

Parish : Warlaby

Ward: Morton-on-Swale

13

22/01347/APN

Committee Date: 7 July 2022

Officer dealing: Ms Helen Ledger

Target Date: 28 June 2022

Date of extension of time (if agreed):

Application to determine if prior approval is required for a proposed siting of a storage tank to hold liquid fertilizer and the building of a bund.

At: Land at Hall Farm Warlaby Northallerton North Yorkshire

For: Mr Paul Phillips.

The matter is brought to Planning Committee as the applicant is related to a Member of the Council.

1.0 Site, Context and Proposal

- 1.1 The application is a prior Notification for agricultural development under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 6. This is not a planning application per se but a notification of to the Council of permitted development, asking whether or not the prior approval of the Council is required.
- 1.2 The site is located in the open countryside to the south of A684 Northallerton to Ainderby Steeple Road when it meets the road to Warlaby. Access is via an existing road access onto the A684. The site is currently occupied by a large livestock roundhouse structure surrounding hard standing and a semi-circular landscape bund.
- 1.2 It is proposed to construct a fertiliser storage tank. Images and application form show it would be supported by a block work base. Plans show the location to be to the west of the site adjacent the existing landscape bunding.
- 1.3 The proposal includes a bunded area around the steel storage tank that has a capacity of 110% of the tank. In the event of any emergencies or other unforeseen events where a spillage or leak may occur the bunded area would contain the leak and protect the environment. The tanks also come fitted with protected, locked fittings for safety and security.
- 1.4 It is expected that 2 deliveries will be required to fill the tank between July and December with an additional 2 deliveries during the spreading season between the end of February and early May. The liquid fertiliser will be taken out to the fields using the farms own crop sprayer.

2.0 Relevant Planning History

- 2.1 83/0299/FUL - 2/83/003/0021A - Warlaby Sand Quarry (Parish of Ainderby Steeple) Renewal of consent for the tipping of Inert Waste Materials.

19/01346/FUL - Construction of a roundhouse agricultural livestock building - permitted

3.0 Relevant Policies

3.1 This matter is a Prior Notification and as such the Development Plan is not relevant to the consideration of the application.

4.0 Consultations

4.1 None are required for an APN notification

5.0 Analysis

5.1 The application is a prior Notification for agricultural development under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 6. This is not a planning application per se but a notification of to the Council of permitted development, asking whether or not the prior approval of the Council is required.

5.2 The unit is 56.6 ha and as such qualifies for assessment under Class A of the Town and Country Planning (General Permitted Development Order) (England).

5.3 The proposal is for an agricultural fertiliser storage tank and block work base. The size and height meet the requirements for Permitted Development under the Town and Country Planning (General Permitted Development) Order.

5.4 There is nothing to suggest the structure would not be used for any other use outside those allowed by Class A of the above Order. No industrial or commercial processes and machinery would be involved, and the development will not involve waste management.

5.5 The submitted details states that the building would not be used to house livestock, slurry or sewage.

5.6 There are a number of tests set out in the above order that need to be met, for the development to be considered to be Permitted development. It is considered that all of these tests have been met, as set out below:

- The site is not within 3 kilometres of an aerodrome, or above 12 metres in height.
- It is not within 25 metres of a metalled or truck road.
- It would not be connected with fish farming.
- It is not used in anyway in connection with storing waste or fuel from a biomass boiler or aerobic digestion system.

5.7 The proposed development is considered to comply with the relevant requirements of the General Permitted Development Order. Given the siting of the proposed development within the existing bund, it is considered that there are no significant landscape impacts and as such Prior Approval is not considered to be required in this instance.

6.0 Recommendation

6.1 That subject to any outstanding consultations the application be **PRIOR APPROVAL NOT REQUIRED** (No conditions are required in this case.)