings Site Plan - YSRU 383234/AG01 Rev C.
Proposed Agricultural Buildings Sections and Elevations - YSRU 383234/AG02 Rev B.
Additional Landscaping and Planting Plan - RM 7.6.2017

Reason: For the avoidance of doubt and in the interests of proper planning.

Background Papers:

Adopted Ryedale Local Plan 2002

Local Plan Strategy 2013

National Planning Policy Framework

Responses from consultees and interested parties