

APPLICATION NUMBER: 24/00307/AGR

## DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.

24/00307/AGR

CASE OFFICER

Aimee Bovaird

DETERMINATION DATE 25.04.2024 EXT OF TIME

**Address:** Top O Th Hill Farm Heywood Old Road Middleton OL10 2QQ

**Proposal:** Application for prior approval for the erection of a portal steel frame building to cover a livestock handling area and replacement of concrete within yard area

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

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

|          |                                   |     |
|----------|-----------------------------------|-----|
| COMMENTS | Planning Panel comments received? | N/A |
|          | Neighbour comments received?      | N/A |

|     |                                                  |     |
|-----|--------------------------------------------------|-----|
| EIA | Screening opinion completed and saved to Onbase? | N/A |
|-----|--------------------------------------------------|-----|

|            |                                                                      |     |
|------------|----------------------------------------------------------------------|-----|
| CONDITIONS | Pre-commencement conditions proposed?                                | N/A |
|            | Pre-commencement conditions agreed (or notification period expired)? | N/A |

RECOMMENDATION

PRIOR APPROVAL REQUIRED AND GRANTED

## **SITE**

This site is located at Top O Th Hill farm and is accessed off Heywood Old Road.

The agriculture site consists of agricultural buildings used for livestock, hay, machinery and other agricultural purposes. The size of the unit is 24.7 hectares and the parcel of the land is more than one hectare.

As you enter the site it rises and flattens out. The site is surrounded by predominantly agriculture land. The site is designated as Green Belt under saved policy G/D/2 of the Rochdale Unitary Development Plan.

## **PROPOSAL**

The application seeks prior approval for the erection of a portal steel frame building to cover a livestock handling area and replacement of concrete within yard area.

The justification statement submitted with the application states the land operates as a farm for beef and sheep livestock farming business specialising in producing livestock for local and regional markets.

The proposed development will cover an existing livestock manure midden to reduce the amount of rainfall on exposed manure. The application also proposes to restore dilapidated areas of concrete within the yard areas by forming a new concrete surface. This will prevent water from pooling and becoming contaminated.

The proposed structure will be 27.4 m in length and 10,05m in width with an overall floor area of 275sqm. The height of the eaves will be 4.9m and the height of the ridge will be 6.7m. The proposed development will be constructed using grey concrete panels and boarding to eaves, the roof will be constructed with grey cement roofing sheets. There will be three sides and the southern gable end will have an opening to allow vehicle access.

## **RELEVANT PLANNING POLICY**

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Part 6, Class A of Schedule 2 relates to units of 5ha or more

## **RELEVANT SITE HISTORY**

24/00308/AGR - Application for prior approval for the erection of a portal steel frame building to cover a livestock manure storage area – approved

## **CONSULTATION RESPONSES**

Not applicable.

## **REPRESENTATIONS**

Not applicable.

## **ANALYSIS**

The application is for prior notification for the erection of a portal steel frame building under Schedule 2 Part 6 Class A (Agricultural Development on Units of 5 Hectares or more) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

### **Compliance under Part 6 Class A of the GPDO**

Development is permitted under Class A for the carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of—

- (a) works for the erection, extension or alteration of a building; or
- (b) any excavation or engineering operations,

which are reasonably necessary for the purposes of agriculture within that unit.

In order to benefit from prior notification process under Part 6 Class A, the proposed development must be carried out on agricultural land comprising an agricultural unit of 5 hectares or more in area, and the second test is that the building must be reasonably necessary for purposes of agriculture.

The application is supported by a location plan, justification statement, and an assessment report issued by the River Irwell and River Roch Catchment Sensitive Farming Office for Natural England. The report issued by the River Irwell and River Roch Catchment Sensitive Farming Office for Natural England provides an SBI and CPH number for the farm. This report demonstrates shows the applicant has been in contact with relevant organisations and been given permission to carry out these procedures. The justification statement explains the proposal will receive funding from DEFRA Countryside Stewardship Capital Grant Scheme for Water Quality Protection Measures. The justification statement explains by forming a new concrete surface. This will prevent water from pooling and becoming contaminated.

*Is the development on agricultural land comprising a unit of 5ha or more?*

The development is on agricultural land comprising of 24.7 hectares. During my site visit there were sheep, horses and manure on the land. Some agricultural buildings were already in situ. The justification statement sets out that the farm operates as a Beef and Sheep livestock farming business, the manure on farm will become farmyard manure.

The GDPO requires that the development is used for the purpose of a trade or business and when the works commence this must be existing. From my site visit and supporting information within the application this can be confirmed.

*Is the building reasonably necessary for the purposes of agriculture?*

The proposed building has been designed with three elevations and the southern gable end will be open to allow farm vehicles to remove manure. This has also been designed to allow adequate ventilation. The proposed roof materials will be grey fibre cement roof sheets with opaque polycarbonate roof light panels. The design of the proposed building is of a standard design that is commonly used for agricultural buildings throughout the borough and the country. In respect of the above it is considered that the application has demonstrated that the proposal, that being the agricultural building and new concrete surface is reasonably necessary for the purposes of agriculture.

To benefit from permitted development under Schedule 2, Part 6, Class A, there should also be an assurance that the development complies with the requirements of paragraph A.1. These are addressed in full below:

- a. the development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in size;

*Evidence has been provided the size of the land is more than 1 hectare.*

- b. it would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins;

*No part of the immediate curtilage has been subject to any such documented change of use under the above legislation.*

- c. it would consist of, or include, the erection, extension or alteration of a dwelling;

*The application does not propose any of the above.*

- d. it would involve the provision of a building, structure, or works not designated for agricultural purposes.

*The proposed development would be used for agricultural purposes.*

- e. the ground area which would be covered by
  - i. any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations; or
  - ii. any building erected or extended or altered by virtue of class A, would exceed square 1000 metres, calculated as described in paragraph D.1(2)(a) of Part 6.

*The proposed ground area covered by the building would not exceed 1000m*

- f. the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;

*The building would not be within 3 kilometres of an aerodrome.*

- g. the height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres;

*The building would not be within 3 kilometres of an aerodrome. Nonetheless, the height of the building would not exceed 12 metres.*

- h. any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;

*The development would not be within 25 metres of a metalled road.*

- i. it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, or structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building;

*The submitted information outlines that development is needed to cover an existing livestock manure midden to reduce the amount of rainfall on exposed manure. The proposed development therefore complies in this regard.*

- j. It would involve excavation or engineering operations on or over article 2(4) land which are connected with fish farming.

*The development would not be on or over article 2(4) land and is not connected with fish farming.*

- k. any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system-
  - i. would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit; or
  - ii. is or would be within 400 metres of the curtilage of a protected building

*The development does not include provision for storing fuel for or waste from a biomass boiler or an anaerobic digestion system.*

### Siting and Design

Conditions in section A.2 of this class state that development under Class A is permitted subject to the determination of the Local Planning Authority as to whether Prior Approval is required as to the siting, design and external appearance of the property.

In assessing the siting, design and external appearance, Policy E6 of the adopted Rochdale's Core Strategy supports development that will strengthen and diversify the rural economy and where development is in the Green Belt it 'would be of a high quality design that protects and enhances landscape and townscape quality and character'. Policy P2 requires new development to integrate successfully into key features of the borough.

Additionally Policies DM1 and P3 of the Council's adopted Core Strategy requires development proposals to demonstrate high quality design. In addition, paragraphs 131 and 135 of the National Planning Policy Framework (NPPF) state that good design is a key aspect of sustainable development and that planning policies and decisions should ensure that developments function well and add to the overall

quality of the area and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

The proposed siting of the development is to the west of the site within a cluster of agricultural buildings. There are no residential properties within the immediate vicinity. The farm runs adjacent to Heywood Old Road and the site is accessed off this road. The proposed development will not be seen from the highway therefore taking these factors together, the proposal is not considered to be prominent within the landscape.

The proposed materials for the elevations are grey concrete panel walls with brown horizontalized Yorkshire boarding to eaves. The proposed roof materials will be grey fibre cement roof sheets with opaque polycarbonate roof light panels. There will be three elevations and the southern gable end will be open to allow farm vehicles to remove manure. The design of the proposed building is of a standard design that is commonly used for agricultural buildings throughout the borough and the country. Additionally, the materials proposed are commonly used in the construction of agricultural buildings throughout the borough and the country. As such, the building would be clearly visible as an agricultural building. Considering the location of the proposed building, it is considered to be acceptable in this location.

## **RECOMMENDATION**

### **Prior Approval Required and Approved**

1. The development must be completed within a period of 3 years starting with the prior approval date.

Reason: To comply with the requirements of Paragraph MA.2 of Part 5, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

2. This permission relates to the following plans:

Location Plan

and the development shall be carried out in accordance with these drawings hereby approved.

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

3. The materials used in the construction of the exterior of the development hereby permitted shall match those detailed within the application form and as per annotations within drawings:

Location Plan

Justification Statement

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.

Report Author Aimee Bovaird