

<b>DELEGATED REPORT</b>	
<b>Application Reference:</b>	19/0427
<b>Description of Development</b>	Variation of condition 2 (Plans Compliance) for a reduction of 4 bays to 2, one having a mono pitched roof in lieu of a gable end, attached to approval 17/0977.
<b>Case Officer</b>	Nick Atkinson
<b>Appraisal</b>	
<b>Site</b>	Mellguards Farm, Southwaite
<b>Proposal</b>	<p>The proposed development seeks to alter the size and appearance of the previously approved steel frame roofed structure creating a silage clamp, approved under planning permission 17/0977.</p> <p>The proposed amendments to the previously approved scheme include:</p> <ul style="list-style-type: none"> <li>- Alteration to the roof line of the building from 4 multiple pitched roofs (10m in height) to one single pitched roof with a gentle slope(1.5 metres at highest point down to 7 metres);</li> <li>- Reduction in the number of internal silage bays from 4 to 2;</li> <li>- Subsequent reduction in the size of the building from approximately 3700 square metres to approximately 1500 square metres.</li> </ul>
<b>Relevant Site History:</b>	<p>15/111 – erection of roof over collection yard. Approved 28 January 2016</p> <p>17/0977 - Replacement of existing silage clamps with silage clamp comprising of re-enforced concrete walls and steel frame roof structure to provide 4 number 50.29m x 18.29m bays. Approved by Planning Committee 19 April 2018.</p>
<b>Policy:</b>	<p><b>Eden Local Plan (2014-32)</b></p> <ul style="list-style-type: none"> <li>• LS1 Locational Strategy</li> <li>• RUR2 New Agricultural Buildings</li> <li>• DEV1 General Approach to New Development</li> <li>• DEV2 Water Management and Flood Risk</li> <li>• DEV3 Transport, Accessibility and Rights of Way</li> <li>• DEV5 Design of New Development</li> <li>• ENV7 Air Pollution</li> </ul> <p><b>National Planning Policy Framework (NPPF) 2019:</b></p> <ul style="list-style-type: none"> <li>• Achieving Sustainable Development</li> <li>• Decision making</li> </ul>

	<ul style="list-style-type: none"> <li>Achieving well-designed places</li> </ul>
<b>STATUTORY CONSULTATION RESPONSES</b>	
Highway Authority	Responded on the 06 August 2019 raising no objection to the proposal, on the basis that the development would not increase the impact on the public highway.
Lead Local Flood Authority	Responded on the 06 August 2019 raising no objection to the proposal, on the basis that the development would not increase the volume of impermeable surfaces associated with the development and as such would not increase the risk of flooding.
<b>DISCRETIONARY CONSULTATION RESPONSES</b>	
Parish Council	No response has been received to date.
Environmental Health	Responded on the 24 June 2019 raising no objection to the proposal.
United Utilities	No response has been received to date.
Natural England	Responded on the 25 June 2019 raising no objection to the proposal.
<b>NOTIFICATION RESPONSES</b>	
Application advertised by way of immediate neighbour notification letter and site notice posted.	<p>In total one letter of representation were received to the advertisement of this planning application. The following comments were raised:</p> <ul style="list-style-type: none"> <li>Welcome the reduction in the size of the silage barn, which is more in-keeping with the size of Mellguards Farm.</li> <li>The condition requiring material to be stored within the building to be sourced within the Agricultural Holding should be brought forward.</li> </ul>
<b>OBSERVATIONS</b>	
<b>Main Issues:</b>	<b>Appraisal:</b>
Principle	<p>The principle of the erection of a steel framed silage clamp building at Mellguards Farm has previously been established through the prior grant of planning permission 17/0977.</p> <p>The proposed amendments sought seek alterations and a reduction in the size of the building. As the acceptability of the building at a greater size and scale has previously been approved, the amendments sought to reduce the size of the building do not alter the principle as previously established.</p>

	<p>The use of the building still relates to an agricultural use as defined within Section 336 of the Town and Country Planning Act 1990. The building will continue to be well-related to the existing agricultural holding and remains suitably compatible with the surrounding agricultural land use.</p> <p>Therefore, the principle of the proposed development remains acceptable subject to further considerations on design, impacts upon the character of the area and upon amenity.</p>
<p>Scale &amp; Design</p>	<p>The main consideration in the determination of this variation/amendment application is the acceptability of the design changes to the previously approved building.</p> <p>The proposed alterations reduce the size of the building, which is a positive alteration, but does alter the roof line from four multiple pitches to a single pitched roof. The orientation of the building remains the same as approved under planning permission 17/0977.</p> <p>The changes proposed does break the multiple pitched nature of the holding, specifically in relation to the adjacent and existing agricultural buildings already in place at Mellguards Farm.</p> <p>Whilst the current proposal breaks the multiple pitched nature of the roof, which does appear less in-keeping with the form of the existing holding, this does not result in any significant harm.</p> <p>Furthermore, due to the benefits resulting from the size and scale of the building, as approved, having significantly reduced, the roof line amendments are necessary to facilitate this change. As such, whilst the preference would be for the roof to remain multiple pitched, the benefits offered through this amendment outweighs any limited harm that would occur, and reduces the visual massing of the building to a greater extent than the roof pitch.</p> <p>The scale of the building remains appropriate to the area and also to the scale and massing of the adjacent agricultural buildings.</p> <p>Therefore, the building is considered to remain appropriate designed with an improved layout and scale to further minimise the impact of the proposal upon the local landscape, in accordance with Policy DEV5 of the Eden Local Plan.</p>

<p>Impact on the landscape/amenity of the area</p>	<p>The application site is not located within a landscape of any designation or protection. The development of an agricultural building is very much in-keeping with the rural setting of the area.</p> <p>The building continues to be well-related to the existing agricultural holding, and will continue to be viewed within the context of Mellguards Farm despite increasing the massing of the existing farm buildings.</p> <p>The acceptability of the impact of the new building on the local landscape was established through the prior grant of planning permission 17/0977, which noted that the development would not represent an incongruous development nor result in an adverse impact upon the local landscape.</p> <p>The amendments sought by the current proposal, does alter the roofline of the building, but not in a manner considered to be visually inappropriate or harmful. Furthermore, whilst the height of the building has not significantly altered, the reduction in the size and scale of the building undoubtedly reduces the overall massing of the development and therefore, reduces the impact of the development upon the local landscape.</p> <p>The proposed amendments sought through this application would continue to retain the rural character of the area and represent an appropriate development.</p> <p>Therefore, the proposal would not result in an adverse impact upon the character of the local landscape, reducing the impact from the previous approval, in accordance with policies RUR2 and DEV5 of the Eden Local Plan.</p>
<p>Impact on the living conditions/amenity of neighbouring residents</p>	<p>At the time of the grant of planning permission 17/0977, it was noted that the separation distance from the proposed building and the nearest residential dwellings was sufficient to ensure that there would be no adverse impact upon local residential amenity, visual or otherwise. Furthermore, due to the existing lawful agricultural use of Mellguards Farm, the proposed development was not introducing a new use to the locality.</p> <p>The application site is located approximately 160 metres from the nearest residential property, with a drop in topography largely screening the application site from view.</p> <p>Whilst distant views exist of the building from the surrounding highway network to the south, there are limited</p>

	<p>views from any surrounding residential dwellings due to the fall in topography towards the site, and also some partial screening offered by the existing agricultural buildings at Mellguards Farm.</p> <p>Whilst the visual appearance of the building has altered from a roof line with four multiple pitches, to a single pitched roof, it is noted that the height of the building has not significantly altered, yet the size of the building has significantly reduced.</p> <p>In terms of highways impact, no objections were received from Cumbria County Council at the time of the grant of planning permission 17/0977, who confirmed that the development was acceptable. The reduction in the size and capacity of the building, will likely result in a lower number of vehicular movements associated with the development, and therefore, raises no additional amenity impacts.</p> <p>The acceptability of a larger building was established through the previous grant of planning permission 17/0977, and the current amendments proposed does not increase the impact of the development upon local residential amenity, in line with policies DEV5 and ENV7 of the Eden Local Plan.</p>
<p>Impact on the character and appearance of the built environment (LBs/CA)</p>	<p>The application site is positioned in a rural location. The application site is not located within a Conservation Area. The nearest Listed Building is located approximately 800 metres to the north east of the site, with no direct views available.</p> <p>As such, the application does not affect the setting, character, appearance or significance of any Listed Building, Conservation Area or other heritage asset.</p>
<p>Impact on the natural environment (species/habitats)</p>	<p>As noted at the time of the grant of planning permission 17/0977, the application site had previously been used for the storage of silage within an existing agricultural holding.</p> <p>The building did not require the loss of any previously undeveloped agricultural land nor the loss of any trees. This position is not altered by the amendments sought through the current application.</p> <p>It was further noted that the previously approved development would not result in any levels of pollution to the surrounding environment or any wider environmental harm. This position is also not altered by the amendments sought through the current application, which seeks primarily to reduce the size of the building and ultimately the quantity of silage to be stored, in line with Policies DEV5 and ENV7 of the Eden Local Plan.</p>

	<p>For the reasons detailed above, it is considered that the proposed amendments would result in no appreciably different impact upon the natural environment than previously approved, if anything reducing the impact, in line with Policy DEV5 of the Eden Local Plan.</p>
<p><b>Conclusion</b></p>	<p>The principle of the development of the building at Mellguards Farm has been established through the prior grant of planning permission 17/0977. The amendments sought through this planning application does not alter the already established principle of the development.</p> <p>The proposed amendments primarily seek a reduction in the size, scale and ultimately impact of the previously approved building, resulting in a lesser impact upon the character of the local landscape.</p> <p>The proposed amendments raise no concerns or issues with regards to design, appearance, amenity or environmental impacts, beyond those previously assessed and considered acceptable through the prior grant of planning permission 17/0977.</p> <p>Therefore, the development is considered to be in accordance with the development plan, specifically Policies DEV1, DEV2, DEV3, DEV5, ENV7 and RUR2 of Eden Local Plan, which is not outweighed by material considerations and therefore the application is recommended for approval.</p>

<p><b>RECOMMENDATION</b></p>	<p>That the application is granted subject to the following conditions:</p> <p><b>Approved Plans</b></p> <ol style="list-style-type: none"> <li>1. The development hereby granted shall be carried out in accordance with the drawings hereby approved: <ol style="list-style-type: none"> <li>i. Location Plan (ref: 17-C-14880/01), received 17 June 2019;</li> <li>ii. Floor Plan (ref: 17-C-14880/03 – Rev.C) received 17 June 2019;</li> <li>iii. Elevations (ref: 17-C-14880/04 – Rev.C) received 17 June 2019;</li> <li>iv. Formation Cross Sections (ref: 17-C-14880/05 – Rev.D) received 17 June 2019.</li> </ol> </li> </ol> <p><b>Reason:</b> To ensure a satisfactory development and to avoid any ambiguity as to what constitutes the permission.</p>
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	<p><b>Pre-occupancy or other stage conditions</b></p> <p>2. No external lighting shall be brought into use until details of the external lighting scheme have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall have regard to the 'Guidance Notes for the Reduction of Obtrusive Light GN01', produced by the Institute of Lighting Engineers and based upon Environmental Zone E2. The approved lighting scheme shall be implemented in full before the lighting is first used, and shall be retained thereafter.</p> <p><b>Reason:</b> To protect the amenity of neighbouring residential dwellings.</p> <p>3. All materials stored within the building hereby approved shall solely be produced from within the agricultural holding Mellguards Farm, Mellguards, Southwaite.</p> <p><b>Reason:</b> To ensure the use of the building remains in agriculture.</p>
<p><b>Note to developer:</b></p>	<p>1. This decision notice grants planning permission only. It does not override any existing legal agreement, covenant or ownership arrangement.</p> <p>It is the applicant's responsibility to ensure all necessary agreements are in place prior to the commencement of development.</p> <p><b>Informatives</b></p> <p>1. This application is to replace the existing structure, however the developer should be aware that United Utilities records show that there is a formal easement which runs through the proposed development site. Under no circumstances should anything be stored, planted or erected on the easement width. Nor should anything occur that may affect the integrity of the pipe or United Utilities right to 24hr access.</p> <p>2. The proposed development must fully comply with the terms of the Water Resources (Control of Pollution) Silage, Slurry &amp; Agricultural Fuel Oil) (England) (SSAFO) Regulations 2010 and as amended 2013. Environmental good practice advice is available in the Code of Good Agricultural Practice for the protection of water, soil and air.</p>

	<p>The applicant is advised to review the existing on-farm slurry and manure storage and ensure compliance with the SSAFO regulations. Any agricultural development that will increase water usage may adversely affect the storage of waste waters, slurry and other polluting matter.</p> <p>3. You must inform the Environment Agency verbally or in writing of a new, reconstructed or enlarged slurry store, silage clamp or fuel store at least 14 days before starting any construction work. The notification must include the type of structure, the proposed design and construction, and once an agreed proposal has been constructed a completed notification form must be submitted before using the facility.</p>
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