



## Report of the Chief Planning Officer

### *PLANS PANEL WEST*

Date: 15 July 2010

**Subject: APPLICATION 10/01780/FU – RETENTION OF CATTLE SHED, SINGLE STOREY SIDE EXTENSION TO CATTLE SHED AND ERECT DETACHED SHEEP SHED AT LOW GREEN FARM, 40 LEEDS ROAD RAWDON**

#### **APPLICANT**

John Penny and Sons

#### **DATE VALID**

29 April 2010

#### **TARGET DATE**

29 July 2010

#### **Electoral Wards Affected: Horsforth**

YES

Ward Members consulted  
(referred to in report)

#### **Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

## **RECOMMENDATION: REFUSE**

The existing and proposed development, due to its size, location and design has a detrimental impact on the visual amenities and openness of the Green Belt and the character and appearance of the Woodhall/Calverley/Cragg Wood/Hunger Hills Special Landscape Area. The proposed extension and additional building will exacerbate this impact. In view of this the application conflicts with the guidance in Planning Policy Guidance Note 2, and with Strategic Aim SA1, Strategic Principle SP2 and Policies GP5; N13; N33 N37; N37A and BD2 of the Leeds Unitary Development Plan (Review 2006).

### **1.0 INTRODUCTION:**

The application is reported to Panel because of the size of the development and the fact that the existing structure has been erected without planning permission.

### **2.0 PROPOSAL:**

This is an application for full planning permission for the retention of an existing cattle shed, for the erection of single storey side extension to that cattle shed and for the erection of detached sheep shed at Low Green Farm, Leeds Road, Rawdon.

The existing cattle building which is to be retained is 158.6 metres long x 24.5 metres wide (26.6 metres including the exterior access way) with a height to eaves level of 6.6 metres and to ridge level of 9 metres. The extension to the cattle shed is on the western end and will measure 24 metres by 26.6 metres, and result in the addition of four 6 metre wide pens (the existing building currently contains twenty six pens). The proposed extension would be constructed of materials to match those on the existing building. The elevations would be clad with matching concrete blocks at lower level with stained timber boarding above, the roof will be dark coloured asbestos cement sheeting.

The proposed sheep shed stands to the south of the cattle shed and will measure 36 metres long and 16.6 metres wide, (floor area 598 m<sup>2</sup>), with a height to eaves level of 5.9 metres and to ridge level of 7.5 metres. It will be constructed of materials to match the existing cattle building. The area between the cattle and sheep buildings is used for storage and access.

The applicant indicates that the extension is required as it has become necessary to house all livestock under cover during the winter to meet the requirements of the Farm Payments Scheme. It is anticipated that this will also assist the farm to achieve Farm Assured Status, which is a recent food standard for farmers to demonstrate quality production techniques. The extension will also allow the farm to increase its animal rearing capacity – the shed can currently hold 300 cattle; with the extension it will be able to house 100-150 more.

### **3.0 SITE AND SURROUNDINGS:**

The building to be extended is a large modern detached cattle shed located to the south of Leeds Road on the hillside overlooking the Aire Valley. The shed is constructed of timber boarding on a concrete block plinth with a roof of green profiled sheeting. The building has a green feed cylinder attached to its eastern side, which extends upwards to the full height of the building. There is an external enclosed storage area in front (to the south) of the cattle shed. The building is set into the hillside.

This is an isolated building within the farm and is surrounded by fields. Approximately 200 metres to the north, on the Leeds Road frontage, is an abattoir.

The building is accessed by a drive running south from Leeds Road to the east of the adjoining abattoir (which is on the road frontage to the north). The abattoir and Low Green Farm are in the same ownership. In addition to the abattoir the applicant has indicated that the farm comprises a total of approximately 120 hectares of land of which 100 is used for grazing sheep and cattle and the balance is in arable use.

The nearest residential properties are 'The Bungalow', Low Green, approximately 150 metres to the north west and Carrs Cottage, approximately 170 metres to the east.

The site is visible from properties further to the west on Rawdon Hall Drive and from numerous locations on the surrounding footpath network, with close up views of the existing building and associated earth mounding from the footpath to the west.

There are long distance views of the building and earthworks from many vantage points to the south of the site on the opposite side of the Aire Valley, including from Woodhall Road Calverley, Rodley Lane close to the roundabout with the Ring Road from Leeds Bradford Road west of Whitecote Hill, Spingbank Drive, Farsley. The building is less visible from the north and west as a result of the topography but can be seen from the Leeds Road frontage east of the abattoir.

The site is within the designated Green Belt and Special Landscape Area as defined on the Leeds Unitary Development Plan. The site is close to but outside the Rawdon Low Green Conservation Area, which lies to the north and north west of the site, (part of the abattoir is within the Conservation Area).

#### **4.0 RELEVANT PLANNING HISTORY:**

27/39/02/FU – planning permission granted 18 June 2002 for an agricultural building described as an animal shelter/hay/equipment store, 30 metres wide x 18 metres deep, 6 metres to the eaves and 7.8 metres to the ridge in a location approximately corresponding to part of the present cattle shed. This permission has not been implemented. Approved 18.6.02

27/48/03/FU – planning permission granted for a detached agricultural building, 60 metres wide x 18 metres deep in a similar location as 27/39/02/FU (slightly further to the north and east), and of the same eaves and ridge height. Approved 22.5.03

The footprint of the two applications referred to above overlapped, precluding the implementation of both.

06/03980/FU – extension of agricultural cattle shed., showing an extension to the cattle shed 30 metres in length and 18 metres wide, with an eaves height of 6 metres and a ridge height of 7.8 metres. Approved 17.10.06

09/02937/FU - single storey side extension to cattle shed and erection of detached sheep shed. Withdrawn 30.3.10

#### **5.0 HISTORY OF NEGOTIATIONS:**

In relation to application 09/02937/FU, referred to above, the submitted drawings showed an existing building of 60 metres x 16.6 metres on the existing plans, elevations and sections, whilst the location plan showed a building of approximately 90 by 24 metres and the site plan a building of 158.6 metres long x 24.5 metres wide (26.6 metres including the exterior access way). The extension to the cattle shed was shown as 24 metres by 26.6 metres, and the sheep shed as 36 metres x 36 metres. The application was withdrawn when the discrepancy was pointed out to the applicant and that it appeared that a considerable part of the existing building did not appear to have planning permission.

Subsequent to the withdrawal of the above application the Council served a Planning Contravention Notice on 22 January 2010. A subsequent meeting was held with the applicant and his agent at which Officers expressed the view that the building as constructed was likely to be considered unacceptable in this Green Belt location and that it was unclear whether the use of the building was appropriate to this Green Belt location.

In response the applicant has submitted the current application to retain the existing building and for the extensions shown on the previous application.

## **6.0 PUBLIC/LOCAL RESPONSE:**

The application was advertised by a site notice posted on 4 May 2010 and as a result 3 representations have been received from residents of Henley Avenue and Leeds Road; they raise the following concerns:

- The building is not used for agriculture – it is a warehouse for animals awaiting slaughter/industrial building and ancillary to the slaughter house.
- Therefore inappropriate development and Contrary to Green Belt policy.
- Large industrial building not in keeping with nearby stone structures or surrounding area.
- Negative impact on Conservation Area.
- Damage to character and conservation value of the valley.
- Will further affect the value of adjacent property.
- It will increase the amount of work for the abattoir thereby creating more noise nuisance including at anti-social hours.
- Retrospective permission should not be given.
- It will increase the size of what is already a massive structure and is not in keeping with the character of the Conservation Area.
- Will increase smells and odours emanating from the premises to the detriment of the amenities of local residents.
- Expansion will add to traffic, with detriment to highway safety compounded by parking on the road outside the premises.
- No screening or landscaping has been done round the existing building to lessen its impact.
- Abattoir does not employ people from local area therefore little or no impact on local economy.

## **7.0 CONSULTATIONS RESPONSES:**

Statutory:

None

Non-statutory:

Public Rights of Way:  
No objection

Neighbourhoods and Housing:  
No objection

Highways:  
No objection

SDU Landscape:

The development presents an extensive linearity and horizontality that is over-dominant in the landscape - which is designated as Special Landscape Area, under UDP Policy N37. Policy N37a is also relevant.

It is significant that landscape schemes for dealing with the development were only forthcoming after enforcement.

The levels shown on the JCA landscape drawing do not tie up with the illustrative cross sections in the TEL Landscape assessment. The TEL report underplays the impact of the building on users of the PROW in establishing the visual receptors, and "dilutes" the overall impact by choosing highly remote receptors such as in Rodley and Calverley.

Recommendation

- Refusal on grounds of adverse landscape impact

## 8.0 PLANNING POLICIES:

Leeds Unitary Development Plan policies:

- SP2 – Protection of countryside
- GP5 – General Planning Considerations
- N13 Design and new buildings
- N33 Development within the Green Belt
- N37 – Development within Special Landscape Areas
- N37A – Development in the countryside
- N19 – Extension within and adjacent to Conservation Areas
- BD2 - Design and siting of new buildings
- T2 – Highways considerations

Government Planning Policy

- PPG2 Green Belts January 1995
- PPS4 Planning for Sustainable Economic Growth
- PPS7 Sustainable development in rural areas

## 9.0 MAIN ISSUES

Principle of development - is the development appropriate in the Green Belt

Effect on visual amenities of the Green Belt and the character of the SLA

Other issues

Neighbour representations

## 10.0 APPRAISAL

### 1. Principle of Development - is the development appropriate in the Green Belt

Paragraph 3.4 of PPG2 Green Belts, indicates that the construction of buildings in the Green Belt is inappropriate, unless it is for a number of purposes including agricultural use.

The buildings are certainly designed for agricultural purposes. In addition the present building is occupied by agricultural animals, and the same will apply to the extension and proposed building. The key is whether the existing and proposed buildings are used for agriculture or are primarily required as lairage for the abattoir since the latter use would not be agricultural and would be inappropriate in this location.

In clarification of the use of the buildings the applicant's agricultural advisor has indicated that in order to meet the requirements of the farm assurance scheme all animals must be kept in farm buildings for a specified time before slaughter (90 days for cattle and 60 days for sheep). It is unclear if this applies to all animals, and local residents have indicated that in their view the building is used for lairage with animals being placed in the building one day and sent to slaughter the next.

There is no clear evidence however, at this time, that the applicant is using the building for anything other than what he has applied for, agricultural purposes. If planning permission were to be granted for the present use this would not preclude future enforcement action in relation to unauthorized use of the building if it could be shown that the use had changed.

On the basis of current information therefore it is concluded that the use is appropriate to this location in the Green Belt.

## **2 Effect on visual amenities of the Green Belt and the character of the SLA**

That the building is "appropriate" in terms of its use, however does not necessarily mean it is acceptable in terms Green Belt or indeed Special Landscape Area Policies.

Paragraph 3.15 indicates that the visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt which although they would not prejudice the purposes of including land in the Green Belt might be visually intrusive by reason of siting, materials or design. In addition, paragraph 1.4 states that the most important attribute of Green Belts is their openness.

The existing building is visible from numerous viewpoints around the site, both in close and longer distance views. The applicant provides a landscape visual impact assessment with the application which include a series of view points. However, the photographs do not accurately reflect the visual impact from the points chosen and do not include a number of closer and more distant viewpoints from which the building is visible.

It is considered that the building is particularly visible from a number of viewpoints, in particular from locations not selected in the visual impact assessment on the footpath west of the site, from the Leeds Country Way east of the site and in more distant views from Woodhall Lane east of Calverley and from the Leeds Bradford Road between Bramley and Rodley.

From the more distant locations the building appears as a very large linear feature which is overdominant in the landscape. Its separation from existing development is evident from these longer views and it stands isolated in the SLA and Green Belt between Rawdon and Calverley. From Leeds Road itself the long roof of the building is clearly visible against the panoramic long distance views to the Pennines.

The building as constructed is much larger than that approved by the City Council, which taking account of the two planning permission s granted was to be a total of 90m long by 18m (1620m<sup>2</sup>). The building as constructed is 158.6 metres long x 24.5 metres wide and has a floor area of 3885m<sup>2</sup>. The building as constructed is therefore 76% greater in length than that approved and has a floor area nearly 2.4 times greater.

It is considered, given the combination of its size, linear design and location that the existing building without extension is detrimental to both the visual amenities and openness of the Green Belt. The proposal therefore conflicts with the advice in PPG2.

The applicant has implemented extensive earthworks (which are clearly visible from the footpath and in more distant views) which effectively provide a platform for the existing and proposed buildings and planting is proposed on the banking to the south, west and north of the buildings. Realistically this will take some time to establish, and although this may provide a degree of screening from the footpath network to the west and south it is considered that the effect on long distance views will be limited due to: the elevation of the viewpoints, which look down on the building; and the size of the main building.

On the basis of the above comments relating to the siting and linear design of the building it is also considered that the development as constructed is seriously detrimental to the character of the Special Landscape Area and contrary to Policy N37 of the LUDPR and the more general policy relating to the countryside, N37A. It is considered that the proposal therefore conflicts with a strategic principle SP2 of the LUDPR which seeks to protect the countryside for its own sake.

It is also considered that the construction of a further extension to the building and the construction of the additional sheep building will exacerbate the impact of the building on the Green Belt and SLA..

### **3 Other issues**

It follows that the application also conflicts with Policies GP5 and BD2. In relation to GP5 it results in a loss of visual amenity whilst with regard to BD2 it is considered that the building does not complement the existing vistas, particularly when viewed from a number of viewpoints across the valley. The landscape proposals do not resolve the problem of the impact of a building of this size in such a prominent location.

With regard to Policy N19 (development within and adjacent to conservation areas) the impact is less harmful. Whilst the site is within 120 metres of the Low Green Conservation Area the land slopes quite steeply from the Leeds Road and in public viewpoints it is not prominent from any location within the Conservation Area. In views from the Leeds Road it can be seen from the road frontage east of the abattoir, but whilst its appearance from this location does affect the openness and visual amenities of the Green Belt and the character of the SLA, it does not impact on the conservation area itself.

Similarly in long distance views it is seen to be clearly separated from adjacent development and whilst the buildings within the Conservation Area are visible beyond the building the character of the conservation area is not apparent in such views. In view of this it is not considered that the proposal conflicts with policy N19.

In addition consultation responses indicate that there are no objections to the existing and proposed development from Highways, Neighbourhoods and Housing and Rights of Way.

Finally, in relation to employment and the rural economy, it should be noted that the Planning Statement accompanying the application makes passing reference to the

applicant's business and role as a local employer. However the application does not seek to justify the development in terms of its economic importance and no Government or LUDPR policies are quoted by the applicant in relation to this issue.

#### **4 Neighbour representations.**

With regard to the representations received in respect of this application, the majority are dealt with above. Of those points not covered, the effect on the market value of adjacent property and the assertion that the abattoir does not employ people from local area and therefore has little or no impact on local economy are not planning matters.

#### **11.0 CONCLUSION**

It is considered that the existing unauthorised and the proposed developments are unacceptable as a result of the impact on the openness and visual amenities of the Green Belt; the effect on the character and appearance of the Special Landscape Area and the countryside. It is therefore recommended for refusal.

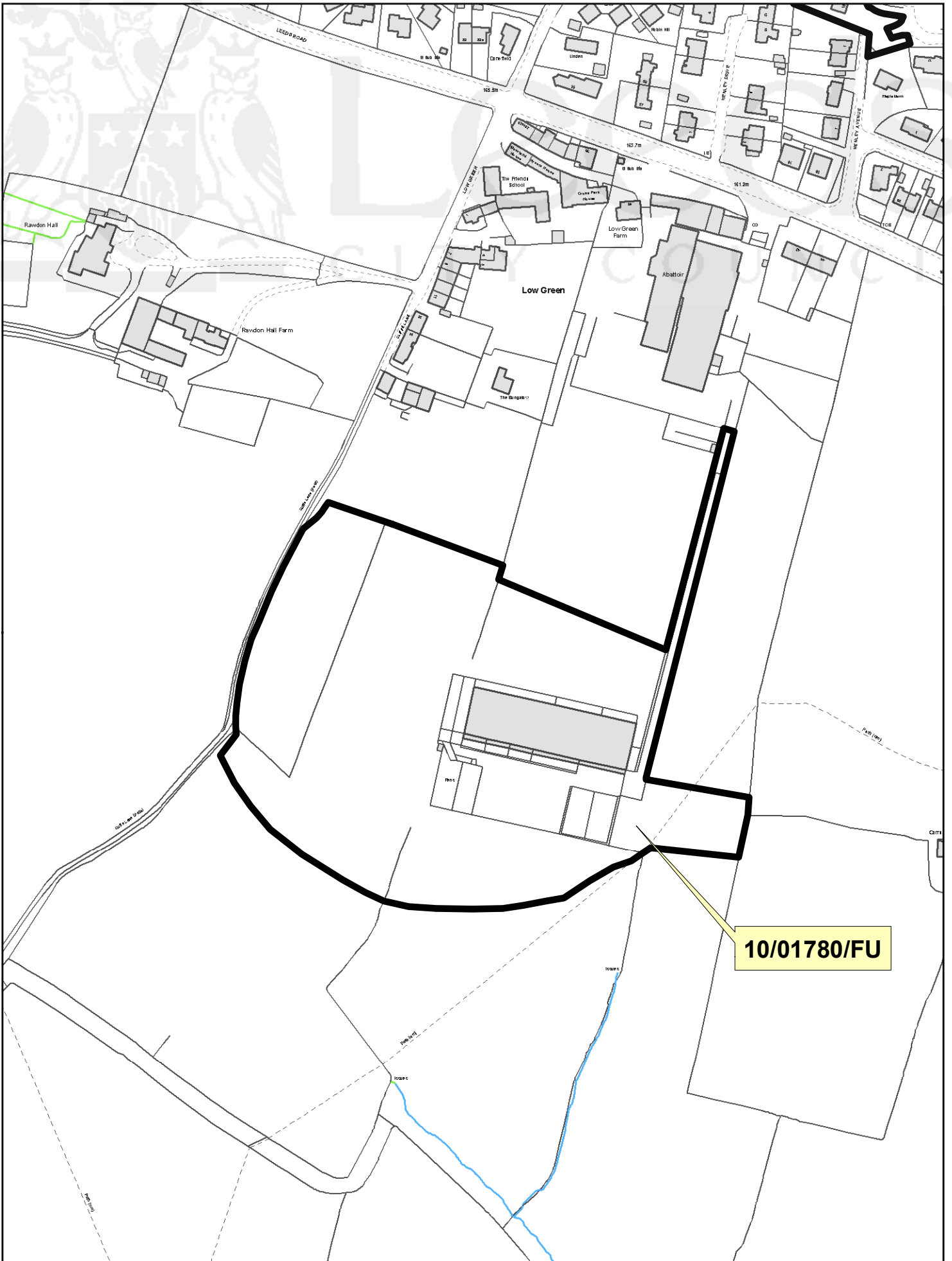
#### **Background Papers:**

Application file: 10/01780/10FU

History files: 27/39/02/FU 27/48/03/FU 06/03980/FU 09/02937/FU

Certificate of Ownership Signed by Agent on behalf of owner.





# WEST PLANS PANEL

  
Scale 1/2500

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