

Parish: Sessay
Ward: Sowerby and Topcliffe
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Committee Date : 1 July 2021
Officer dealing : Mr Connor Harrison
Target Date: 25 June 2021
Date of extension of time (if agreed): -

21/01152/FUL

Proposal: Construction of a steel portal framed agricultural building for the storage of straw

At: Bruce House, Scaife Shay Lane, Sessay, YO7 3BL.

For: Mr M Sanderson

The proposal is presented to Planning Committee as there is a member interest in the proposal site

1.0 Site, context and proposal

- 1.1 The site is located outside of any defined Development Limits.
- 1.2 The proposed location of the development is within a farmyard associated with Bruce House, at the terminus of Scaife Shay Lane, Sessay. The site lies on southern section of the farmyard within an established agricultural business. The proposed site is located approximately 30m south of the Grade II Listed Barn Forming East Side of the Farmyard at Bruce House and is proposed to be sited immediately adjacent to a Public Right of Way, found to the west.
- 1.3 This proposal seeks planning permission for the construction of an existing agricultural building for the storage of straw associated with the running of the agricultural business. The proposed extension would measure approximately 23m x 20m (460m²) and would be 4.8m to the eaves with a ridge height of 7.48m.
- 1.4 The agricultural building would be constructed of grey fibre cement sheeting.
- 1.5 This application follows a refusal of prior notification due to the proximity of the site to a functioning aerodrome (Bagby Airfield). As such the proposal was not considered to be permitted development and planning permission is required.

2.0 Relevant planning and enforcement history

- 2.1 21/00562/APN - Application for prior notification for construction of an agricultural building for the purpose of a storage/straw shed. – Prior Notification Refused.

3.0 Relevant Planning Policies

- 3.1 As set out in paragraph 2 of the NPPF planning law requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. The law is set at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990.

3.2 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

Core Strategy Policy CP1 - Sustainable development
Core Strategy Policy CP2 – Access
Core Strategy Policy CP4 - Settlement hierarchy
Core Strategy Policy CP15 – Rural Regeneration
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
Core Strategy Policy CP17 - Promoting high quality design
Development Policies DP1 - Protecting amenity
Development Policies DP25 – Rural employment
Development Policies DP26 – Agricultural issues
Development Policies DP28 - Conservation
Development Policies DP30 - Protecting the character and appearance of the countryside
Development Policies DP32 - General design
Development Policies DP9 - Development outside Development Limits

Hambleton emerging Local Plan

Hambleton emerging Local Plan was considered at Examination in Public during Oct-Nov2020. Further details are available at <https://www.hambleton.gov.uk/localplan/site/index.php>.

The Local Planning Authority may give weight to relevant policies in an emerging plan as advised in paragraph 48 of the NPPF.

4.0 Consultations

- 4.1 Sessay Parish Council – No response.
- 4.2 Neighbours and Site Notice – No response.
- 4.3 NYCC Highways Authority – No objections.

5.0 Analysis

- 5.1 The main issues to be considered are:- i) principle of the proposed use within the location and having regard to the expansion of a rural business; ii) impact upon the nearby heritage asset; iii) impact upon the character and appearance of the locality; iv) impact on the character of the countryside; v) impact upon the amenity of the nearby neighbours and vi) impact on the nearby public right of way.
- 5.2 Section 12 of the National Planning Policy Framework (NPPF) seeks to achieve well designed spaces. Paragraph 124 states "The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities". Paragraph 130 states "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents". Section 15 relates to conserving and enhancing the natural

environment. Paragraph 170 requires planning policies and decisions to contribute to and enhance the natural and local environment by, amongst other issues, "recognising the intrinsic character and beauty of the countryside".

- 5.3 At local level Hambleton District Council Core Strategy 2007 Strategic objective 8 seeks to protect and enhance the historic heritage and the unique character and identity of the towns and villages by ensuring that new developments are appropriate in terms of scale and location in the context of settlement form and character. Objective 9 seeks to protect and improve the countryside. Objective 12 is to promote high quality design of new developments in order to create attractive and safe places in which to live, work and play, enhancing and protecting local distinctiveness and visual quality.
- 5.4 Policy CP1 seeks to support proposals which protect and enhance the distinctiveness, character, townscape and setting of settlements, and the historic and cultural features of acknowledged importance, stating proposals which harm the built environment will not be permitted. Policy CP4 outlines 6 exceptional cases where development outside of development limits and in the countryside will be supported including i) meet the needs of farming, forestry, recreation, tourism and other enterprises with an essential requirement to locate in a smaller village or the countryside and will help to support a sustainable rural economy ii) to secure a significant improvement to the environment or the conservation of a feature of acknowledged importance; iii) affordable housing or community facilities which meet a local need; iv) re-use existing buildings v) provision for renewable energy generation and vi) where would support the social and economic regeneration of rural areas. Policy DP9 states development outside development limits will only be granted in exceptional circumstances having regard to CP4, or where it constitutes an acceptable and sustainable replacement building
- 5.5 Policies CP17 and DP32 require the highest quality of creative, innovative and sustainable design for buildings and landscaping that take account of local character and settings, respect local identity and distinctiveness and are appropriate in terms of use, movement, form and space. The policies require development to pay regard to traditional design and forms of construction, to avoid the use of inappropriate details, and to pay particular attention to appropriately designed elements. Proposals must respect local character and distinctiveness, scale form and massing should respect built form, and should respect and enhance local context. These policies are used in tandem with those within CP16 and DP28, which aim to preserve the natural and man-made assets present within the district by discouraging harmful development whilst seeking to mitigate any harmful impact through mitigation or compensatory measures, in line with the requirements of the NPPF and the Legislation.
- 5.6 Policy DP30 seeks to protect the character and appearance of the countryside, requiring the openness, character and quality to be respected and where possible enhanced, and the design and location of new development to take account of landscape character and its surroundings.

Principle of the proposed use within the location and having regard to the expansion of a rural business.

- 5.7 The site is located outside of defined Development Limits and is intended as an addition to an existing farmyard with a clear and functioning agricultural use. The proposed development would continue and expand this use within the boundaries of the established agricultural holding. Policies CP4 and DP9 allow for development outside of development limits as long as it relates to activities that require a countryside location such as agricultural practices. It is considered therefore that, in principle, the building is sited within an acceptable location.
- 5.8 The development of rural businesses is supported by DP25 and DP26 as well as by Paragraph 83 of the NPPF which states that planning decisions should enable the "sustainable growth and expansion of all types of business in rural areas" and "the development and diversification of...rural businesses". The proposal is therefore deemed to represent acceptable further development of the current agricultural business under the terms of both local and national planning policy.

Impact upon the nearby heritage asset

- 5.9 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in exercising an Authority's planning function, special regard shall be paid to the desirability of preserving the setting and historic and architectural features of Listed Buildings. The NPPF at Paras. 189, 190 and 192 requires an assessment of the potential harm a proposed development would have upon the significance of a designated heritage asset.
- 5.10 It is considered that the listed building, which is set within the farmyard and is in active agricultural use (as was its original function). It is considered that the proposed building would not affect the historic fabric of the listed building or substantially alter its historic context. In this regard, both the provisions of the national policies and those of local planning policies CP16 and DP28 have been met and the proposal is not considered to cause harm to the significance of the heritage asset.

Impact upon the character and appearance of the locality

- 5.11 The proposed building is considered to be appropriate in scale, form and design in view of its location within the agricultural holding, closely resembling pre-existing agricultural buildings already on site. The proposal represents a continuation of the materials used in both the immediately adjacent agricultural buildings and those local to the area. The form, scale and design are deemed to be appropriate to the proposed agricultural uses of the building.
- 5.12 The proposed unit is not considered to be detrimental to the character and appearance of the locality. It is considered that the proposed scheme would have a neutral impact on the wider area, due to the occlusion of the proposed building behind the existing agricultural buildings to the north and the inclusion of the buildings into the wider agricultural scene provided by the farmyard when viewed from other directions.
- 5.13 Whilst the structure would be visible from the adjacent public right of way, it is considered that the building would be subsumed into the agricultural scene described above. Furthermore, the proposal would result in the removal of assorted equipment and scrap material that is currently kept on site, resulting in a more ordered farmyard and a more coherent rural scene.

- 5.14 As such, the long-range visual impact and impact on wider views of the countryside would be limited. The building would not have a detrimental impact on either the immediate environment or on long-distance views and is therefore in accordance with the guidance outlined in CP16 and DP30.

Impact upon the character and appearance of the locality

- 5.15 Given that the proposal is for storage of agricultural feed and bedding it is considered that the proposed use is unlikely to result in any loss of amenity to nearby dwellings. The proposed development is therefore considered to fulfil the requirements of DP1.

Impact on the nearby public right of way

- 5.16 A public right of way runs to the west of the proposed building. It is considered that the proposal would not provide an impediment to the use of this footpath and that there will be no requirement for its rerouting or for the re-siting of the structure.

Planning Balance

- 5.17 It is considered that the proposal is fulfils the requirements of the relevant local and national planning policies and is of a use and appearance which will not cause harm to the surrounding countryside or the nearby heritage assets.

6.0 Recommendation

- 6.1 That subject to any outstanding consultations the application be **GRANTED** subject to the following condition(s)

1. The development hereby permitted shall be begun within three years of the date of this permission.
2. The permission hereby granted shall not be undertaken other than in complete accordance with the details received by Hambleton District Council on 30th April 2021 unless otherwise agreed in writing by the Local Planning Authority.

The reasons are:-

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Hambleton Development Plan Policies CP16, CP17, DP28, DP30 and DP32.