

2023/0690

Mr Richard Peace

Erection of new agricultural building (prior notification - agricultural)

Cuckold Carr Farm, Coach Gate, Gunthwaite, Sheffield, S36 7GE

Background

B/03/1345/PR – Use of agricultural land for horse riding courses (Withdrawn)

Description

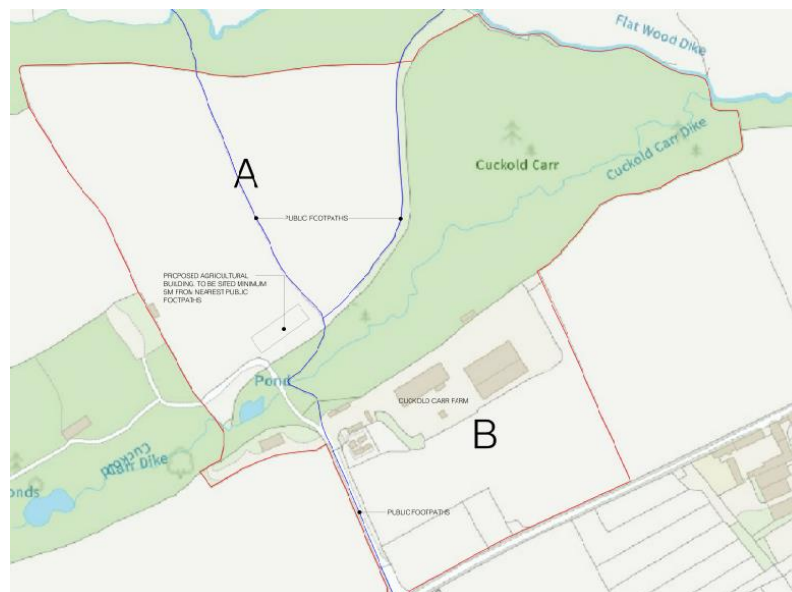
Cuckold carr farm Farm is located in a rural area located on the Northern boundary of the Borough, close to the boundary shared with neighbouring Kirklees Authority. The site is located in the Green Belt near to the settlements of Cawthorne (2km to the East), Hoylandswaine (2.15km to the South-East) and Ingbirchworth (2.6km to the South-West).

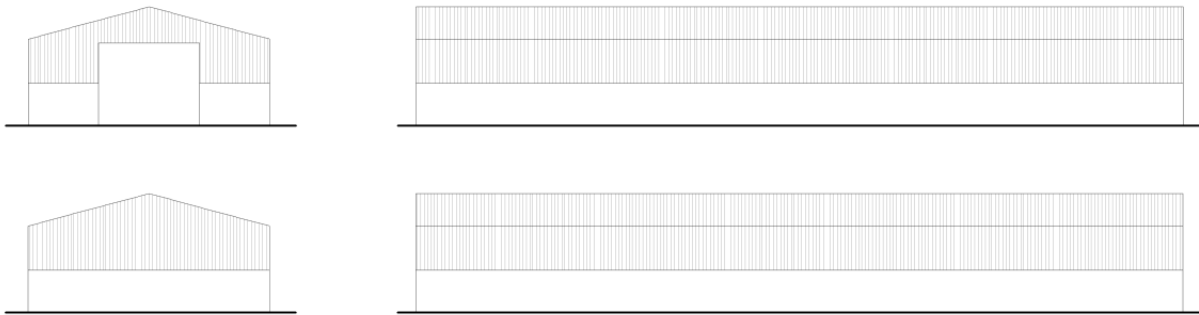
The application states that the total area of the agricultural unit measures 10.3 hectares, with the parcel of land to be developed measuring 1 hectare. There is two public rights of ways – Gunthwaite & Ingbirchworth CPs 9 and 10, respectively – running through the site. Cuckold Barr immediately adjacent to the application site is a biodiversity interest site.

Proposed Development

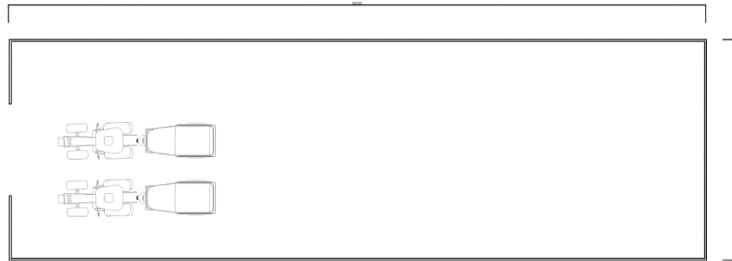
The applicant is seeking prior approval for the erection of an apex roofed, agricultural building, rectangular in shape measuring 38m x 12m (footprint size of 456sqm in total). The building will be constructed with concrete side panels up to 2m in height with steel cladding over 2m in a green/brown colour. The building will have a height of 4.3m to the eaves and 5.9m to the highest part of the roof ridge. It is designed with a large opening/door on the frontage (West-facing elevation) measuring 5.05m in width and 4.1m in height.

The building has been re-positioned in the site to be a minimum of 5m from both the public right of ways within the site. The application form states that the building will not be used to house livestock, slurry or sewage sludge, and will be used for the storage of crops, machinery and general agricultural use.





PROPOSED AGRICULTURAL UNIT SCALE 1:200



Policy Context

Local Plan

Local Plan Policy GB1 – Protection of Green Belt

General Permitted Development Order – Prior Approval Procedure

Part 6, Class A

Agricultural and Forestry on units of 5 hectares or more

Part 6, section A of the GPDO allows for the 28 day prior notification procedure for the erection of agricultural buildings and extensions for agricultural units of over 5 hectares.

Permitted development

A. The carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of—

- (a) works for the erection, extension or alteration of a building; or
- (b) any excavation or engineering operations, which are reasonably necessary for the purposes of agriculture within that unit.

Development not permitted

A.1 Development is not permitted by Class A if—

- (a) the development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area;
- (b) it would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins; (c) it would consist of, or include, the erection, extension or alteration of a dwelling;

(d) it would involve the provision of a building, structure or works not designed for agricultural purposes;

(e) the ground area which would be covered by—

(i) any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations; or

(ii) any building erected or extended or altered by virtue of Class A, would exceed 465 square metres 1,000 square metres, calculated as described in paragraph D.1(2)(a) of this Part;

(f) the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;

(g) the height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres;

(h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;

(i) it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building;

(j) it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; or

(k) any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system—

(i) would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit; or

(ii) is or would be within 400 metres of the curtilage of a protected building.

Subject to conditions

Consultations

Public Right of Ways (PROW) (two responses):

Initial response - Initially questioned the accuracy of the application from which wrongly identifies that the proposed building would not be seen from a public road, public footpath, bridleway or other public land and outlined that there are two public footpaths which run through the site and border the proposed development. Path number 9 appears to be several meters away from the building and path number 10 may be directly affected by the building. Requested further information as to what distance the building would be from the PROWs to make a judgement as to whether the footpaths are impeded or not.

Second response – Upon receipt of the amended plan showing the repositioning of the building, no objection was raised from the PROW officer subject to an informative reminding the developer that the right of way should remain available at all times, with no obstruction of or encroachment onto the width of the path and no building debris, storage of materials or

parking vehicles limiting access at any time. Also provided information about the process for securing a temporary closure and the timescales of such should this be required.

Representations

The agent was notified on 8th August 2023 that the application would require prior approval and a site notice needs to be positioned on site by the applicant. The site notice was placed on site on 17th August 2023 in a suitable location where both public right of ways pass the notice. The date of placement was included on the notice which was left on site for a period of 21 days prior to a decision being made. No comments were received from interested parties.

Assessment

The site lies within an area allocated as Green Belt land where new buildings are usually considered unacceptable unless they are for agriculture, sport or leisure. In this instance the building is for agricultural use and is therefore acceptable in principle subject to design, size and location. Part 6, section A of the GPDO allows for the 28 day prior notification procedure, which allows the local authority to request the prior approval of the siting, design and external appearance of the building in the form of a Planning Application if necessary. The agent was notified that the development would require prior approval and the applicant was required to place a site notice on site, and that the LPA would take a judgment on the prior notification.

The main consideration for the development is in regard to the close proximity of the building to existing public rights of ways which run through the site. Colleagues in PROW were consulted on the development and raised concern due to this close proximity and recommended that the building is re-positioned. Upon receipt of an amended plan showing the re-position of the building, no objection was raised by the PROW Officer, subject to an informative.

The proposed building is positioned in an acceptable location, close to the existing buildings on site but separated from a row of mature trees. The building is also close to an access road which runs through the applicant's land, yet it screened significantly from the main road located to the South. The agricultural storage building is of a purpose built design and is used for purposes reasonably necessary for the purposes of agriculture, described as multi-purpose for the storage of crops, machinery and general agricultural use. The proposed development would not be used for livestock or slurry.

Whilst an agricultural holding number has not been provided, the applicant has applied for the proposed building under the Prior Notification Procedure and there must be an existing agricultural trade or business in operation on the land in order for the farmer/landowner to benefit from permitted development rights.

The proposal therefore meets the requirements of Part 6 Section A1(d) as the building is under 1000sqm and there are no other previous buildings erected in the last 2 years under the prior notification procedure at the same farm holding. The building is of a purpose-built design, with acceptable materials and is therefore acceptable in terms of visual amenity and impact on the openness of the Green Belt.

The proposal is therefore considered acceptable in terms of siting, scale and design.

Recommendation

Prior approval required and granted