

Application No: 19/2538N

Location: WHITTAKERS GREEN FARM, PEWIT LANE, HUNSTERSON,  
CHESHIRE, CW5 7PP

Proposal: Application for the erection of a New Agricultural Building for the secure storage of crops, plant and machinery.

Applicant: F H Rushton

Expiry Date: 05-Nov-2019

## **SUMMARY**

The proposal seeks permission for an agricultural building, for secure storage of crops, plant and machinery. Policy PG 6 of the Cheshire East Local Plan Strategy restricts development within the open countryside to that which is essential for the purposes of agriculture, forestry, outdoor recreation or other uses appropriate to a rural area. There is a clear emphasis within the justification of the policy that much of the Open Countryside land is fertile and Cheshire East is a vital area for food production. Saved Policy NE.14 of the Crewe and Nantwich Local Plan sets out a number of criteria which should be met for agricultural buildings requiring planning permission. The emerging Neighbourhood Plan does not have a specific policy relating to new agricultural buildings, however Policy H6 (2ii), states that outside of Settlement Boundaries; Policy PG6 of the CELPS applies.

The building is to be constructed in materials to match the existing building and is of a size which is acceptable and appropriate with the agricultural nature of its use, and will be situated adjacent to a building of a similar design, albeit slightly smaller.

There are no issues raised in relation to the ecology, highways or neighbouring amenity. Therefore, the impacts of the development are not considered to be significant and can be mitigated against with the use of planning conditions, the application is therefore considered to constitute a sustainable form of development and is recommended for approval.

**SUMMARY RECOMMENDATION** - Approve with Conditions

## REASON FOR REFERRAL

This type and size of application is usually dealt with under delegated authority. However, this application has been called into Southern Planning Committee by Councillor Clowes for the following reason;

*'The Parish Council and Local Residents have considerable concerns about this application and the absence of important material details from the application that have bearing on the proposal.*

*1. In 2012 application 12/2121N was approved for the construction of an Implement Shed and the building was constructed in 2017 at Foxes Bank to "Provide storage of essential agricultural equipment associated with the units' production of grain" also the "arable activities take place at Foxes Bank and on the adjoining land at Whittakers Green Farm which also forms part of the applicants holding".*

*This current application for storage of farm equipment - tractors, telehandler, grain trailer, sprayer, seed drill, is not credible when an Implement Shed, (especially for that purpose and constructed in the last 2 years in a more secure location) is available.*

*2. Whittakers Green Farm is 80 Ha and Foxes Bank is 5 Ha however in our previous response to the grain store application 17/2211N (Please refer to this submission or request it separately), based on a 85/90 Ha, it was shown that the following typical production was possible in' best yield years':-*

*Wheat 7.9T/Ha cropping 711T annual*

*Oats 6T/Ha cropping 540T annual*

*Or a combination*

*Volume of Wheat 1.32 cubic metres/T Storage space needed 939 cubic metres*

*Volume of Oats 1.45 cubic metres/T Storage space needed 783 cubic metres*

*In summary, at full capacity (highest yield years) arable crops produced on the holding require less than 1000 cubic metres storage space annually, yet there is a grain store in situ with a volume of 4542 cubic metres and now a proposal for an additional building of 9534 cubic metres. In addition there is a recently constructed, purpose-built Implement Shed at Foxes Bank. (Just a few hundred metres from the proposed site along the same haul road). This application for a very large additional agricultural building is clearly NOT essential for the agriculture operations capable of being carried out on these holdings.*

*In addition it represents yet another sizable incursion into open countryside, further reducing the limited agricultural land to produce crops (contrary to CELPS::Best use of Agricultural Land").*

*As this construction is not essential to the level of activity on these holdings, this remains contrary to PG6 (Open Countryside), does not comply with exception criteria and represents inappropriate and unsustainable development contrary to Policy SD1: (paras 5, 6, 15 and 17), SD2 (Para 1:i to v)*

3. It should be noted that application 17/2211N was approved with important conditions PROHIBITING the IMPORT OF GRAIN based on well-documented issues to the previous objection to this Grain Store 17/2211N with reference to appeals APP/ZO645/A/08/2080691 (the inadequate highway network) and APP/RO660/A/12/2183676 (the noise and disturbance of vehicles passing along the access track).

Should this application be approved, it is important that the new building is subject to the SAME CONDITIONS prohibiting the import of grain in the interests of Resident Amenity on Pewit Lane, and dwellings within the Whittakers Green area (including access via the haul road).

4. The site represents a major further development of isolated sites in open countryside - it should be noted that this proposal lies adjacent to the applicant's existing Green Waste site and windrow composting beds. This will have a further impact on the public's ability to safely access PROW: Hunsterson FP22. The applicant has failed to submit details of HGV movements to the Green Waste site and current farm vehicle and export vehicle numbers that must access Pewit Lane. Both access routes (Pewit Lane and the on-site Haul Road then both access onto Bridgemere Lane which is currently under review by CEC Highways in terms of on-going deterioration of the width and road surface due to HGV parking on the verges whilst waiting for the Whittakers Green sites to open or to allow other traffic past). This is a material factor and concern in regard to this application.

5. This site will have a major impact on open countryside but offers no additional employment opportunities and so does not comply with EG2(i).

6. This proposal, because it represents an unsustainable 'over-capacity' in an open countryside site does not satisfy EG2 in any 'reasonable' regard. It is "not consistent in scale with its location" but is likely to "affect nearby buildings and the surrounding area or detract from residential amenity" (as confirmed in the Appeals Reports cited in (3) above.

For these reasons, it is requested that this application is REFUSED'

## **DESCRIPTION OF SITE AND CONTEXT**

The application site forms an agricultural field located within the Open Countryside. The farming enterprise is an arable operation and comprises a large area of fields. The application site itself is located off an existing track which accesses a Green Waste composting site which is immediately adjacent to the proposed building and is also operated by the applicant. A landscape bund is sited between the site and the green waste operation. A strip of landscaping is also located adjacent to the track to the east of the site.

## **DETAILS OF PROPOSAL**

Full Planning permission is sought for the erection of a New Agricultural Building for the secure storage of crops, plant and machinery. The proposed building is 32m wide, 36m in length with an eaves height of 9.4m, rising to a ridge height of 12m. The building will be constructed in materials to match the existing buildings.

## **RELEVANT HISTORY**

17/2211N – Agricultural Building to Provide Grain Store (resubmission of 16/2930N) – Approved with conditions 23<sup>rd</sup> April 2018

16/2930N – Agricultural building to provide grain store (resubmission of 11/4249N) – Approved with conditions 14<sup>th</sup> November 2016

11/4249N – Agricultural Building to Provide Grain Store – Approved with conditions 26<sup>th</sup> January 2012

There is planning history on the agricultural holding itself with conversion of traditional buildings to dwellings, to fill in hollows/depressions in fields, also a long planning history relating to green waste composting site adjacent to application site.

## **POLICIES**

### **Local Plan Policies**

The relevant policies of the Cheshire East Local Plan Strategy are:

PG 6 Open Countryside  
SD 1 Sustainable Development in Cheshire East  
SD 2 Sustainable Development Principles  
SE 1 Design  
SE 4 The Landscape  
EG 1 Economic Prosperity  
EG 2 Rural Economy

### **Saved policies of the Crewe & Nantwich Borough Council Local Plan Policy**

NE.14 – Agricultural Buildings Requiring Planning Permission  
BE.1 – Amenity  
BE.3 – Access and Parking  
BE.4 – Drainage, Utilities and Resources

### **Wybunbury Combined Neighbourhood plan (Regulation 17) – *currently carries limited weight***

H4: Design  
E5: Landscape Quality, Countryside and Open Views  
F1: Public Rights of Way  
LE1: New and Existing Businesses  
LE3: Use of Rural Buildings  
TI1: Traffic Management  
TI2: Parking  
TI3: Traffic Generation

### **National Planning Policy**

## **CONSIDERATIONS (External to Planning)**

**Strategic Highways** – No objections

**Environmental Protection** – No objections

**PROW** – No Objections, subject to informative for safeguarding the public right of way.

## **VIEWS OF THE PARISH / TOWN COUNCIL**

The proposed building is for the use of the arable farm holding at Whittakers Green Farm and Foxes Bank. The applicant states the existing grain store is at capacity and there is nowhere other than outside to store the agricultural machinery.

The Parish Council objects to this application for the following reasons:-

1. In 2012 application 12/2121N was approved for the construction of an Implement Shed and the building was constructed in 2017 at Foxes Bank to “Provide storage of essential agricultural equipment associated with the units production of grain” also “arable activities take place at Foxes Bank and on the adjoining land at Whittakers Green Farm which also forms part of the applicants holding”.

The planning statement attached goes on to say that the building is for the secure storage of farming machinery and is necessary because the equipment is in the open air and unsightly. The location at Foxes Bank was chosen because it was the most appropriate location close to field access and the farm road. To locate the building elsewhere it would reduce agricultural land available for cultivation. It is of note that the building was constructed in 2017 and was designed to suit the needs of the holding. The grain store (11/4149N) at that time had also been approved although never built and was in the same location as the existing grain store.

This current application for storage of farm equipment - tractors, telehandler, grain trailer, sprayer, seed drill, is not credible when an Implement Shed especially for that purpose and constructed in the last 2 years in a more secure location is available.

2. Whittakers Green Farm is 80 Ha and Foxes Bank is 5 Ha however in our previous response to the grain store application 17/2211N we used 85/90 Ha and then went on to show the following typical production:-

Wheat 7.9T/Ha cropping 711T annual

Oats 6T/Ha cropping 540T annual

Or a combination

Volume of Wheat 1.32 cubic metres/T Storage space needed 939 cubic metres

Volume of Oats 1.45 cubic metres/T Storage space needed 783 cubic metres

Or a combination

(This is expressed in more detail in the previous response).

The point which was clearly made previously is that the arable crops produced on this holding is less than 1000 cubic metres per annum yet currently there is a Grain Store building with a volume of 4542 cubic metres (to the eaves) and a footprint of 745sqm, this proposal states this is not large enough for the storage of the farms crops and there is a requirement for an additional building on the holding. The footprint of the proposed building is 36.5m x 32m = 1168sqm the volume is 36.5m x 20m x 9.4m = 6862 cubic metres plus 36.5m x 12m x 6.1m = 2672 cubic metres. This new agricultural building volume is 9534 cubic metres (figure taken at eaves level).

In summary we have arable crops produced on the holding that require less than 1000 cubic metres storage space annually yet there is a grain store with a volume of 4542 cubic metres and a proposal for an additional 9534 cubic metres and in addition there is a recently constructed purpose built Implement Shed at Foxes Bank. There is no need for this additional agricultural building it is not essential for agriculture at this holding.

3. We realise it is not the subject of this application however the present permission relating to the grain store prohibits the importation of grain and we require this condition to remain. The Parish Council has some serious concerns regarding the infrastructure to support a commercial undertaking at this location which is inadequate and we would strongly oppose a commercial grain drying development at this site. The Parish Council would refer again to the previous objection to Grain Store 17/2211N with reference to appeals APP/ZO645/A/08/2080691 the inadequate highway network and APP/RO660/A/12/2183676 the noise and disturbance of vehicles passing along the access track.

Reference is made within the application to Mornflake who have a commercial grain store/drying operation at Prees near Whitchurch which is on an old airfield in 2 disused hangers with access directly off the A49 trunk road. The Parish Council would not welcome a repeat of this type of operation on the local country lanes and along the farm access track passing 7 residential properties (2 currently in the applicants ownership). One property is in close proximity to the proposed building within approximately 200m and whilst it is stated it will be screened we do not see how that can be achieved using native deciduous trees which lose leaves in winter and a 9.4m high side wall of a building is not acceptable.

**OTHER REPRESENTATIONS** – none received at time of writing this report.

## **OFFICER APPRAISAL**

### **Principle of Development**

Policy PG 6 of the Cheshire East Local Plan Strategy restricts development within the open countryside to that which is essential for the purposes of agriculture, forestry, outdoor recreation or other uses appropriate to a rural area. There is a clear emphasis within the justification of the policy that much of the surrounding countryside land is fertile and Cheshire East is a vital area for food production. Saved Policy NE.14 of the Crewe and Nantwich Local Plan sets out a number of criteria which should be met for agricultural buildings requiring planning permission. The emerging Neighbourhood Plan does not have a specific policy relating to new agricultural buildings, however Policy H6 (2ii), states that outside of Settlement Boundaries; Policy PG6 of the CELPS applies.

The applicant states that the total land holding of the farm is 225 acres, and is an arable farm, which produces cereals which are largely supplied to Mornflake. The existing building recently permitted under 17/2211N is at full capacity and includes a drying facility within it (Biomass boiler). The new building is proposed to be used for storage of arable crops and the storage of essential machinery and plant associated with the agricultural activity on site.

Additional information received from NFU states that in view of Brexit, on farm storage will provide a more flexible way to manage the price fluctuations in the markets, storing grain for longer time periods. Furthermore, different varieties of grain must be kept separately, and require suitable segregation. There is also a need to store for seeds and fertilisers and this can not be stored within the same building as the Biomass boiler.

The proposed building is 32m wide (12m with an open fronted elevation), 36m in length with an eaves height of 9.4m, rising to a ridge height of 12m. The proposed building is of a design and size which is in keeping with the surrounding area. It will be constructed adjacent to an existing building, and adjacent to existing development associated with the Green Waste Site.

The building is to be constructed in materials to match the existing building and is of a size which is acceptable and appropriate with the agricultural nature of its use, and adjacent to a building of a similar design, albeit smaller.

It is therefore considered that the building is required for the essential need of agriculture and is therefore acceptable in principle.

The main issues of the proposal are therefore if the development would have an impact on design, amenity or Highways, which are discussed further below.

### **Design and impact on the open countryside**

The proposed building will be seen within the context of the existing rural building on site from the surrounding open countryside. Although the building will be taller at 12m, than the adjacent building which has a maximum height of 9m; the eaves of the two building will be the same and therefore the design is considered to be typical of a group of agricultural building in a rural area.

The applicant has stated that the height it required to enable the Telehandler to reach full height within the building, and grain trailers to reach full tipping height inside the building.

It is considered that the proposal is acceptable in this location, adjacent to an existing agricultural building and is of a design which is typical of its use and the location within this rural area.

As a result the proposed development is considered to be acceptable in design terms, and its impact on the open countryside.

### **Amenity**

The surrounding area is largely open fields with sporadic residential development and farms. There is a minimum of 200m between the applications site and the nearest dwellinghouse, at Fox Moss and therefore it is considered unlikely that the proposed building would have a detrimental impact on neighbour amenity.

Furthermore, the dwellings are situated in a rural area and agricultural development is part of the fabric of the countryside.

Furthermore, the Environmental Protection Officer have been consulted on the proposal and have raised no objections in relation to Public Protection and Health, Air Quality or Contaminated Land. As a result the proposed development is considered to be in accordance with Policy BE.1 (Amenity) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

## **Highways**

The proposal is for an agricultural building which would make use of an existing access onto Pewit Lane. The building will be ancillary to the existing farm use and will be used to store agricultural machinery and crops. The additional vehicular movements generated will be low and the highways impact on the local network minimal. The Strategic Highways Officer is therefore raising no objections to the proposal.

## **Other matters**

It is noted that within the ward members call in and parish councils comments, it is stated that the permission was granted for a storage building at Foxes Bank in 2012 (12/2121N). It would appear that this building was constructed around 2 years ago, 2017. The applicant has stated that the Grain needs to be stored close to the grain drying facility and the building at Foxes Bank is 1km away.

In line with the adjacent permission for the Grain Store and dryer, a condition is proposed to ensure that the Grain stored in this building is not imported onto the site, and is simply a storage building associated with the building, as stated within the application. Any importation would therefore require a further application.

## **CONCLUSIONS**

Policy PG 6 of the Cheshire East Local Plan Strategy restricts development within the open countryside to that which is essential for the purposes of agriculture, forestry, outdoor recreation or other uses appropriate to a rural area. There is a clear emphasis within the justification of the policy that much of the Open Countryside land is fertile and Cheshire East is a vital area for food production. Saved Policy NE.14 of the Crewe and Nantwich Local Plan sets out a number of criteria which should be met for agricultural buildings requiring planning permission. The emerging Neighbourhood Plan does not have a specific policy relating to new agricultural buildings, however Policy H6 (2ii), states that outside of Settlement Boundaries; Policy PG6 of the CELPS applies.



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## **RECOMMENDATIONS**

**APPROVE** subject to the following conditions:

- 1. Standard Time**
- 2. Approved plans**
- 3. Materials as per submitted plans**
- 4. Landscaping scheme to be submitted and approved**
- 5. Landscaping implementation**
- 6. Building to be removed within 6 months of cessation of use**
- 7. No grain sourced from outside of the applicants agricultural holding shall be imported, stored or dried in the building hereby approved.**

**In order to give proper effect to the Southern Planning Committee`s intent and without changing the substance of its decision, authority is delegated to the Head of Planning in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice**

