

Allerdale Borough Council
Planning Application 2/2018/0098

Proposed Development: Erection of replacement general purpose shed (retrospective for its retention)

Location: Langrigg Hall
Langrigg
Wigton

Applicant: Mr E Gate

Recommendation: **Grant permission**

Summary/Key Issues

Issue	Conclusion
Design, scale and siting	The building is to be sited on the footprint of a previous building achieving a good relationship with the working farmstead, with the material to match those on the farm. The applicant has provided sufficient justification for the height of the building.
Heritage Impact	The farmhouse which lies to the east of the application site is a Grade II Listed Building. Officers considers that, although the height of the building will have some impact on the Listed Building, this is less than substantial and is outweighed by the benefits of the proposal.

Proposal

The applicant seeks retrospective permission for a replacement general purpose shed. The building has a footprint of 1,462 m². The previous building was destroyed in a fire.

Site

The application site forms an existing operating farmstead lying in the village of Langrigg. The farmhouse is a Grade II Listed Building set back from the highway sat within extensive grounds and enclosed by a sandstone wall. Existing modern farm buildings lie to the northeast and extend forward to the southeast of the farmhouse.

Relevant History

2/2012/0571 Roof over existing silage pit – Approved.

2/1993/0768 Erection of slurry store – Approved.

Representations

Parish Council

Object. This replacement shed is double the size of the previous shed. The application states it is a 'cattle shed' but the applicants have no cattle. Concerns that it is going to be used for industrial purposes, to house a paper bailing machine. The farm is being turned into an industrial site as opposed to agricultural.

ABC Environmental Health – I have considered the information provided by the applicant and, provided the use of the general purpose shed remains to be the same as the previous use, then I can confirm that I have no objections to this application and no conditions to recommend.

Cumbria Highways – The Highway Authority has no objections to the proposed development as it is considered that the proposal does not affect the highway.

Cumbria Lead Local Flood Authority (LLFA) – The LLFA do not have any records of flooding on this site and the Environment Agency surface water maps do not indicate that the site is in an area of risk.

Fire Officer – No reply to date.

The application has been advertised on site and in the local paper. Adjoining owners have been notified. 6 letters of objections have been received. Their concerns relate to:

- The application states that the shed is a 'Cattle shed' to replace the shed destroyed by the large fire in February this year. If the new construction is part of the biomass operation it should be stated as such and its specific use be considered in that context.
- The effects of the two retrospective applications in relation to noise, odour and traffic impacts and the effect they have on the local community should be fully considered.

Development Plan Policies

Allerdale Local Plan 1999

There are no saved policies relevant, with the Allerdale Local Plan Part 1 Adopted July 2014 carrying most weight.

Allerdale Local Plan (Part 1), Adopted July 2014

- Policy S1 - Presumption in favour of sustainable development
- Policy S2 - Sustainable development principles
- Policy S3 - Spatial Strategy and Growth
- Policy S4 - Design principles
- Policy S22 - Transport principles
- Policy S27 - Heritage Assets

Policy S32 - Safeguarding amenity
Policy S33 - Landscape
Policy DM6 - Equestrian and agricultural buildings

Other Material Considerations

Draft Allerdale Borough Local Plan (Part 2)

National Planning Policy Framework (NPPF) 2018

Policy weighting

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. This means that the Allerdale Local Plan (Part 1) 2014 policies have primacy.

There are material considerations, including the NPPF and the Little Broughton appeal decision (PINs ref APP/G0908/W/17/3183948) which affect the weight afforded to the 1999 Local Plan settlement limits and policies S3 and S5 of the 2014 Part 1 Local Plan to the extent where they refer to those settlement limits and the housing numbers for each settlement. However, these are of no relevance here and the Part 1 Local Plan policies that are relevant are considered to have consistency with the NPPF and afforded full weight.

Assessment

Design, Scale and Siting

The applicant is seeking retrospective permission for a general purpose agricultural building. Policy DM6 of the Allerdale Local Plan relating to agricultural buildings supports new agricultural buildings where:

- “ a) New development is, where possible, closely related to existing farm buildings or other groups of buildings, and where this is not possible, development is designed and sited to minimise impact on the landscape setting;
- b) Buildings respect and enhance the rural character of the local area in terms of design, scale, siting, external appearance and construction materials”

The proposed building is sited on the footprint of a previous agricultural building that was destroyed in a fire. The siting of the building within the farmstead achieves a satisfactory relationship with the existing buildings and the existing vehicular access routes will be utilised.

The building has been constructed in concrete panels for the lower section with juniper

green sheeting above, with a grey profile sheeting roof. The materials are considered acceptable and tie in with the existing buildings on the site and the buildings that were previously located in this location.

The major difference with the building that has been erected from the previously approved building (2/2012/0571) and from what was on site prior to the fire, is the scale, specifically the overall height. The footprint of the building has not significantly altered at 1,462 m². The applicant has tried to reduce the impact while taking into consideration the working practices of the farm and has stepped the roofline down. The lower part of the roof building measures 11.5m to the ridge with the highest part extending to a ridge height of 14.4m. Officers acknowledge that the overall height of the building is significant given other approvals in the Borough and therefore a full justification was requested in relation to the need for a building of this height.

The applicant has provided a statement from IRM Safety, a health and safety consultant, with regards to the needs for the height in relation to the application. IRM Safety work with a large number of farming and transport related businesses. They highlight that moving vehicles and workplace transport is one of the major hazard on farms, accounting for 23% of all fatalities and therefore the control of traffic movements is essential part of a working farm.

The email states "The yard at Langrigg is very busy and , in particular, around the building in question which is at the centre of the yard and having the main thoroughfare going past with a range of buildings to the site, all need access not only by vehicles but, also, by employees on foot. Therefore, the need to remove or reduce vehicle movements is imperative.

Our key aims with risk reduction controls in relation to moving vehicles would be as follows:

- Eliminate moving vehicles – whilst moving vehicles cannot be eliminated completely around the yards, within the building in question they can be. At 14.5 metres high the building allows for a bulk trailer to be tipped without the need for moving backwards and forwards into the yard.
- Reduction in vehicle movements – as above, the building reduces the need for movement in an out, reducing the number of vehicle actions to two (reverse in fully, stop, tip, drive out).
- Prevention of contact – again, the vehicle inside the building we can reduce contact whilst unloading, obviously there is still the need to drive in and out but we feel that this can be adequately controlled.
- Controlled environments – we have been involved in a number of accidents involving HGV vehicles on farm relating to poor working environments such as unstable ground, poor access and egress, tipping trailers at angles, tipping in tight buildings or near to electrical cables, the current design of the building removes all of these hazards and will allow for safe tipping of HGV vehicles.

As we view the building, if the height were to be reduced, it will undoubtedly increase the level of risk when tipping bulk trailers."

In reaching a decision on the scale of the building officers have taken into account the justification provided by the applicant, which is considered reasonable, and the impact the height of the building would have on the wider landscape surrounding the site.

The applicant has stated that the increased height of the building allows for a bulk trailer to be tipped without the moving for shunting into the yard reducing the need for vehicles to move in and out multiple times (reducing the bleeper noise) and minimising the risk of accidents. In addition, the increased height of the building allows for reduced wagon movements into the farm overall in relation to chicken feed deliveries with on average 4 less wagon movements per month. This would equate to 48 less vehicle movements a year. The larger wagons deliver between 8am and 10pm.

The proposed building would be seen as a whole with the existing buildings on the site with the external appearance matching existing buildings. Officers do not consider the scale of the building would alter the landscape character of the area or result in a poor standard of residential amenity to properties within the village.

Heritage Issues

The two storey farmhouse that lies to the west of the application site is a Grade II Listed Building.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

The Council therefore has a duty to have a special regard on developments which may affect the character or setting of the listed building. The Listed Building lies to the west of the agricultural building at a distance of approx. 62m. The Listed Building sits set back from the highway with a separate access from that which serves the existing farmstead. There are some existing trees along the west boundary of the fence that provide some screening to the building. The applicant has provided a landscaping plan that shows the existing trees are to be retained with new trees and planting proposed to break up the existing views of the building. The implementation of the landscaping works can be secured via condition.

The principle of allowing a building of this external appearance and materials in this location has been accepted by the granting of the 2012 application. However, the height of this building was approved at 9.27m to ridge, resulting in the overall height at the highest point been 4.93m higher in part. The impact on the setting of the Listed Building is therefore reflective of the increased height. Taking into consideration the issues discussed above officers are satisfied that the proposal will lead to less than substantial harm to the setting of the Grade II Listed Building.

The proposal would benefit from an improved health and safety working arrangements on the site along with a reduced number of vehicles in association with the chicken production on site. In weighing up the benefits of the proposal officers consider these

outweigh the slight harm to the setting of the listed building and does not warrant a refusal on this ground.

In terms of impact on the heritage asset officers consider the proposal to be acceptable and in line with Policy S27 and paragraph 196 on the National Planning Policy Framework.

Local Financial Considerations

Having regard to S70 (2) of the Town and Country Planning Act the proposal will have no local financial considerations.

Conclusion

Officers consider the design and appearance of the building to be acceptable and in line with those normally found on working farms. The building is sited on the footprint of the previous buildings that were destroyed by fire. In terms of the scale, although officers acknowledge at 14.4m in height the building is nearly 5m higher in part than previous it is considered that a full justification has been submitted with the application to demonstrate the need for the proposed height. The harm to the setting of Listed Building will be less than substantial and outweighed by the public benefits of the proposal.

Annex 1

Conditions/reasons

Time limit

- 1. The development hereby permitted shall be carried out solely in accordance with the following plans:**

D.01 Floor Plan

D.02 Elevations

D.03 Site Plan

D.04 Location Plan

PMF-WW-01 Landscape Plan

Application Form Section 9 - Materials

Reason: In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

Post commencement

- 2. All planting, seeding or turfing comprised within the approved landscaping scheme Drawing Number PMF-WW-01A received 4 July 2018 shall be carried out in the first planting season following this approval and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other similar size and species, unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In order to enhance the appearance of the development and minimise the impact of the development in the locality.

Proactive Statement

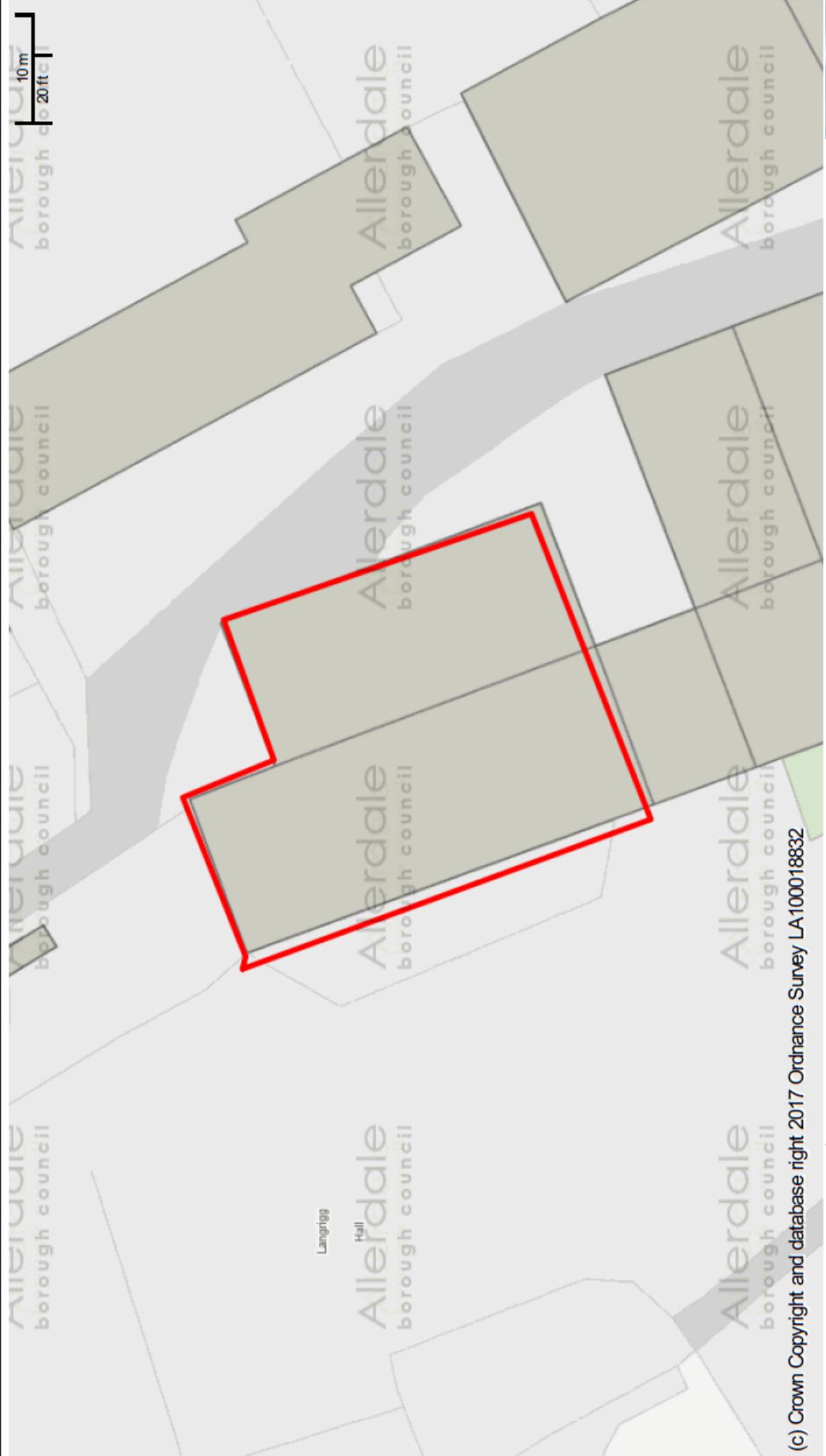
Retrospective applications

The Local planning Authority has acted positively and proactively in determining the application and averting the potentially necessity and expediency for pursuit of enforcement proceedings. The proposal was assessed against all material planning policies and representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Notes to Applicant:



(c) Crown Copyright and database right 2017 Ordnance Survey LA100018832



Langrigg

Allerdale
Hall
borough council