

Application No: 12/1073N

Location: TOP END FARM, BARTHOMLEY ROAD, BARTHOMLEY, CHESHIRE,
CW2 5NT

Proposal: RETENTION OF EXTENSIONS TO AGRICULTURAL BUILDINGS

Applicant: MR MARK ABELL

Expiry Date: 11-May-2012

SUMMARY RECOMMENDATION

Refuse

MAIN ISSUES

- **Principle of Development**
- **Impact on Character, Appearance and Openness of Green Belt**
- **Impact on Amenity of adjacent properties**
- **Impact on Highway Safety**

1. REASON FOR REFERRAL

This application is to be determined by the Southern Planning Committee at the discretion of the Head of Development due to the sensitive issues surrounding the site.

2. DESCRIPTION OF SITE AND CONTEXT

The application site forms a farm complex located within the Green Belt as defined by the Local Plan Proposals Map. The site comprises a mixture of traditional brick and more modern portal framed buildings. The site is accessed via a track from Barthomley Road which is also the route of a Public Right of Way along its length (Crewe Green Footpath 3). To the north of the farm complex is a railway line.

Several operations are being carried out at the site including a beef cattle farm, agricultural fertiliser spreading operation, and a concrete panel making process. Not all processes and buildings on the site are authorised.

3. DETAILS OF PROPOSAL

This application seeks the retention of unauthorised extensions to the buildings at Top End Farm. This application seeks retention of:

- An extension of two attached buildings to their eastern elevation comprising 12m x 42.6m with a total footprint of 511.2m² and volume of 4058.52m³
- An extension to the western elevation of one of the buildings comprising 18.2m x 6.5m with a total footprint of 118.3m² and a volume of 650.65m³

4. RELEVANT HISTORY

11/2209N – Certificate of Lawfulness Approved for Use of Farm for the Storage, Blending and Adaption of Fertilisers for Sale 13th January 2012.

10/4960N – Retrospective planning application withdrawn for a Change of Use from Agricultural Use (Beef Farming) to a Concrete Panel Business on 23rd December 2010.

P07/1104 – Planning permission approved for Agricultural Building for Storage and use as Workshop, open topped Crop Storage on 16th November 2007.

P06/0450 – Consent approved for Erection of Agricultural Silage Building Relocated from Limes Farm on 2nd June 2006.

P95/0052 – The Local Planning Authority did not object to the erection of an agricultural building subject to a landscaping scheme in 2005.

P94/0981 – The Local Planning Authority objected to the erection of an agricultural building in 2004.

5. POLICIES

National Planning Policy

National Planning Policy Framework (2012)

Local Plan Policy

NE.1 Development in the Green Belt

NE.14 Agricultural Buildings Requiring Planning Permission

BE.1 Amenity

BE.2 Design Standards

BE.3 Access and Parking

BE.4 Drainage, Utilities and Resources

BE.5 Infrastructure

6. CONSULTATIONS (External to Planning)

Environmental Health – No objection subject to building only being used for purpose outlined in report

Environment Agency – No objection (falls outside remit)

7. VIEWS OF THE PARISH COUNCIL

None received at time of writing report

8. OTHER REPRESENTATIONS

None

9. APPLICANT'S SUPPORTING INFORMATION

Design & Access Statement

10. OFFICER APPRAISAL

Principle of development

The National Planning Policy Framework requires consistency between Local Plan and those policies within the framework. Where Local Plan Policies are consistent with the Framework greater weight can be given to that Policy within the Local Plan.

In general terms within the NPPF there is a presumption in favour of sustainable development. The NPPF seeks to achieve sustainable forms of development in its Core Principles through, inter alia, proactively driving and supporting sustainable economic development, while seeking good design and a good standard of amenity, and also protecting Green Belts and recognising the intrinsic character and beauty of the countryside.

In addition paragraph 28 states that support should be given to economic growth in rural areas by adopting a positive approach for sustainable new development to promote a strong rural economy. In particular by promoting the development and diversification of agricultural and other land based rural businesses.

With regard to the Green Belt, section 9 of the NPPF identifies that the aim of the Green Belt is to prevent urban sprawl by keeping land permanently open. The essential characteristics of the Green Belt is its openness and permanence. The NPPF identifies that inappropriate development is harmful and should not be approved except in very special circumstances. Very special circumstances only exist where the harm is outweighed by other considerations. New buildings in the Green Belt are inappropriate with the exception of, inter alia, buildings for agriculture and forestry.

Policy NE.1 also identifies that development in the Green Belt is inappropriate unless it is for agriculture and forestry, amongst others. This Policy is therefore in line with the NPPF in this instance. Policy NE.14 is supportive of the creation of agricultural buildings which are justified, designed appropriately, take into consideration the impact on the landscape and also do not adversely affect the amenity of surrounding uses. It is therefore considered that this Policy also conforms with the principle of sustainable development contained within the NPPF and should be afforded significant weight in the consideration of this application. An unjustified building which is not essential to the agricultural operation or the viability of the operation must be considered to be inappropriate development.

Justification for Development

The application seeks the retention of unauthorised extensions to buildings at the Top End Farm complex. The existing operations at the farm are said to be cattle farming and an ancillary agricultural fertiliser business. However, also included at the site is an unauthorised operation of concrete panel making. The extended buildings which are the subject of this application were constructed as agricultural buildings however on the main have not been used for those authorised purposes and have also been extended. Enforcement action has been taken against the unauthorised concrete panel making facility and extensions; it is understood that an agreement is in place for this operation to vacate the premises by the end of September 2012. However, the retention of the extensions requires regularisation through the approval of a planning application.

It appears that there was no agricultural demand for the use of the buildings for their lawful purpose following their construction, hence the introduction of an unauthorised industrial use. Consideration needs to be given to the existing and proposed business operations to justify the retention of these extensions as being essential development to the agricultural operation.

The application submission states that the applicant proposes to expand its beef cattle enterprise which will require additional internal space for stock, feed storage, fertiliser, a workshop and machinery storage. A further e-mail from the applicants agent now states that applicant also wishes to expand their operations into potato production and storage.

These broad brush statements do not demonstrate that the buildings are essential to the operation and give no indication of the scale of the proposed agricultural operations proposed. As such no evidence has been submitted to demonstrate why so much additional floorspace, which totals 630sqm and of a substantial bulk, is required as essential to the agricultural operations. This is also being mindful that existing authorised buildings are being used for unauthorised operations. In the absence of business plan for the site which clearly demonstrates the existing and proposed operations, and why so much additional development is required it is considered that the proposed development is inappropriate development within the Green Belt and is unacceptable in principle.

It is understood additional information and justification is to be submitted by the applicant's agents. This will be reported in a written or verbal update to Members accordingly.

It should also be noted that there has been an unauthorised extension to the silage clamp which is also attached to the building. This has not formed part of the application and also requires regularisation.

Impact on Character, Appearance and Openness of Green Belt

As detailed above, the proposed extensions which have not been demonstrated as being fully justified are considered to be inappropriate development in the Green Belt. Inappropriate development, by its very nature, is harmful to the Green Belt.

Notwithstanding this, the external appearance of the extensions (subject to the above justification) match the host building and are considered to be acceptable in its context.

Impact on the Amenity of adjacent properties

The nearest non-farm residential property is sited 230m to the west of the farming complex opposite the access drive to the farm. This property is of sufficient distance away from the application proposals not to be affected by loss of daylight or overbearing. While there may be an increase of farm traffic to and from the site this is the established use of the complex which is appropriate to its rural location and it would be unreasonable to refuse the application on noise and disturbance grounds.

Impact on Highway Safety

There would be no alterations to the site access which is considered to be satisfactory for the existing authorised use. While there may be an increase in farming traffic to and from the site this would be related to the established use of the site and is not considered to result in any demonstrable highway safety issues.

11. CONCLUSIONS

The application proposals are for the retention of unauthorised extensions to an agricultural building on a farming complex which is located within the Green Belt. Insufficient evidence has been submitted to demonstrate that the buildings are essential for the agricultural operation. Therefore the proposed development is considered to be inappropriate development within the Green Belt and would therefore cause harm to the character, appearance and openness of the Green Belt. In the light of this the proposal would represent an unsustainable form of development. The proposals are therefore contrary to Policies NE.1 and NE.14 of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within the National Planning Policy Framework.

12. RECOMMENDATIONS

REFUSE for the following reason:

The application proposals are for the retention of unauthorised extensions to an agricultural building on a farming complex which is located within the Green Belt. Insufficient evidence has been submitted to demonstrate that the buildings are essential for the agricultural operation. Therefore the proposed development is considered to be inappropriate development within the Green Belt and would therefore cause harm to the character, appearance and openness of the Green Belt. In the light of this the proposal would represent an unsustainable form of development. The proposals are therefore contrary to Policies NE.1 and NE.14 of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within the National Planning Policy Framework.

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