

Application Recommended for Approval with Conditions

FUL/2020/0447

Town and Country Planning Act 1990

Agricultural Building

Land at Hameldon Road Hapton Burnley

Hapton

APPLICANT: Mr Frank Owen

AGENT: Mr Steven Hartley

The application is before the committee following receipt of an objection.

Background:

The application relates to an agricultural field to the south of the settlement of Hapton. Within a small hamlet comprising of Park Gate Farm and Tecklemount.



Photo 1: Site of proposed building and access onto Hameldon Road



Photo 2: existing access onto field (left) and neighbouring yard and access (right)



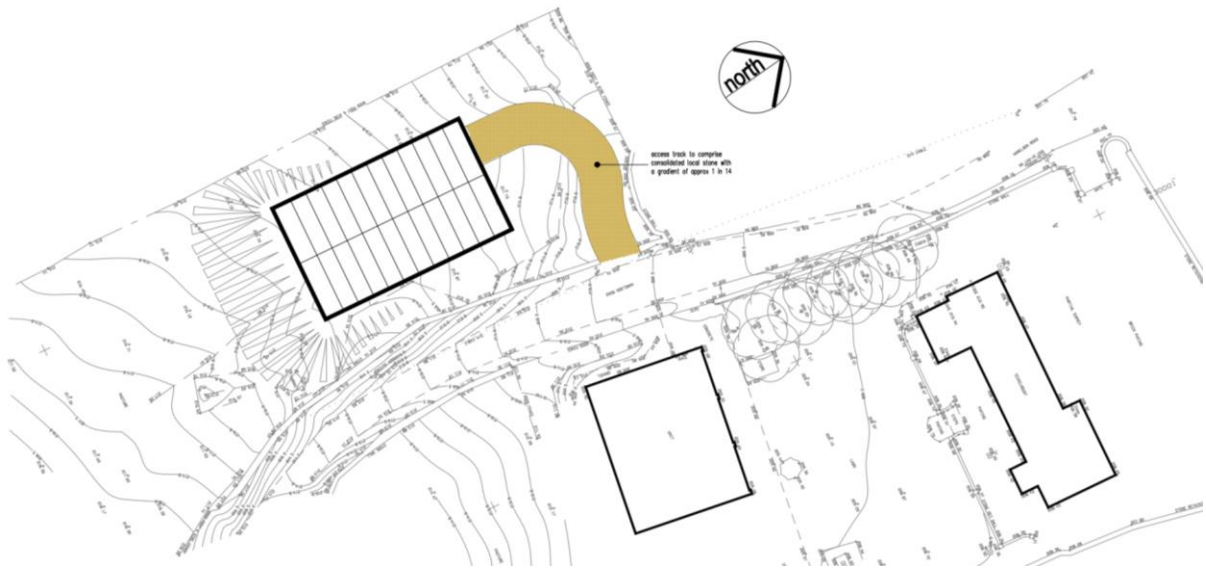
Photo 3: Existing storage building associated with the dwelling Teckelmount to the east of Hameldon Road

Proposal:

The application seeks consent for the erection of an agricultural building measuring approximately 25m by 15m with a ridge and eaves height of approximately 6.6m and 4.9m respectively, the proposal includes some engineering works to “dig-in” the proposed building into the existing hillside.

Plans show





plans and elevations

Relevant Policies:

Burnley's Local Plan 2018

SP5 – Development Quality and Sustainability
 EMP5- Rural Business & Diversification

NPPF 2019

Site History:

N/A

Consultation Responses:

Neighbours – One letter has been received with the following objections:

- Negative impact on traffic and the highway
- Negative impact on the character of the area

LCC Highways- Following additional details, no objection raised subject to condition(s).

Planning and Environmental Considerations:

The principle of development

Policy SP1 states that when considering development proposals, Burnley Borough Council will take a positive approach that reflects the presumption in favour of sustainable development set out in the NPPF.

Policy SP4, details the development strategy for the borough. Part 4 of this policy states that; the open countryside is defined as land beyond any Development Boundary. In the open countryside development will be strictly controlled.

Policy EMP5, details support for rural businesses and diversification subject to meeting other relevant policy requirements of the Plan.

Policy EMP5: Rural Business & Diversification

- 1) **Proposals to expand existing or establish new businesses, including local retail uses and tourist facilities in the open countryside or within the main and small villages (Tier 3 and 4) will be supported where these meet the other relevant policy requirements of the Plan and where these:**
 - a) **Support the retention or growth of an existing business or the establishment of a new enterprise and are at a scale that is appropriate to and in keeping with the area in which they are located;**
 - b) **Comprise uses and services appropriate to a rural area;**
 - c) **Represent appropriate home working enterprises at an existing dwelling;**
 - d) **Are located within or immediately adjacent to the Development Boundaries or are well related to an existing group of buildings;**
 - e) **In the design of any buildings, access and car parking arrangements are in keeping in terms of their scale and character with the surrounding landscape and would not lead to an increase in traffic levels beyond the capacity of the surrounding local highway network; and**
 - f) **Do not have an unacceptably negative impact on residential amenity.**
- 2) **In addition to the above requirements, the Council may also consider favourably new tourist facilities in the wider open countryside where:**
 - a) **The proposed facility by virtue of its specialist nature has a clear need to be located close to an existing tourism asset; or**
 - b) **It can be demonstrated through a supporting statement that the facilities will add to the borough's tourism offer and there are no suitable sites within the Development Boundaries.**
- 3) **In appropriate cases, permitted development rights will be withdrawn in order that subsequent changes of use or alterations and extensions can be properly considered.**

Main issues

- Impact on the character of the area including design and appearance
- Impact on amenity of neighbours

Impact on the character of the area

Paragraph 124 of the NPPF states the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Local Plan policy SP5 sets out requirements for the design quality of all types of development. Policy EMP5 of the Burnley Local Plan supports the expansion of rural businesses outside the development boundaries subject to meeting the relevant criterion.

The proposed building will be built into the hillside as such from the approach along Hameldon Road from the south, there will be minimal impact on the landscape of the area, in addition from this direction the proposed building will be seen against a backdrop of buildings from both Tecklemount and Park Gate Farm.

The proposed agricultural building will be seen in context with the existing buildings along Hameldon Road and at Park Gate Farm, on approach from the north, as such the proposal is not considered to be out of keeping or character for the area.

The building is proposing to use, concrete panels, Yorkshire boarding and corrugated mineral fibre roof sheets, these materials are considered to be typical within the agricultural use and with the existing buildings in mind the proposed agricultural building is not considered to result in any significant harm to the visual amenity and character of the surrounding area.

The proposed engineering works, while extensive, will mirror the works undertaken across the highway allowing for the construction of the storage building at Tecklemount, as such this is not considered to be of a significant enough impact to warrant a refusal of the application.

Impact on the amenity of neighbours

Policy SP5 seeks to ensure that development does not result in an unacceptable adverse impact on the amenity of neighbouring occupants or adjacent land users. Policy EMP3 of the Burnley Local Plan supports the expansion and upgrading of business premises within the development boundaries. Providing the proposals through their form and design do not have an unacceptable impact on surrounding uses, residential amenity or the environment.

No details as to the use of the proposed building have been provided, with the application merely stating, "agricultural building". An agricultural building used for the storage of hay, machinery or livestock is not considered to result in any significant negative impact on the residential amenity of any nearby neighbouring properties, due to the existing land uses in the area, topography of the land and location of the

proposed building approximately 27m from the nearest neighbouring property at Park Gate Farm.

Conclusion

The proposed development is acceptable in principle, will maintain the character of the area and will not have an unacceptable impact upon neighbouring amenity.

Recommendation: Approve subject to conditions

1. The development must be begun within three years of the date of this decision.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the approved plans listed on this notice below.

Reason: To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.

3. All materials to be used in the approved scheme shall be as stated on the application form and approved drawings and shall not be varied without the prior written approval of the Local Planning Authority.

Reason: To ensure that the development will be of a satisfactory appearance and to comply with Policy SP5 of Burnley's Local Plan (July 2018).

4. For the avoidance of doubt, permission is granted for use of the building hereby approved solely for agricultural purposes (as defined in Section 336(1) of the Town and Country Planning Act 1990).

Reason: Intensification or a change of use may result in harm to the residential amenity of nearby neighbouring properties as well as in the interest of highway safety.

5. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway mitigation has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.

6. No part of the development hereby approved shall be occupied or opened for trading until all the highway works have been constructed and completed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

HM
Assistant Planning Officer