

APPLICATION NUMBER: 23/00909/FUL

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

23/00909/FUL

CASE OFFICER

Rosalind Gralton

DETERMINATION DATE 13.03.2024 EXT OF TIME No EOT agreed

Address: Leaches Farm Ashworth Road Heywood OL11 5UN

Proposal: Erection of an Agricultural storage building

PUBLICITY	Weekly list expired?	Y	Site notice expired?	Y
	Neighbour letters expired?	Y	Press Notice expired?	N/A

DELEGATION	Significant departure from local plan?	N	Contrary to national policy?	N
	Applicant a Council Member or officer?	N	Contrary to previous decision?	N
	Major with 10 or more objections and recommending approval?	N	Called in or Planning Panel objection?	N

COMMENTS	Planning Panel comments received?	N
	Neighbour comments received?	N

EIA	Screening opinion completed and saved to Onbase?	N
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CONDITIONS	Pre-commencement conditions proposed?	N
	Pre-commencement conditions agreed (or notification period expired)?	N

RECOMMENDATION

APPROVE SUBJECT TO CONDITIONS

CHECKED AND SIGNED OFF BY: LA

DATE: 24.04.24

SITE

The site relates to a parcel of land at Leaches Farm, Rochdale, located south of Ashworth Road. The site has recently been cleared without the benefit of planning permission.

Some trees are located along the northern boundary of the site.

The site is immediately east of a row of a converted barn to dwellinghouses, within the ownership of the applicant. The farm extends to 6.27 acres. Neighbouring buildings are located further west and Shepherd Hey, Ashcroft Road, is located less than 100m east.

Public Right of Way HeyFp171 runs north-south to the west of the identified site. Along the lane to the north of the identified site, Public Right of Way HeyFp18 runs west-east.

The entire site is located within the Green Belt. The site is not listed, nor adjacent to or located within the setting of any a designated heritage asset.

PROPOSAL

Planning permission is sought for the erection of an agricultural building, to be used for the storage of hay and agricultural machinery, including a digger, a dumper a mower and a quad bike.

The application is supported by a planning statement which states that Leaches Farm is part of an agricultural unit extending to 5.27 acres, however this is inconsistent with the accompanying plan which states that the unit extends to 6.27 acres. For the avoidance of doubt, 5.27 acres amounts to 2.1 hectares. As such, the unit is too small to benefit from permitted development rights to construct an agricultural building. No information has been provided to describe the existing or proposed agricultural activities on the site, other than that there are no existing agricultural buildings on the land and a building for the storage of hay and agricultural machinery is required.

The proposed building would have a pitched roof and a double height barn door at the western gable end. A door for pedestrian access only would be from the southern elevation at the south west. The ridge height would be 5.37m and the eaves height would be 4.5m. The building would be 15m in length and 8m wide.

Hardcore hardstanding area of 140sqm is proposed to the vehicle turning areas.

The building would be constructed in natural stone up to 2m, Yorkshire boarding with brown stain finish and a corrugated mineral fibre to the roof.

Value Added

An amended site and location plan was submitted following the proposed building being moved further south away from the trees to the north, which meant the proposed building would extend outside of the red line boundary.

Following request from LPA Officer's, the agent confirmed natural stone would be proposed in place of concrete blockwork, in order to assimilate better within the Green Belt location. No amended plans were requested for this as this detail is secured via planning condition.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Sub-Regional

Places for Everyone Joint Development Plan (PfE)

The Places for Everyone Joint Development Plan was adopted and became part of the statutory development plan for each of the 9 authorities covered by the plan on 21st March 2024. The following policies are relevant:

Policy JP-G9: The Green Belt

Policy JP-P1: Sustainable Places

Adopted Rochdale Core Strategy (CS):

SO3 – Promoting a greener environment

E6 – Supporting and diversifying the rural economy

P1 – Improving image

P2 – Protecting and enhancing character, landscape and heritage

P3 – Improving design of new development

SO4 – Protecting the greener environment

G4 – Protecting Green Belt

DM1 – General development requirements

Unitary Development Plan (UDP):

G/D/2 – Green Belt

Supplementary Planning Documents (SPD):

Supplementary Planning Guidance note 'Guidelines and Standards for Residential Development' (June 2016).

RELEVANT SITE HISTORY

None

CONSULTATION RESPONSES

The Coal Authority

No comments to make

Gtr Manchester Ecology Unit

Summary

The only ecological issue will be biodiversity mitigation and enhancement.

Protected Species

Given the scale of the site and as it has already been cleared, I am satisfied that there will be no protected species issues associated with this development. No further information or measures are required.

Other Wildlife including nesting Birds

The site has been cleared and lacked trees and scrub prior to clearance. No further information or measures are required.

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain

Section 180 of the NPPF 2023 states that the planning policies and decisions should contribute to and enhance the natural and local environment. Whilst accepting the site is now hardstanding, it was until very recently grassland and the guidance from defra, with regards biodiversity net gain is that the baseline value of the site should be taken at pre-clearance if the clearance occurred after 31st January 2020, which would be the case for this site. Given however the very small footprint of the development, even if the baseline was taken as grassland the biodiversity the mitigation requirements would be very small. 120sqm of low value grassland would equate to 0.024 biodiversity units, equivalent to two small trees being planted.

With regards wildlife the proposed bat boxes are a clear enhancement given the negligible wildlife value of the site.

I recommend that biodiversity enhancement measures are conditioned.

Highways

The proposed development is typical within an agricultural setting and does not represent any intensification in usage.

The location is well removed from the highway and as such is unlikely to have any impact upon the local network.

We have no objections to this development as proposed.

Rights Of Way Officer

Having observed the paperwork again the development should not obstruct the right of way, please advise the applicant that members of the public should not be restricted from using the route at any time prior, during or following the completion of the building work, vehicles and/or materials must not be stored on the route, if necessary to secure public safety the works should be segregated from the right of way, the landowner/Developer is responsible to ensure there are no risks to the general public to undertake this project.

REPRESENTATIONS

The application was publicised by neighbour notification and site notice. No responses were received.

ANALYSIS

Principle of development

The application site is located within the Green Belt as allocated under the Rochdale Unitary Development Plan Proposals Map. The National Planning Policy Framework, states that *'The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence'*.

The NPPF lists the five purposes of the Green Belt:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 154 states that Local Planning Authorities should regard *'the construction of new buildings as inappropriate in the Green Belt unless it meets one of the listed exceptions'*. In this case the following is relevant:

- a) buildings for agriculture and forestry;

It is established in case law that for a new building to be considered as an agricultural building so as to benefit as an exception to Green Belt policy, it must be a building that has been designed for agricultural purposes (i.e. in terms of its physical appearance and layout). The Courts have also established that decision makers should take account of what the essential character or design of the building is. Officers are satisfied that the design and proposed materials are akin to an agricultural building i.e. timber boarding, natural stone lower section, and corrugated steel roof with no window openings and one main entrance and a secondary side entrance. As such, it is considered that the building is designed for agriculture and therefore the proposal falls in exception outlined in Paragraph 154(a), which would not be considered inappropriate development.

Policy E6 of the Core Strategy supports proposals for new development in the countryside where it will strengthen and diversify the rural economy.

Therefore, the proposal in principle is acceptable, subject to development management considerations below.

Visual amenity and impact on rural character

Development in rural areas should be well designed and in keeping with its scale and location, and sensitive to the character of the countryside. At the national level, decisions on new development within rural areas should *"recognise the intrinsic character and beauty of the countryside..."*. In relation to design of any proposal, the creation of high quality, beautiful and sustainable 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. At the local level, Policy E6 seeks to strengthen and diversify the rural economy, and will support proposals where they support agriculture and other appropriate activities which help sustain economic activity whilst maintaining and improving the appearance and rural character of the borough's countryside.

Policy P2 requires new development to protect and enhance the borough's character, including its countryside, by requiring new development to integrate successfully with its landscape, and to protect views of hills and valleys. As such, any new building within the countryside designated as Green Belt must be sited and designed to be sympathetic to its rural character.

The proposal building is designed for the purpose of an agricultural use to house livestock and associated equipment. It is designed (as amended) with natural stone to a height of 2m, with 'Yorkshire boarding' above. The ridge height would be 5.37m and the eaves height would be 4.5m. The building would be 15m in length and 8m wide.

The proposal would be visible in close range from Ashworth Road, and from views to the east and Overtown Lane, however the building would assimilate well with the adjacent buildings, would be constructed in materials akin to that of an agricultural building, and would be best positioned adjacent to existing buildings within the green belt. The proposal would not negatively impact upon the visual and spatial openness.

The proposal includes the laying of 140 sqm of hardcore hardstanding for turning of vehicles. The area of hardcore was not justified within the proposal submission. A condition is secured to limit the area of hardstanding to this area only.

Although justification for the height of the building has not been provided, on balance, officers consider that the impact on the open and rural character of this Green Belt location is acceptable.

On balance, and subject to conditions, the proposal is considered to be acceptable, and in accordance with policies DM1, E6, P2 and P3 of the Rochdale Core Strategy.

Ecology

Policy G7 of the Core Strategy requires that 'opportunities for enhancing biodiversity and geodiversity, creating new sites and features of interest and improving opportunities for public enjoyment will be supported ... no development should result in a net loss of biodiversity or geodiversity interest in the borough and overall development in the borough should result in net gain'.

The Council's Ecologist was consulted on the application, and not that while the site is now hardstanding (without the benefit of planning permission), until very recently it was grassland and the guidance from DEFRA, with regards biodiversity net gain is that the baseline value of the site should be taken at pre-clearance if the clearance occurred after 31st January 2020, which would be the case for this site. However, the very small footprint of the development, even if the baseline was taken as grassland, the biodiversity the mitigation requirements would be very small. 120sqm of low value grassland would equate to 0.024 biodiversity units, equivalent to two small trees being planted.

In this respect, with regards to wildlife the proposed bat boxes are a clear enhancement given the negligible wildlife value of the site.

Bat boxes are therefore secured via condition.

Highways and Public Rights of Way

Policy T2 of the Core Strategy requires that development comply with the Council's car parking standards and policy DM1 requires that development provides satisfactory vehicular access with adequate parking, manoeuvring and serving arrangements, taking into account the proposed use and location. Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Highways officers raise no objection and no objections are raised by the Public Rights of Way officer.

RECOMMENDATION

1. The development must be begun not later than three years beginning with the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. This permission relates to the following plans:-

Proposed Site Plan and Elevations – Drawing number LF-10-08-23-A-B-C
Location Plan – Ref: LS.110823A.2C

and the development shall be carried out in complete accordance with these drawings hereby approved unless otherwise required by the conditions below.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Core Strategy, the saved Rochdale Unitary Development Plan and the National Planning Policy Framework. Materials as application shown

3. Notwithstanding the details on the approved drawings, the building hereby approved shall be constructed in accordance with the following materials:

Yorkshire Boarding
Corrugated Mineral Fibre Roof
Natural Stone up to a height of 2m

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

4. The building shall not be brought into use until the bat boxes, as shown on the approved plans, are integrated to the fabric of the building hereby approved. The hereby approved bat box shall be retained thereafter.

Reason: In the interests of enhancing biodiversity and habitat provision within the site in accordance with Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

5. The area of hardstanding hereby approved is restricted to that shown on Proposed Site Plan and Elevations – Drawing number LF-10-08-23-A-B-C and shall be constructed using consolidated hardcore.

Reason: The use of other materials such as tarmac would be harmful to the rural character of the area, as too would a larger area of hardstanding, therefore in order to comply with Policies E6 and P2 of the adopted Rochdale Core Strategy.

Procedure Note:

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

Report Author Rosalind Galton