

---

**9. FULL PLANNING APPLICATION – AGRICULTURAL SHED (PART RETROSPECTIVE) AT 'TENNIS COURTS FIELD', MACCLESFIELD ROAD, KETTLESHULME (NP/CEC/0117/0071, P.7101, 25/1/2017, 399000/380000, MN)**

**APPLICANT: MR STEPHEN COWEN**

**Site and Surroundings**

The application site is an agricultural field located just north of Kettlethulme village and on the southern side of the B5470 Road.

The majority of the field slopes downhill from east to west, levelling out at the higher eastern end, on which a partially constructed portal framed agricultural building is located. This building is the subject of the current application.

The building is accessed by a track that runs through the field to a field gate roughly halfway down the field and joins the highway. To the immediate east the site is bounded by a drystone wall, and behind this is a copse of mature trees. The northern side of the field, which fronts the highway, and the southern and western sides are all defined by post and wire fencing.

The nearest neighbouring property is that of Northfield, a detached dwellinghouse some 85m to the north east of the agricultural building. The next nearest neighbours are Glebe House and Greendales, approximately 160m to the west of the agricultural building.

The site is outside of any designated conservation area, although Kettlethulme Conservation Area boundary is only around 100m west of the proposed building.

For the purposes of planning policy the site is located in open countryside.

**Proposal**

To demolish and replace an existing timber agricultural building with a larger portal framed agricultural building.

The new building would cover the footprint of the existing building but would extend further north, increasing the building footprint by approximately 150%. The main building would be of typical dual pitched roof form and would be 6.3m tall to the ridge, with a total length of 36.6m and a gable width of 12.7m. A lower lean-to section would run the full length of the west elevation, increasing the overall width of the building to 18.2m. The main entrance would be to the northern gable, with a further door to the western elevation.

It would be clad with profile steel sheeting, coloured dark brown for the walls and dark grey for the roof.

The application is partly retrospective, as the northern end of the new building has been erected butting up to the existing timber building, which is proposed to be demolished and incorporated in to the new building.

**RECOMMENDATION:**

**That the application be APPROVED subject to the following conditions:**

1. **Statutory time limit**

2. **Completion in accordance with submitted plans**
3. **Landscaping to be implemented within the first planting season following erection of the building**
4. **Doors to the western elevation to be coloured dark brown to match the adjacent walls and be permanently so maintained**

### **Key Issues**

The impact of the appearance of the building on the landscape of the area, and the impact of the use of the building on neighbouring amenity.

### **History**

An existing timber agricultural building on the site has established lawfulness due to the length of time it has been present on the site.

The site has previously been subject to various enforcement action by the Authority due to being used for storage of domestic, scrap, and waste items. These cases were closed in 2012 following tidying of the site.

### **Consultations**

Cheshire County Council – No response at time of writing.

Cheshire East Council – Public Rights of Way - Confirm that the development does not appear to affect a public right of way.

Kettlethulme Parish Council – The Parish Council would like to firstly highlight some inaccuracies in the planning application that has been submitted. In the covering letter that accompanied the application, it was claimed that no changes to the height, width, or length of the existing building. This contradicts local knowledge of the site, and no previous planning permission has been granted on this location. It was also stated that the site has a large number of existing trees providing screening, however the majority of these trees do not form part of the site, but are on an adjacent property. Therefore, the Parish Council feel they cannot consider them as part of this application.

They would secondly like to object to the application on a number of material reasons:

- Design and appearance of the development – the site is in an elevated position in the village meaning that the barn is visible from many locations in the area. The council does not consider that the design is in keeping with the village, especially in the elevated position.
- Planning history of the site – since 2010 the existing wooden shed has been extended without planning permission. The new application is to further extend the footprint. As the current building does not have planning permission, the Parish Council would object to the application to further enlarge the building.
- Overshadowing / overbearing presence – due to the elevated position and the size of the proposed development, the Parish Council feels that this will have an overbearing impact on the village.
- Effect on Listed buildings and Conservations Areas – the village is a conservation area. The proposed development is not in keeping with the village and it is felt that the development will therefore have a negative effect on the Conservation area.

## **Representations**

Two letters of objection have been received at time of writing. The full responses can be read on the Authority's website but the material grounds for objection raised by them are as follows:

- The location of the building results in adverse noise and odour impacts to nearby properties
- The size, appearance and location of the building results in adverse landscape impacts
- The operation of the building results in environmental pollution
- The building would have an overshadowing and overbearing presence on the neighbouring land to the east.

## **Main Policies**

### **Relevant Core Strategy policies:**

Core Strategy DS1 permits, in principle, developments required for agriculture within the countryside.

GSP1 requires that all development is consistent with the National Parks legal purpose and duty to, conserve and enhance the natural beauty, wildlife and cultural heritage of the National Parks; and promote opportunities for the understanding and enjoyment of the special qualities(of the National Parks) by the public.

Policy GSP3 explains that all development must conform to the following principles: Development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposal. Amongst other things particular attention will be paid to: Impact on the character and setting of buildings; scale of development appropriate to the character and appearance of the National Park; siting, landscaping and building materials; design in accordance with the National Park Authority Design Guide; impact on living conditions of communities.

GSP4 explains the Authority will consider the use of planning conditions to aid the achievement of the spatial outcomes of a scheme.

Policy L1 requires that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, and other valued characteristics. Valued characteristics specifically identified in the preamble to L1 include, amongst other things, trees, woodlands, hedgerows, stone walls, field barns and other landscape features.

### **Relevant Local Plan policies:**

Local Plan Policy LC4 requires that the detailed treatments of development is of a high standard that respects, conserves and where possible enhances the landscape, built environment and other valued characteristics of the area. Particular attention is paid to: scale, form, mass and orientation in relation to existing buildings, settlement form and character, landscape features and the wider landscape setting; the degree to which design detail, materials, and finishes reflect or compliment the style and traditions of local buildings; the use and maintenance of landscaping to enhance new development, and the degree to which this makes use of local features and an appropriate mix of species suited to both the landscape and wildlife interests of the locality; the amenity, privacy and security of the development and of nearby properties.

Local Plan policy LC5 states that development in conservation areas should assess and clearly demonstrate how the existing appearance of the conservation area will be preserved and, where possible, enhanced.

LC13 deals specifically with agricultural developments and it is permissive provided they are close to the main group of buildings wherever possible and it relates well to them. It must avoid harm to the areas valued characteristics including local views, making use of the least obtrusive or otherwise damaging location and must not require obtrusive access tracks, roads or services. These need to be designed with particular respect for the landscape and its historic patterns of land use and movement, and any landscape change likely to result from agricultural or forestry practices.

Local Plan policy LC21 states, amongst other things, that development that presents a risk of pollution or disturbance that could adversely affect water supply, groundwater resources and the water environment will not be permitted unless adequate measures to control emissions within acceptable limits are put in place and (when the permitted use finishes) appropriate removal of any pollutants from the site is assured.

### National Planning Policy Framework

It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF with regard to the issues that are raised. Both recognise the special status of National Parks and promote sustainable rural development sensitive to the locally distinctive character of its setting.

### Wider Policy context

The Authority has produced an SPG for agricultural buildings. Amongst other things, this explains that because of the natural beauty of the National Park, new agricultural buildings can have a very damaging impact on their surroundings without careful thought to siting, design and appearance. It explains that it is best to keep new agricultural buildings close to existing ones, relate well to them and make the best use of trees, walls and other landscape features, and that the use of dark tones will help to reduce a buildings impact.

### Assessment

#### ***Principle***

The applicant farms around 300 acres in the locality, with a head of 550 sheep and 48 cows, and currently has no other buildings in the area.

The applicant notes that this is not his preferred site for an agricultural building and that in the longer term he hopes to establish the farm business on his land to the south of the village in the valley bottom. However, much of this land is steeply sloping, requires remedial work due to former neglect, and is also within the flood zone. That site therefore requires significant further work and investment before a building could be considered in this location, hence the current application.

On the basis of this agricultural justification it is considered that the principle of erecting a replacement agricultural building in the proposed position complies with planning policies DS1 and LC13.

#### ***Design***

The form, materials, and appearance of the building are typical of modern agricultural buildings and accords with the Authority's adopted guidance for buildings of this type.

The exception is the door to the western elevation, which has an unpainted metal finish which is bright and reflective, making it prominent. This appears out of keeping in the landscape and

therefore if permission is granted it is recommended that a condition is imposed to ensure that the door is painted a dark green to match the rest of the elevation.

The proposed door to the northern gable is not specified in the application. For the same reasons, it is recommended that a condition is imposed requiring any door to this opening to be coloured dark green if permission is granted.

Subject to the above conditions, the design of the building is considered to accord with policies LC4, LC13, and the provisions of the Authority's adopted design guidance.

### ***Landscape impacts***

The siting of the building does follow the Authority's design guidance for agricultural buildings in so far as it is sited close to the field boundary and is well related to the existing copse of trees.

This does serve to reduce its prominence in many views. When approaching the site along the adjacent highway from the east the building is just over the hill crest, meaning it is not prominent, and it is further screened by the trees. When viewed from the west, the building is backed by the trees and the rising ground, helping to soften its appearance and preventing it from skylining in many views.

Despite this, the building does still occupy an elevated and prominent position when looking towards the site from the west however.

For this reason Officers considered that additional landscaping of the site was required, and have worked with the applicant to agree a landscaping scheme to address this matter. The now-proposed landscaping scheme includes two staggered rows of trees running in front of the full length of the western elevation of the building.

Providing this comprises a mix of appropriate native species they would provide both low level screening and taller screening as the trees mature. They would not provide complete screening of the building in views from the west - in winter months in particular the building would be visible through the reduced foliage, but they would serve to break up the outline of the building and to reduce the impact of its massing.

With this in place – and given the dark colour of the building and the existing landscaping to the west of the building – it is considered that the building would have an acceptable landscape impact, according with policies L1 and LC4. Subject to such planting it is also considered that the proposal would conserve views in to and out of the village Conservation Area to the west.

If permission was to be granted it is recommended that a condition to secure the undertaking of landscaping within the first available planting season is imposed to ensure that the building does not continue to have adverse landscape impacts.

### ***Amenity***

The existing building on the site already houses livestock and has done so for a number of years. Whilst the building would increase the amount of animals that could be housed on the site, it is not considered that this would result in significant increase in amenity impacts given the distance of separation from nearby residents, the existing and proposed planting, and the changes in levels between the building and the other properties.

Similarly, it is not considered that the increased level of noise or odour that would be generated by the use of a larger building on the site would have significant further impacts on neighbouring properties given their distances from the building.

No buildings are present on the neighbouring land to the east within close proximity to the building, and the proposed building is not considered to overbear or overshadow this or any other neighbour.

On this basis the proposal is considered to conserve neighbouring amenity as required by policy LC4.

### ***Environmental Management***

Given the nature of the development it is not considered that environmental management measures are necessary for the development to comply with the Authority's climate change policies.

The building is not adjacent to any watercourse and is not at risk of flooding and on that basis it is considered that the risks of ground or water pollution from a farm building in this location are low. There are therefore no objections to the proposal in this regard.

### **Conclusion**

Subject to the proposed landscaping, the scale and design of the proposed building are considered to conserve the character and appearance of the building, landscape, and nearby conservation area. Due to the distance from neighbouring properties and the fact that there is already an existing farm building and operation on the site the amenity impacts of the proposal area also considered acceptable.

Taking all of the above factors in to account and in the absence of any further material considerations the proposal is considered to be in accordance with the policies of the Development Plan and the Framework.

### **Human Rights**

Any human rights issues have been considered and addressed in the preparation of this report.

### **List of Background Papers** (not previously published)

Nil