Proposed Agricultural building in the vicinity of Land adj to Lee Farm, Stubbylee Lane, Bacup

Design and Access Statement

September 2013

Prepared by Hartley Planning and Development Associates Ltd
The following statement is to accompany a full planning application for the erection of a proposed agricultural storage building on land in the vicinity of Lee Farm, Stubbylee Lane, Bacup

The proposal

The applicant resides at 54 Lee Road, Stacksteads but owns 7.764ha of land rising up to the south side of the complex of buildings at Lee Farm. In addition he has grazing rights over 50 acres of adjoining land at Lee quarry and farms it all with some 150 sheep.

The land can be accessed either via Stubbylee Lane or via an access way that leads to the lane up from Futures Park to Lee Quarry. Access to the proposed agricultural building will be via the latter route. Much of the land is steep and the area in the vicinity of the proposed building has been levelled in order to facilitate farming activities.

The levelling of the land can be considered to be engineering or other operations – though it is permitted under Part 6, Class A of the General Permitted development Order, 1995 (As amended). As the land is otherwise steep the levelling is reasonably necessary for agricultural purposes and is not to be used for the accommodation of animals (as distinct to treating them as necessary) or plant or machinery. (Any such temporary uses will terminate on the completion of the proposed building).

This full application (as distinct from a Prior Notice application) is made for the proposed building as it is within 2 years of such engineering works and is within 90m of it.

The applicant has no permanent buildings on his farm which means that his equipment must be stored in the open and there is no place to store hay other other farming requirements. The lack of storage for hay means that small quantities have to be bought in at a time and purchased at the most expensive times especially during winter months.

It is not the intention of the applicant to use the building for keeping animals as lambing usually takes place outside – though there may be some occasions when such an indoor facility would be helpful.

The cabins and structures on the site will be removed from the land holding on completion of the proposed building.
Access to and from the proposed building will be straight from the land in its present form.

The site is in Countryside to the south of the Urban Boundary of Stacksteads, as designated by Policy 1 of the adopted Core Strategy DPD 2011.

Planning history

Application No: 2013/0006: Prior Notification for Erection of Agricultural Building

This application was submitted on the 3rd January, 2013 and was for the erection of an agricultural storage building measuring 9m x 18m, with an eaves height of 3.6m and height to ridge of 4.2m. Its walls were to be constructed of block-work with Yorkshire boarding. The roof was to be of fibre cement sheets in a grey/green colour.

The building was to provide for secure machinery and hay storage.

The officer report includes the following assessments:

- **Agricultural activity observed during my officer site visit was minimal.**

- **Based on my on-site assessment the plans submitted do not correlate with existing development, topography and general appearance of the site. The red edged site of the current application does not incorporate any external hardstanding adjacent to the proposed building to enable a vehicle/trailer to be turned. It is not clear how the proposed building would function in tandem with either the 2 containers or hardstanding recently formed between them and the existing track, such is their separation/difference in level, or whether the proposed development is intended instead of either or both. The siting of the proposed building is such that it would be open to view from the house at Lee Farm and from the long distance recreational route along Stubbylee Lane, all the more prominent for being elevated above them - raising questions about whether the expressed functional need is being met in a way that adequately mitigates its impact upon visual and neighbour amenity.**

- **Whilst I do not have reason to doubt that the agricultural unit is of 5+ha:**
a) the form of development recently undertaken and now proposed do not appear well thought out, giving me cause to question whether they are reasonably necessary for the purpose of agriculture within that unit; &

b) the development recently undertaken and now proposed would exceed 465sq metres, having regard to the method of calculation described in paragraph D2.

Accordingly, I am not persuaded that the proposed development can be undertaken without submission and approval of an application for Planning Permission.

The application was determined on the 11 February, 2013 as follows:-

Further to your Application for Prior Notification of agricultural or forestry development I can confirm that having regard to the provisions of Part 6 of Schedule 2 of the T&CP (General Permitted Development) Order 1995 (as amended), the proposed development does not constitute development that can be dealt with by means of the ‘prior notification’ procedure and instead requires submission and approval of an application for Planning Permission.

Comments with regard to the earlier application relative to the current application

1. It seems that the extent of the farming activity currently undertaken by the applicant (involving some 150 sheep) was not made clear to the LPA

2. It is clear from the earlier application that no objections were raised by adjoining residents

3. There are currently some temporary containers on the land. These will be removed consequent on the construction of the proposed building

4. The land is very steep and there is no alternative site for the building

5. The proposed agricultural building will be of a form and scale appropriate in a rural location. It will compare very favourably to the incongruous blue cladding of Futures Park Business Centre which dominates the view to the North – a building constructed by the Council, approved by it and now occupied by it.
Comparisons between the earlier application for a building and the current application (NB the plans submitted with the Prior Notice application were somewhat unspecific)

<table>
<thead>
<tr>
<th></th>
<th>Prior Notice application no 2012/0396</th>
<th>Current application</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length</td>
<td>18m</td>
<td>20m</td>
</tr>
<tr>
<td>Width</td>
<td>9m</td>
<td>10m</td>
</tr>
<tr>
<td>Floor area</td>
<td>162m²</td>
<td>200m²</td>
</tr>
<tr>
<td>Height to eaves</td>
<td>3.6m</td>
<td>5m</td>
</tr>
<tr>
<td>Height to ridge</td>
<td>4.2m</td>
<td>5.9m</td>
</tr>
<tr>
<td>Siting</td>
<td>On levelled ground</td>
<td>Same as per Prior Notice application no 2012/0396</td>
</tr>
<tr>
<td>Walls</td>
<td>block-work with Yorkshire boarding</td>
<td>Plastic coated corrugate steel. Olive green. RAL 6003</td>
</tr>
<tr>
<td>Roof</td>
<td>Fibre cement sheets of grey/green colour</td>
<td>Plastic coated corrugated steel. Olive green. RAL 6003</td>
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</table>

**Planning policy**
NPPF

14. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

For decision-taking this means

- approving development proposals that accord with the development plan without delay; and

- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

– any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or—specific policies in this Framework indicate development should be restricted.

915. Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally.

3. Supporting a prosperous rural economy

28. Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;

- promote the development and diversification of agricultural and other land-based rural businesses
Rosendale core Strategy
Green Belt & Countryside

Proposals outside the urban boundary will be determined in accordance with the relevant national and local planning guidance

1. Layout and appearance

- Walls and roof to be plastic coated corrugated steel in olive green. RAL no 6003
- Barn doors to be hinged and in brown stained wood

2. Amount and 4. Scale

As per the table above

6. Landscaping and boundary treatment

The site is newly fenced around and no changes are proposed to the existing fencing.

7. Access

Access is via the lane adjoining Futures Park Business Centre.