

**Application Recommended for Approve with  
Conditions**

**FUL/2020/0199**

Cliviger With Worsthorne

Town and Country Planning Act 1990  
Full Planning Permission

**Proposed Development:** General Purpose Agricultural Building

**Site Address:** Land to the North of Hurstwood Village, Hurstwood Lane, Hurstwood,  
Burnley

**Applicant:** Mr M Holmes

**Agent:** Mr Ian Swain

The application is before the committee as objections have been received.

**Background:**

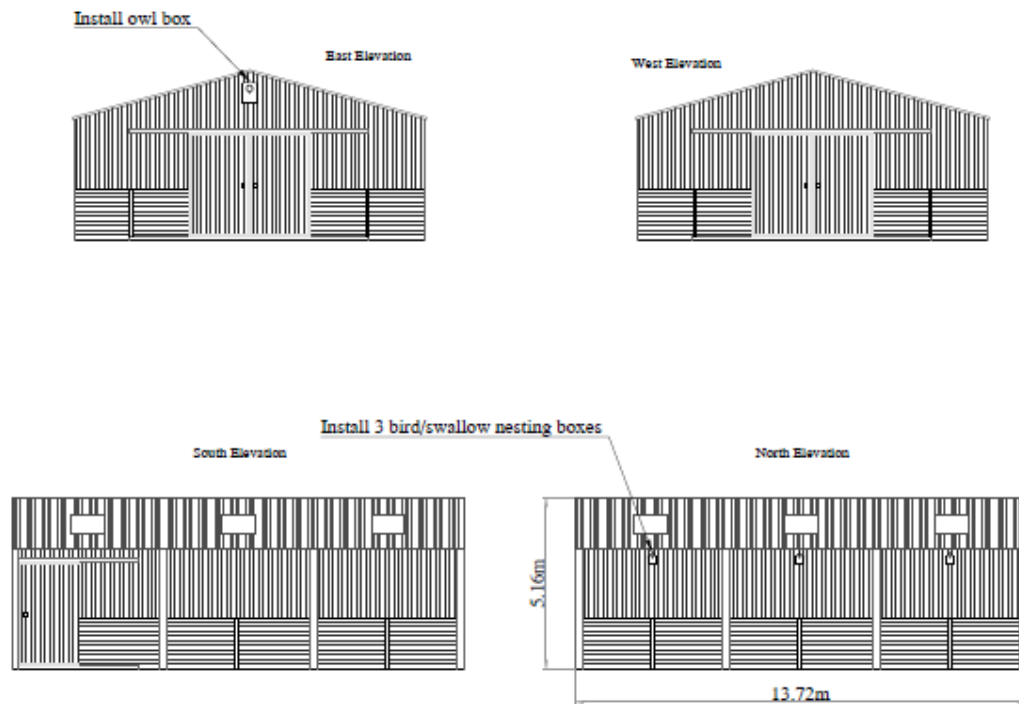
Planning permission is sought for the erection of a general-purpose agricultural building to serve a parcel of land to the North of Hurstwood village.

The proposed building is located to the North of Hurstwood Village outside the development boundary as identified in the Local Plan. The application site is also located outside the Hurstwood Conservation Area. Within the adjacent village there are several Statutory and Locally Listed buildings.

The site is relatively flat, although slopes gently upwards to the north. The total farm holding comprises 1236 ha (3054 acres) of land. The application site itself which is on an area of land to the North of Hurstwood Village comprises approx. 9.2 ha (23 acres).

During determination of the application amended plans have been received following discussions with the applicant which include some landscaping to shield the building from the view from the road when travelling along Hurstwood Lane into the village; the position of the agricultural building has also been moved slightly further to the west to tuck it more behind the church hall so that it will be less visible from neighbouring dwellings. Three swallow/ bird boxes plus an owl box have also been added to the proposals to increase biodiversity.

Proposed Plans:



*Proposed elevations*

**Relevant Policies:**

Burnley`s Local Plan July 2018

SP1 – Achieving Sustainable development

SP4 – Development Strategy

SP5 – Development Quality and Sustainability

NE1 – Biodiversity and Ecological Networks

NE3 – Landscape Character

HE2 – Designated heritage assets: Listed Buildings; Conservation Areas; and Registered Parks and Gardens

NE4 – Trees, Hedgerows and Woodlands

National Planning Policy Framework - Feb 2019

**Site History:**

None.

**Consultation Responses:**

Historic England – Have no comments to make.

Highway Authority – The proposal utilises the existing field access and raises no highway concerns.

United Utilities – The site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

A critical raw water main crosses the site access route. As we need unrestricted access for operating and maintaining it, we will not permit development over or in close proximity to the main. We require an access strip as detailed in our `Standard

## Conditions for Works Adjacent to Pipelines`.

They request that a condition to be attached to the decision stating that `No development shall take place until a Construction Management Plan, for the construction phase and also the lifetime of the proposed development, is submitted to and approved by the LPA` etc.

It is not considered necessary to include this as a condition but will be added as an informative note.

Neighbouring resident comments – 10 letters received objecting to the proposals for the following reasons;

- This is a historical hamlet that already suffers congestion on the lane into the hamlet and should not be blighted by further buildings
- The only access lane to the hamlet is often congested with vehicles from its many visitors.
- The application does not comply with NPPF p115 section 5.2.30 of Burnley`s Local Plan. The application does not support or promote sustainable growth, expansion or diversification of agriculture.
- The application does not meet EMP5 sec1d. The proposed building will be isolated from the existing homestead, the applicant`s main residence is approx. half a mile away.
- The application contravenes EMP5 Sec 1E and 1F, 5.3.35 of the Local Plan and HE2 Secs 1 and 2. The application does not contribute nor enhance the natural or local environment nor the surrounding landscapes.
- The proposed building will obstruct the view of the field.
- Concerned about the noise it will create with heavy farm machinery operating at all hours.
- Food storage will create a vermin problem.
- Surface water will be an issue as 200sq m of hard standing is being created; we struggle with water running off the field as it is.
- The applicant has adequate storage at his farm.
- The village is struggling with excess parking due to visitors. With the access being central to the great barn it will cause more problems for emergency vehicles gaining access.
- The village should be kept in its natural state, we have listed buildings, all stone-built properties and a modern farm building doesn`t seem right.
- It will be a scar on the landscape.
- It will attract thieves.
- The field is a wildlife pathway, and any disruption will have a detrimental effect.
- Farm buildings should be erected at the farm (the farm was originally a bungalow and is a great expanse of buildings).
- If the building is to be used for lambing, shearing etc. where will the waste sewage drain to. The smell of the waste will be off putting.
- If cattle are to be housed in the barn this will create noise pollution.
- It could lead to a change of use planning application in the coming years.
- The building is of a size and type that is not in keeping with the local vernacular and would have a negative impact on the local built environment.
- The building will be in a prominent position on the hillside.
- Question the need for an agricultural building of this type, considering several existing agricultural buildings have been granted permission for conversion into

residential use.

- The original farm, which was once attached to the parcel of land in question, is no longer active, Moorfell Farm was sold and redeveloped following the death of the owner. The bulk of the applicant's farmstead is situated separately. Why is a separate building required to service the smaller parcel of land?
- Could affect parking and be noisy for classes and services at the Church.
- The building will appear incongruous as not part of the farmstead.
- The proposal is in contravention of HE2 section1 as it will not enhance Hurstwood. It will also be in contravention of section 2 as it there will be no public benefit.
- Why would they leave a sick animal in a remote location, it would make more sense to keep it nearer to the farm.
- The building does not respect the Conservation Area.
- The building is too big for its proposed use.
- The building would obstruct our view of the pine forest and would be a blot on the landscape.

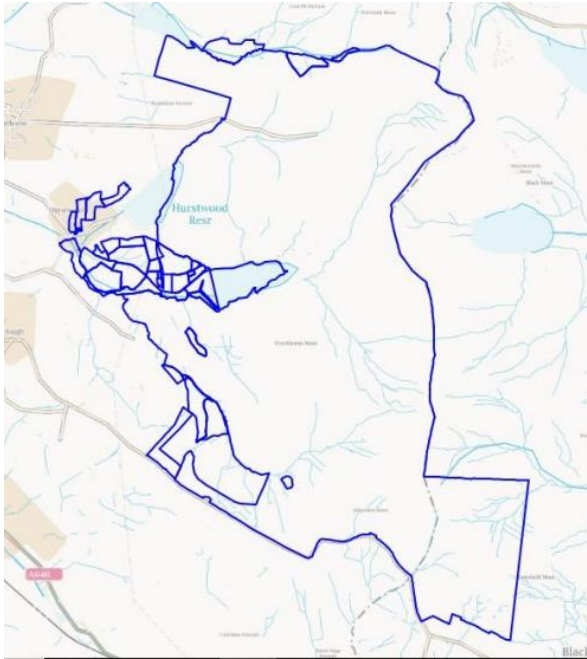
### **Planning and Environmental Considerations:**

The main considerations in regards to this application are:

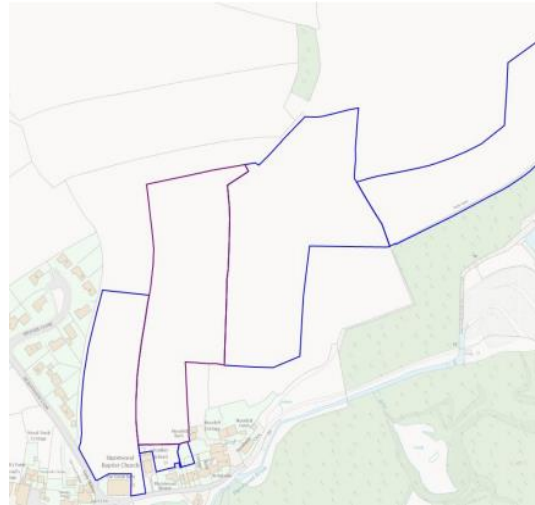
#### **Principle/agricultural need**

Paragraph 83 of the National Planning Policy Framework Feb 2019 under the section on `supporting a prosperous rural economy` states that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural locations, both through the conversion of existing buildings and well-designed new buildings; including the development of agricultural and other land-based businesses. Furthermore, Burnley's Local Plan July 2018 under the section entitled `The Rural Economy` also states this.

The application puts forward a strong justification to demonstrate the need for the development. The proposed building is not of a size or scale that would seek to serve the entire farm holding. The building is needed to solely serve the parcel of land to the North of the Village as mentioned above. The land is of better productive use than much of the moorland that is farmed; however, access to the land has become increasingly difficult.



Total area (1236 ha) of land farmed



The 9.2 ha of land to the North of Hurstwood.

The popularity of Hurstwood Village, to visitors who come to walk and exercise, is the key factor behind the requirement for the building. The applicant was once able to herd livestock from this separate parcel of land, back to the main farmstead at Cant Clough Farm; that is now unworkable. The high number of dog walkers means that herding animals in such an environment is impractical; livestock are prone to panic, separating and running in the wrong direction, leaving the applicant the only real option of transporting animals by trailer. Either process is very time consuming and adds to the stress levels of the livestock (which can lead to mis-mothering etc.). The provision of a building on this parcel of land would resolve this operational problem.

The agricultural building is to be a general-purpose structure, but a key use for the building will be for accommodating and handling livestock. The building will be used during lambing and will provide temporary accommodation for other animal welfare reasons (for e.g., when an animal is sick) and during extreme weather conditions. The building will also be used for routine animal husbandry tasks such as shearing etc.

In addition to handling livestock the building will be used for the dry and secure storage of feed, machinery, and equipment required to serve this part of the farm holding. Dry storage for feed will assist with the running of the farm business and storing equipment internally will help to prolong its lifespan by reduced exposure to the elements. Theft is a risk for any item stored remotely from the main farmstead and the building would reduce the chances of this occurring and allow on-site storage improving the efficiency of the operation.

**Local Plan policy EMP5 – Rural Business and Diversification** – which is mentioned by objectors, relates to proposals to expand existing or new businesses, including local retail uses and tourist facilities within the open countryside or within villages being supported where they meet certain criteria. This policy is not considered to be of any particular relevance in respect of this application as the farm business is not being expanded nor a new business being established.

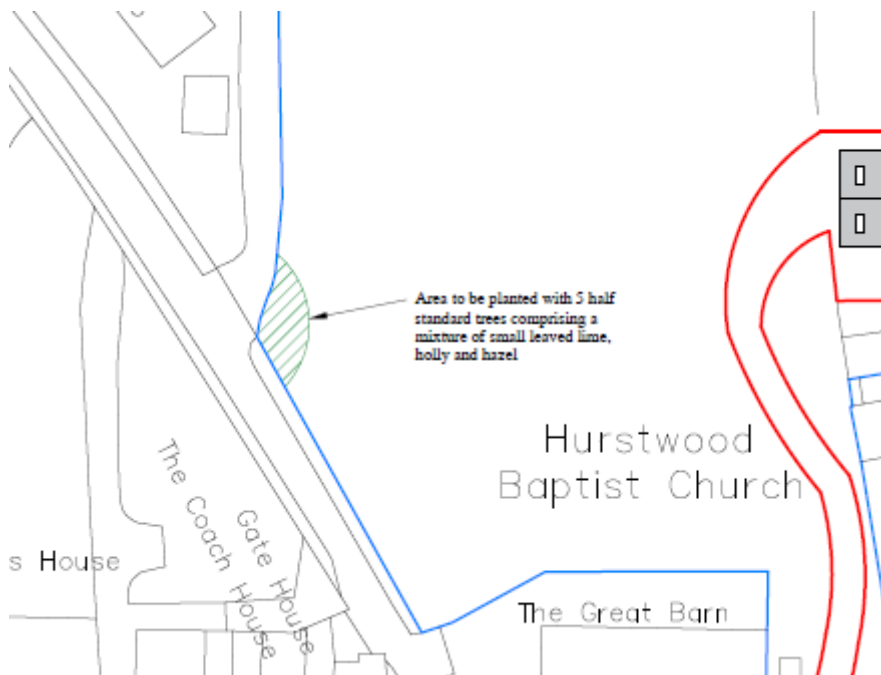
Taking into consideration the above it is considered that the principle of the development is acceptable.

### **Proposed landscaping**

Local Plan policy NE3 states that development proposals are expected to respect and where possible enhance and restore landscape character, as appropriate to their nature and scale. Development proposals should relate well to local topography and built form and be of an appropriate scale, siting, layout, design, density and materials to minimise the impact on the landscape character of the site and its surroundings.

The proposed site, which is to the north of the village is relatively flat, although gently sloping upwards to the north. The building is to be located to the rear of the church/Sunday school, careful consideration has been given to the siting and design in order to minimise impact on the landscape. The building is to be timber clad with timber clad doors which will blend more easily into the landscape.

The agricultural building will be partially visible when travelling along Hurstwood Lane into the village with the most prominent viewpoint being from the stretch of the road/footway just after the lane which goes along the back of no.15 Spencer Close. In order to minimise the visibility of the building the applicant has agreed to plant some trees in the field adjacent to this area of the road; five half standard trees, comprising a mixture of small leaved Lime, Holy and Hazel. This is considered to be an acceptable solution.



*proposed tree planting to screen the view from Hurstwood Lane*

### **Residential amenity**

The building has been sited away from residential properties within the field behind the church building; the position of the building has been revised taking it further away from residential properties and tucking it in behind the church building. The building would be slightly visible from some residential properties; however, the nearest dwelling is approx. 40m away from the proposed building and is not directly behind any residential property.

## Noise

The applicant states that it is not envisaged that any noise nuisance issues will arise as the intended uses of the building are highly unlikely to give rise to any unacceptable impacts. Careful consideration was given to the siting of the building; and in order to reduce the risk of any possible unacceptable noise nuisance complaints a location was chosen to the rear of the church and away from residential dwellings.

It is unlikely that the intended use of the building will give rise to any significant noise issues with regard to the adjacent church and dwellings in the vicinity. Access to the church is from the front, with any potential noise from animals at the rear and access to the field/ agricultural building via the existing field access.



Church/Sunday School

*Existing/ proposed access*



*Approx. position of the agricultural building looking towards the village*

## Siting and design

Careful consideration has been given to the siting and design of the proposed building by the applicant. The building is to be timber clad with a fibre cement roof and rather than use concrete sectional panels or blockwork to the plinth of the building, the applicant proposes the use of timber stock panels. Additionally, the doors to the building are to be timber clad rather than have a steel sheet finish. The aim has been to ensure that there is no unacceptable impact on the character and appearance of the adjacent village and historic environment.

Tanalised timber boarding is to be used for the building, although initially the timber boarding may look bright, it weathers quickly and will soon blend into the locality.

The materials proposed are considered appropriate and typical of this type of development.

### **Heritage assets**

The proposed building is located outside the Conservation area Boundary. The nearest Listed Buildings are The Great Barn which is Grade II\* statutory listed and adjacent to the existing/proposed access and Hurstwood Baptist Church/Sunday School which is Locally Listed and located to the front of the proposed building.

The proposed agricultural building would be located a considerable distance from The Great Barn. The proposed building would be sited behind the church which would offer partial visibility. It is therefore, considered that the proposed agricultural building would not be read in context with the Grade II\* listed building. Taking into consideration the separation distance between the proposed agricultural building and the Grade II\* listed building it is considered that the development would not adversely impact upon the character or significant of the listed building.

It is considered that the agricultural building will not have a significant adverse effect on the Listed Buildings nor the character and appearance of the Conservation Area.

### **Highway issues**

The proposal utilises the existing field access which is already in use by the applicant; the access will not affect parking; cars should not be parking outside the field gates (blocking access to the farmer`s fields) as is the current situation.

The Highway Authority have no objections to the proposals on highway grounds.

### **Biodiversity**

The applicant (farmer) has commented that due to some barns and other buildings in the locality (not in his ownership) having been converted to housing, he has noticed that the local biodiversity in the area has significantly dropped off. As it is something he feels strongly about he has added 3 swallow/bird boxes and an owl box to the scheme to help increase biodiversity in the area.

### **Trees**

Protected trees will not be affected by the proposed access (there is an existing access from Hurstwood Lane).

### **Drainage**

United Utilities have no objection to the proposals stating that the site should be drained on a separate system with foul water draining to the public sewer and surface



water draining in the most sustainable way. Surface water issues should not therefore be an issue.

## **Conclusion**

Intaking the above matters into consideration, on balance, the proposed agricultural building is considered to be acceptable and in accordance with the Local Plan policies listed above.

## **Recommendation:**

Grant subject to the following conditions:

- 1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning 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 The three swallow/bird nesting boxes and the owl box shall be in situ within 3 months of the building being erected.

Reason: In the interests of increasing biodiversity in the locality and in accordance with policy NE1 of Burnley`s Local Plan July 2018.

- 4 The landscaping scheme shall be implemented within 3 months of the building being erected, and the trees shall be maintained and replanted within 3 months if they die.

Reason: In the interests of visual amenity, to help screen the building from Hurstwood Lane and in accordance with policy NE3 of Burnley`s Local Plan July 2018.

LB  
Planning and Compliance Officer