



Report of the Chief Planning Officer

NORTH AND EAST PLANS PANEL

Date: 25th September 2014

Subject: 14/03111/FU & 14/04107/FU - Grain Store and General Store, Sandbeck Lane, Wetherby, Leeds, LS22.

APPLICANT

D Parker and Sons
D Parker and Sons

VALID

2nd June 2014
15th July 2014

TARGET DATE

28th July 2014
15th August 2014

Electoral Wards Affected:

Wetherby

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

DEFER and DELEGATE APPROVAL to the Chief Planning Officer subject to conditions to cover those matters outlined below and consideration of any views of Harrogate Borough Council received.

Conditions for both applications:

1. Time limit on full permission;
2. Development carried out in accordance with approved plans
3. Materials-examples of cladding colour to be submitted for LPA approval prior to start of construction works.
4. PD restriction – to restrict extensions, outbuildings, roadways, hardsurface areas.
5. Condition to ensure that the use of the agricultural buildings is retained as agricultural buildings and to be linked to the applicants land holding.
6. Landscape proposals to be agreed.

1.0 INTRODUCTION

- 1.1 These applications seek permission to construct a detached grain store (14/03111/FU) and detached general store (14/04107/FU). This report considers both applications as they are submitted by the same applicant, relate to the same piece of land and serve the same wider agricultural land holding.
- 1.2 The applications are brought to Panel at the request of Councillor John Procter who wishes that the Panel considers the impact of the applications on the rural character and nature of the open countryside around the application sites.
- 1.3 The applications were deferred by Members at the August 21st meeting of Panel, in order to consider any implications for the developments of land having been advanced as a housing site under the Strategic Housing Land Availability Assessment, and whether or not similar applications had also been submitted in Harrogate. Deferral was also to enable consultation with Harrogate Borough Council.
- 1.4 This report therefore includes consideration of the Strategic Housing Land Availability Assessment and any relevant history of such applications in Harrogate. As neighbouring Local Planning Authority, Harrogate Borough Council has also been consulted. Their response is awaited, hence the recommendation is to defer and delegate approval to the Chief Planning Officer, subject to the consideration of any views received.

2.0 PROPOSAL

- 2.1 The applicant seeks permission to erect a detached grain store and a detached general store associated with a wider agricultural holding that extends to some 200 acres.
- 2.2 The detached grain store will measure approximately 36.6m wide by 21.4m deep by 8.4m to ridge and 5.4m to eaves measured from ground level and will be constructed of pre-cast concrete lower walls and box profile sheeting external walls.
- 2.3 The detached general store will measure approximately 29.4m wide by 12.8m deep by 7m tall to ridge and 5.2m tall to eaves measured from ground level and will be constructed of coloured profile sheeting.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application relates to a triangular piece of agricultural land between and adjacent to Sandbeck Way, which at this point is little more than an unmettled track and Racecourse Approach (B1224). The land is currently under crop. The site is bounded by a hedge to the southern and eastern boundary and mature deciduous trees to the north.
- 3.2 There is no parking assigned to the area but there is a dedicated track – Sandbeck Lane- which enables access well clear of the public highway.
- 3.3 The land is located approximately half a kilometre east of the A1 and Wetherby and forms the transitional rural edge of Wetherby into open agricultural land.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 None

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Informal pre-application discussions have been held with officers prior to the submission of these applications, following discussions in respect of similar buildings at another site somewhat divorced from the land they were to serve. Officers are of the view that two agricultural buildings to serve the applicant's Swinnow and Ingmanthorpe land holding, at this proposed site, would be more in-keeping within the proposed agricultural area.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application has been advertised by site notice placed at the site on 27th July 2014. The proposed site is not in close proximity to any neighbouring dwellings or buildings.
- 6.2 The publicity period for the application expired on 7th July 2014 (14/03111/FU), 15th August 2014 14/04107) To date no representations have been received.

7.0 CONSULTATIONS RESPONSES:

- 7.1 Highways: Consider that the existing access junction with Racecourse Approach is adequate to handle the occasional vehicle movement that would be generated by the proposals. This junction has good visibility and large kerb radii.
- 7.2 Public Rights of Way: Consider that the erection of the grain store does not appear to affect the bridleway, and as such, this office has no objection to the proposals.
- 7.3 Open Spaces Society: No response
- 7.4 Asset management (Agricultural Surveyor): Considers the size of the agricultural holding to justify a functional requirement for the buildings and the positioning is also logical bearing in mind the holding it serves in that it is central and can be reasonable accessed.
- 7.5 Harrogate Borough Council: Comment awaited – a response has been requested in time for reporting at the meeting.

8.0 PLANNING POLICIES:

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Leeds currently comprises the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013).

Local Planning Policy

- 8.2 The Leeds Unitary Development Plan (Review 2006) is the development plan for the whole of the Leeds district. Relevant planning policies in the Leeds Unitary Development Plan (Review 2006) are listed below:

GP5: Seeks to ensure that development proposals resolve detailed planning considerations.

RL1 The area of open countryside to the north of the River Wharfe is designated as rural land. This area will be safeguarded in accordance with UDP strategic principle SP2. Any development proposed in this area will be assessed against the guidance contained within PPG7 (now superseded by the NPPF Framework Paragraph 28) “the countryside and the rural economy” and other relevant national and local policy guidance.

SP2 Countryside is protected for its own sake, as a recreational resource, as a setting for a diversified and prosperous rural economy, and as the location of valued landscapes, wildlife and natural features.

Supplementary Planning Guidance/Documents

8.3 Emerging Local Development Framework Core Strategy

The Council has submitted its Core Strategy to the Secretary of State. The Strategy is considered by the Council to be sound and in line with the policies of the NPPF and the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011. An initial hearing session has been held and the Inspector is satisfied that the Council have fulfilled the legal obligations of the Localism Act as they pertain to the Duty to Co-operate. The Core Strategy progressed to formal hearing sessions which were held in the autumn 2013 and the spring of 2014. The Inspector’s main modifications were published on 13th March 2014 for six weeks public consultation. More recently the final modifications have been publicised with a further period of consultation. The Inspector’s report should be published before the end of July 2014. Significant weight can now be attached to the policies of the Draft Core Strategy as amended by the main modifications.

National Planning Policy

8.4 The National Planning Policy Framework (2012) sets out the Government’s planning policies for England and how these are expected to be applied. It sets out the Government’s requirements for the planning system. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

8.5 The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given. It is considered that the local planning policies mentioned above are consistent with the wider aims of the NPPF and in particular Para 28 which seeks to support a prosperous rural economy.

9.0 MAIN ISSUES

- 1) Principle
- 2) Design and Character
- 3) Highway Safety
- 4) SHLAA Implications
- 5) Views of Harrogate BC/History

10.0 APPRAISAL

Principle

- 10.1 As noted above the site is located to the east of Wetherby, outside the Leeds Green Belt and within rural land. As such it is covered by policy RL1 which notes that it will be safeguarded in accordance with strategic policy SP2 and guidance contained within PPG7 (now superseded by the National Planning Policy Framework paragraph 28). Policy SP2 notes that the countryside is protected for its own sake, as a recreational resource, as a setting for a diversified and prosperous rural economy, and as the location of valued landscapes, wildlife and natural features. Paragraph 28 of the National Planning Policy Framework notes that planning policies should support economic growth within rural areas and take a positive approach to sustainable new development.
- 10.2 Planning Officers do not dispute that the applicants need for a store of the size and scale proposed and support the location on the land to which it relates. The Council's Agricultural Surveyor has met with the applicant on this land and considers that an agricultural storage facility located centrally within the land is a reasonable response to the agricultural needs of the wider holding.
- 10.3 There have been examples of land within the vicinity of the application site which having sold off agricultural buildings then have gained permission for more agricultural buildings on the same site based on need which themselves have been sold off and then further applications for the same site for more agricultural buildings, based on need, have been submitted resulting in bit by bit development of a farm site into a small commercial business park. As noted above, conditions will be applied that restrict development on the site and restrict the use of the site for agricultural purposes only and tied to the Swinnow and Ingmanthorpe landholdings identified on the submitted landholding plan.

Design and Character

- 10.4 The National Planning Policy Framework states that "good design is indivisible from good planning" and authorities are encouraged to refuse "development of poor design", and that which "fails to take the opportunities available for the improving the character and quality of an area and the way it functions, should not be accepted". Leeds Unitary Development Plan Policy GP5 states that "development proposals should seek to resolve detailed planning considerations including design" and should seek to avoid "loss of amenity".
- 10.5 The agricultural buildings proposed have a simple form and shape as would normally be expected due to their functional nature. The size and scale are considered to be in-keeping with the required capacity to serve a 200 acre land holding both in terms of grain capacity and the machinery/chemicals required. Also, they are in-keeping with the form and style of building that would be expected in an agricultural area. As such, subject to a condition to select the appropriate coloured cladding, no significant harm is anticipated to the proposed site or wider area.
- 10.6 In addition to the above, the submitted plans identify that new planting is proposed as part of the development. Whilst the size of the buildings is such that planting is unlikely to fully screen the buildings, it would help filter views which would be of benefit. Subject to the detailed planting proposals being agreed via condition this intervention will over time lessen the visual impact of the buildings and is an approach commonly taken when dealing with such structures in the countryside.

Highway Safety

10.7 Leeds Unitary Development Plan Policy GP5 states that “development proposals should seek to resolve detailed planning considerations including highway safety”. It is considered that the existing access junction with Racecourse Approach is adequate to handle the occasional vehicle movement that would be generated by the proposal. This junction has good visibility and large kerb radii. As such the proposal is acceptable in this regard.

10.8 SHLAA Implications

At the last meeting of Panel Members discussed that the site had been advanced as a site under the Strategic Housing Land Availability Assessment. The proposed buildings are not themselves on the SHLAA site advanced, though land to the south forming part of the agricultural unit is.

10.9 The land to the south is site numbered 1233 under the SHLAA and has been advanced by the applicant (and others) as a suitable housing site. Under the Issues and Options Site Allocations Plan, the site is amber, meaning that it is a site with potential but issues, or not as favoured as green sites. For example, the site lacks good public transport accessibility and is truncated from Wetherby by the A1.

10.10 In any event, the housing site allocations are at such an early stage that no weight should be given to this consideration. Approval of this application would not prejudice the future potential of site 1233, nor could it stand on appeal as a reason for refusal of these applications.

10.11 Views of Harrogate BC/History

As the adjoining Local Planning Authority, Harrogate Borough Council has been consulted on the proposed buildings. Their response is awaited, though it is not anticipated that any objection should be forthcoming – the buildings are screened by a tree belt from land to the north and they are not considered by be unduly harmful. Their response is awaited and will be reported at Panel. To cover the event that a response is not forthcoming in time for the meeting, the recommendation is therefore to defer and delegate to allow for consideration of their views.

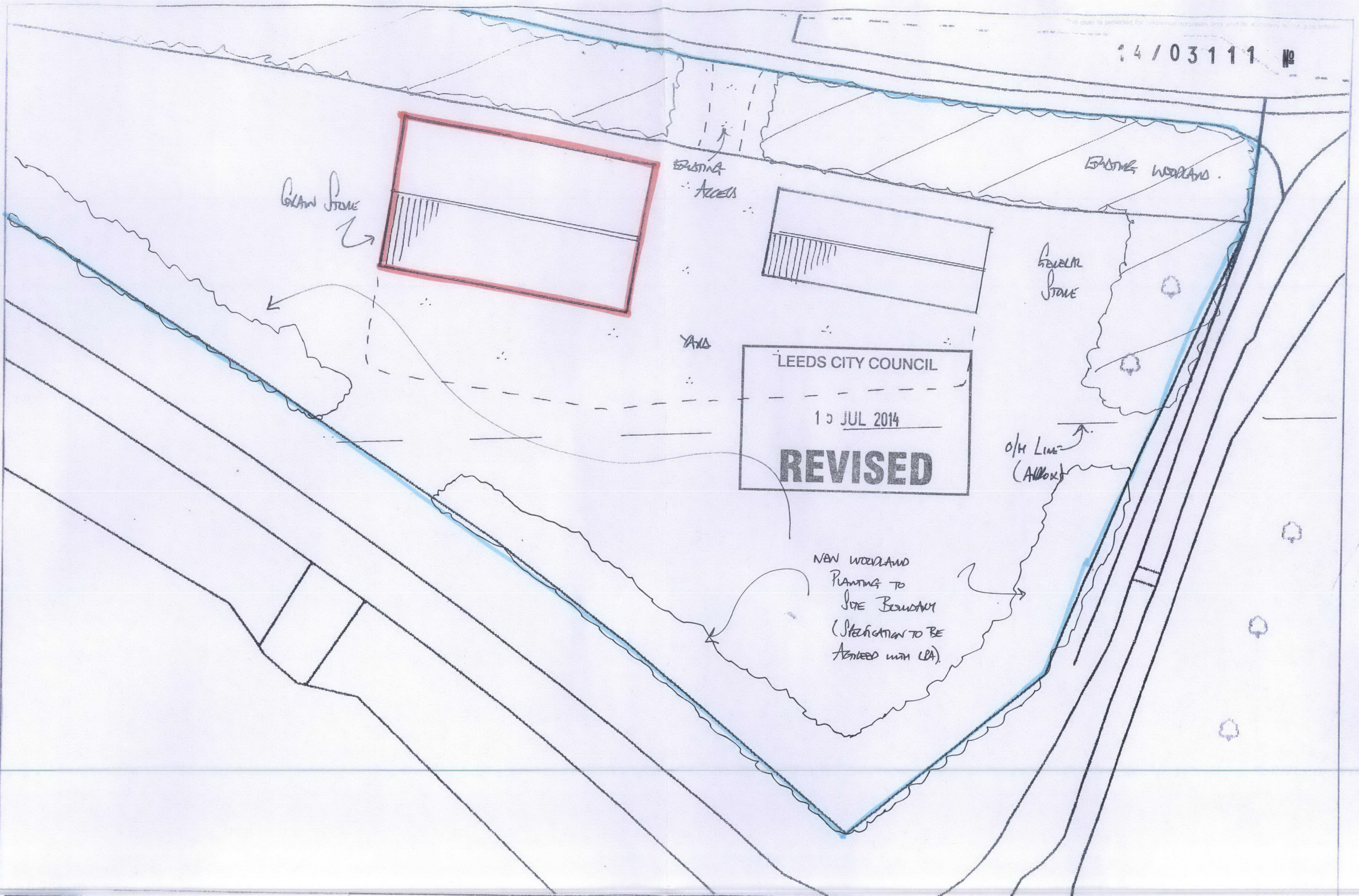
10.11 A manual search of Harrogate’s public access records for planning applications on land that forms part of application unit within their area, back to 2005, does not show any record of approval for such buildings in their area.

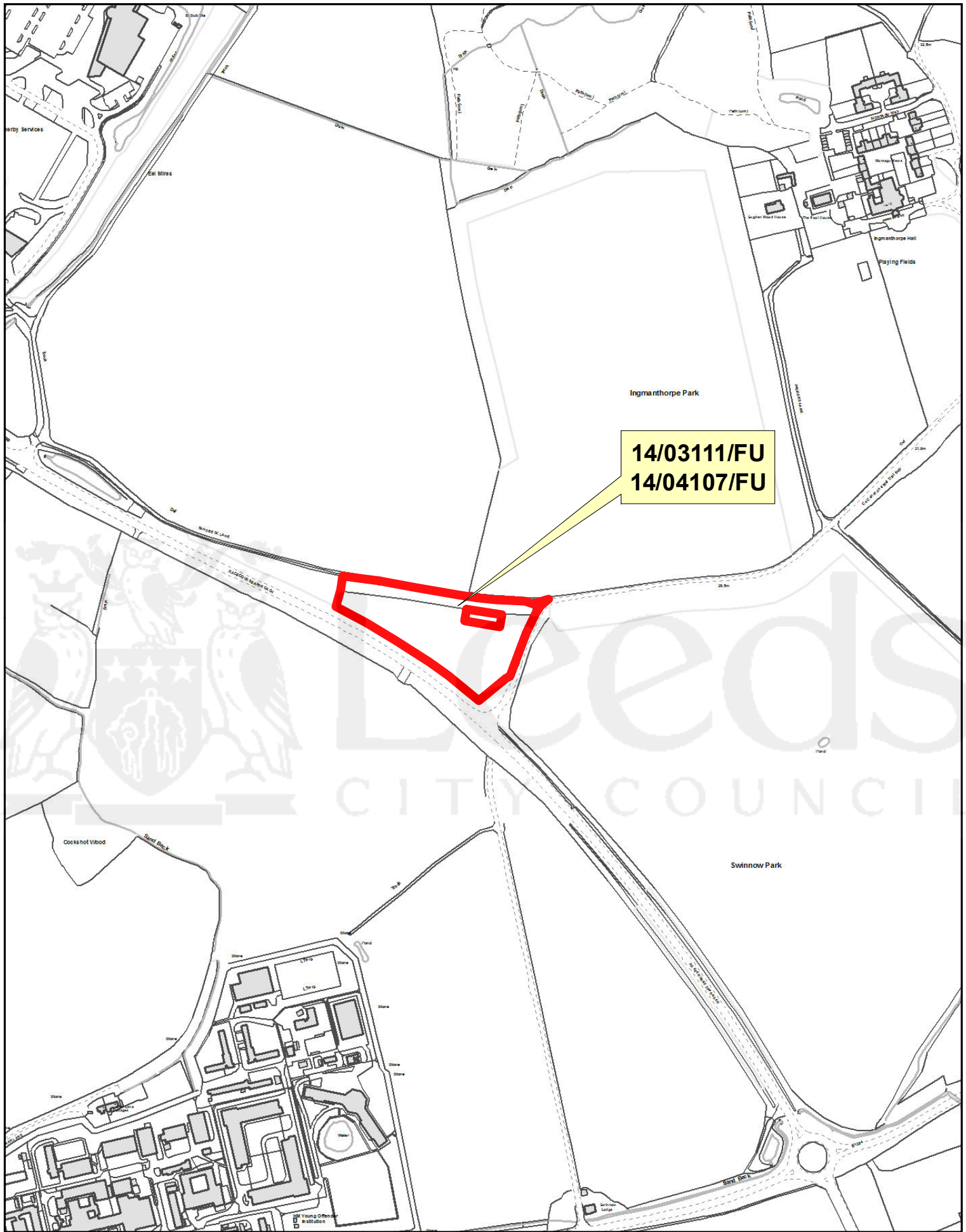
11.0 CONCLUSION

11.1 These applications are therefore considered to be acceptable. The detached grain store and general store would not harm character and nature of the area or impact adversely on highway safety. As such the applications are compliant with the relevant policies and guidance and approval is recommended for both.

Background Papers:

Application files 14/003111/FU and 14/04107/FU
Certificate of ownership: Certificate A signed by the agent (David McCormack) on behalf of the applicant (D Parker and Sons).





NORTH AND EAST PLANS PANEL

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