

## COMMITTEE REPORT

**Date:** 17 March 2011                      **Ward:** Rural West York  
**Team:** Major and Commercial      **Parish:** Askham Bryan Parish Council  
Team

**Reference:** 10/02602/FULM  
**Application at:** Askham Bryan College Askham Fields Lane Askham Bryan  
York YO23 3PR  
**For:** Construction of steel framed agricultural building (Beef unit) to  
the rear of Westfield Cottages  
**By:** Mr John Mawson  
**Application Type:** Major Full Application (13 weeks)  
**Target Date:** 17 March 2011  
**Recommendation:** Approve

### 1.0 PROPOSAL

1.1 The application is for the construction of a steel framed agricultural building to the rear west of Westfield Cottages and a car park within the Askham Bryan College Campus.

1.2 The site is on the edge of the campus, in the south east corner of the field. The site is within the Greenbelt and is within the boundary of the Askham Bryan College Major Developed Site as specified by the Proposals Maps of the Local Plan. The building would abut the development boundary and some of the hardstanding to the side of the building would appear to be over this boundary.

1.3 The building would be used for the housing of a maximum of 400 cattle. There are existing cattle sheds adjacent. The proposed shed would be 27.5 metres (30.5 metres including the overhanging roof) in width and 73 metres in length, 7.75 metres in height and 4.11 metres to the eaves. The shed would be partially open on all 4 sides. There is a gentle slope within the site and the southern part of the site would be excavated so the building would sit into the site rather than level with the highest point to the site. The proposed shed would be accessed from the north elevation which would have an area of concrete hardstanding (projecting 30 metres from the front of the building). The hardstanding to the sides and rear would be 2 metres in width to allow for alternative feeding methods. There is an existing vehicle track running along the side and rear of the cottages, the car park and the existing cattle shed. The proposed shed would be constructed over this lane so the access to the front would be from the side of the existing cattle shed or through the existing car park. The site would be surrounded by a 1 metre high post and rail fence. Landscaping (native trees) has been shown on the plans to the north and west of the proposed hardstanding area.

### 2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding GMS Constraints: Air Field safeguarding 0175

City Boundary GMS Constraints: York City Boundary 0001

DC Area Teams GMS Constraints: West Area 0004

## 2.2 Policies:

CYSP2 The York Green Belt

CYSP3 Safeguarding the Historic Character and Setting of York

CYGP1 Design

CYGP14 Agricultural land

CYGP15 Protection from flooding

CYGB1 Development within the Green Belt

CYGB10 Major development sites in GB

## 3.0 CONSULTATIONS

### INTERNAL CONSULTATIONS

#### HIGHWAY NETWORK MANAGEMENT

3.1 No objections based on the assumption that the building is an additional facility as part of the existing general activities associated with the college. The overall scale of the proposed unit suggests that a considerable sized herd could be accommodated within it with possible associated traffic implications, particularly HGVs for livestock movements, feedstock and waste. There is lighting proposed on the gable, 'glare' conditions may be appropriate

#### STRUCTURES AND DRAINAGE

3.2 Insufficient information has been provided by the Developer to determine the potential impact the proposals may have on the existing drainage systems

#### ENVIRONMENTAL PROTECTION UNIT

3.3 No objections, however do have concerns regarding the amenity of the residents of Westfield Cottages. These properties back directly onto the proposed Beef Unit and the current occupants are directly associated with the college or the running of the Beef Unit itself. This may not be the case in the future. The college may wish to sell or privately rent the properties to residents not directly associated with the college as previously described. If that were to occur, the Beef unit would have a negative impact on the amenity of the occupants of Westfield Cottages, due to noise from the use of the unit, increase traffic movement, odour and possible light

nuisance from an increase in lighting of the unit. I would like this concern to be taken into account, should approval be given.

## EXTERNAL CONSULTATIONS/REPRESENTATIONS

### ASKHAM BRYAN PARISH COUNCIL

3.4 No objections

### YORK NATURAL ENVIRONMENT PANEL

3.5 At present the built landscape is broken up by a substantial block of trees. The levels survey implies excavation is needed in order to construct the building - the building should be re-sited to avoid the impact of excavation on the root zones. Ultimately there should be no loss of trees. There should be visual screening to the proposed building. In particular as viewed from the north and west e.g. by planting a linear copse of native trees

### ENVIRONMENT AGENCY

3.6 No objections, would like informative alerting the applicant to the Control of Pollution Regulations 2010

## **4.0 APPRAISAL**

### RELEVANT SITE HISTORY

The adjacent applications for the adjacent cattle buildings and related structures:

10/02243/FUL - Construction of earth banked slurry lagoon - Approved

03/04089/FUL - Erection of new building to house beef cattle at Westfield Farm - Approved

03/00508/FUL - Erection of new dairy unit and cattle shed to replace existing dairy unit and farm outbuildings - Approved

00/02083/FUL - Erection of replacement single storey heifer shed - Approved

### KEY ISSUES

1. Impact on the greenbelt
2. Impact on residential amenity

### PLANNING POLICY

4.1 Planning Policy Guidance note 2 'Green Belts' sets out the purposes of including land within Green Belts and establishes specific categories of development that are appropriate within Green Belts. All other development is deemed inappropriate and therefore harmful to the Green Belt. The boundaries of the Green

Belt are detailed on the Proposals Map of the City of York Council Development Control Local Plan (CYCDCLP) and this site clearly falls within the Green Belt.

4.2 PPS7 'Sustainable Development in Rural Areas' states that local planning authorities should: support development that delivers diverse and sustainable farming enterprises; support other countryside-based enterprises and activities which contribute to rural economies, and/or promote recreation in and the enjoyment of the countryside; take account of the need to protect natural resources; conserve specific features and sites of landscape, wildlife and historic or architectural value, in accordance with statutory designations. The Government's overall aim is to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and so it may be enjoyed by all. Planning Authorities should ensure that the quality and character of the wider countryside is protected and where possible enhanced. Agricultural land (Grades 1, 2, and 3a) should be taken into account; Local Planning Authorities should seek to use areas of poorer quality land (3b, 4 and 5) in preference to higher quality.

4.3 PPS25 Development and Flood Risk: This PPG explains how flood risk should be considered at all stages of the planning and development process. It sets out the importance of the management and reduction of flood risk in planning, acting on a precautionary basis and taking account of climate change.

4.4 Policy YH9 and Y1 of the Yorkshire and Humber Regional Spatial Strategy (May 2008) sets out the extent of the City of York Green Belt. Although the Coalition Government has made clear its intention to pursue the revocation of Regional Strategies this has been challenged at law and the process has not been concluded, however the intention to remove the RSS is a material consideration. However the York Greenbelt is specified in PPG2 and the boundaries of the Green Belt are clearly detailed on the Proposals Map of the City of York Council Development Control Local Plan.

4.5 The Askham Bryan Parish Plan (2006) discusses the College site and its importance to the area. The design guidelines set out in the Plan refer to the setting of the village and the retention of the agricultural character of the village and there is little mention of the college site. However some of the guidelines are considered to be applicable: developments must reflect and complement the character of the immediate surrounding area particularly with regard to scale, density, and mix of design; no development should be permitted which would interrupt the open character and setting of the village approaches.

#### IMPACT ON THE GREENBELT

4.6 The construction of new buildings inside a Green Belt is inappropriate unless it is for the specific purposes set out in PPG2, the proposed cattle shed is considered to fit into agriculture and forestry criteria. PPG2 and Policy GB1 also specify limited infilling or redevelopment of major existing developed sites identified in adopted local plans. Askham Bryan College is allocated as a major developed site in the Local Plan. Policy GB10 'Major developed Sites in the Green Belt' goes a little further than PPG2. On these sites limited infilling for the preferred use within the present extent

of development will be permitted providing: it has no greater impact on the purposes of including land in the Green Belt than the existing development; and it does not exceed the height of the existing buildings; and it does not lead to a major increase in the developed portion of the site. However the proposed building is not considered to fit into either the infilling or redevelopment category by virtue of its scale, siting in relation to the other development on the site, and its siting abutting the limits of the major developed site and as such is not considered to comply with this policy.

4.7 The substantial size of the building would be built up to the boundary of the Major Developed Site and would increase the built up appearance and massing of the site when viewed from the greenbelt. This part of the site is a functioning farm, and could be viewed as part of an extension to the farm complex rather than the development of the Major Developed Site. The appearance of the proposed building would be agricultural. The building is relatively open on all 4 sides and as such may help to mitigate some of its impact, as there would be views into and through the building. Any cladding to the sides to create more solid elevations would require an application for planning permission.

4.8 The proposed building may result in the loss of some of the trees in the existing line of trees which screens the car park, by virtue of the proximity of the building and the impact of the excavation of the site on the root systems. If the trees do survive by virtue of the close proximity to the proposed building they may be future pressure to remove these trees. The proposed plans show planting to screen the hardstanding area and it is considered that the proposed trees would also mitigate the loss of the existing trees.

4.9 The scale of the hardstanding has been reduced and is considered to be of a reasonable size for the scale of the building. There are some concerns that the proposed hardstanding might appear rather excessive and create rather a solid harsh appearance when viewed in context with the proposed cattle shed. The proposed screening by native trees would reduce the impact on the greenbelt and the appearance from the nearby road and footpath. Further details of the landscaping can be conditioned such as species, size of trees etc. The proposed development is set below the ridge and would not be visible from the A64

4.10 The site is classified as Grade 2 and 3 agricultural land and as such policy GP14 applies. PPS7 states that it is not necessary to protect agricultural land for its own sake, however the best quality land is highlighted as retaining its importance as a national resource and as such weight should be given to its protection from irreversible development. The campus is constrained by the Major Developed Site boundary which does restrict where the proposed shed could be sited, in addition it is reasonable to expect that the cattle shed should be sited close to the other cattle buildings. As such it is considered that the development on Grade 2 and 3 agricultural land is acceptable in this case.

#### IMPACT ON RESIDENTIAL AMENITY

4.11 The applicant has confirmed that the dwellings nearby are owned by the College and house either farm workers or college staff. The terrace of Westfield Cottages will be adjacent to the proposed cattle shed. These dwellings are sited

close to the existing silage clamp, slurry pit, and cattle shed. The proposed shed would significantly harm the amenity and living conditions of the occupants of these buildings and remove the outlook from these buildings over the fields. All the dwellings within a 400 metre radius including Westfield Cottages are owned by the college.

4.12 The Environmental Protection Unit have concerns for the potential occupants of these dwellings if this housing was to be for rent or sale on the open market. It is considered that the potential occupants of the dwellings would be aware of the use of the adjacent building before occupying them. The closest dwellings not owned/occupied by the College are on Askham Fields Lane (to the east) which is approx 500 metres away and Stock Hill Cottages (to the west) which are 752 metres away. The distance is considered to be sufficient, taking into account the prevailing wind direction, to mitigate any potential impact.

4.14 There is a public right of way running to the west of the proposed scheme and the proposed building would be visible from the footpath. The agricultural shed would be viewed against the backdrop of the farm and college and as such is not considered to cause undue harm to the outlook from the footpath. This would be further mitigated by the proposed tree planting.

4.15 The Structures and Drainage team have objected to the proposed building on the grounds of lack of information and as such they are unable to assess the potential impact. It is considered that the additional information required could be covered by condition.

## **5.0 CONCLUSION**

5.1 The proposed agricultural building for the above stated reasons is considered to be an acceptable development in the Greenbelt and complies with Policy GB1 and national policy set out in PPG2 and PPG7. Approval subject to the following conditions is recommended.

## **6.0 RECOMMENDATION:** Approve

1 The development hereby permitted shall be carried out in accordance with the following plans:-

Drawing Number (00)01 Revision A received 2 March 2011  
Drawing Number (05)01 Revision B received 2 March 2011  
Drawing Number (05)02 Revision B received 2 March 2011;

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

2 TIME2 Development start within three years

3 The external colour and finish of the roof and cladding of the building shall be submitted to and approved in writing by the Local Planning Authority prior to the

commencement of the development. The development shall be carried out using the approved materials.

Reason: So as to achieve a visually cohesive appearance.

4 DRAIN1 Drainage details to be agreed

5 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees. This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site.

6 Details of the design of the fencing enclosing the proposed agricultural building shall be submitted to and approved in writing by the Local Planning Authority before the development commences and shall be provided before the development is occupied.

Reason: In the interests of the visual amenities of the area.

7 Notwithstanding the submitted plans and prior to the commencement of the development full details of the method and design and siting of external illumination shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.

Reason: In order to protect the character and appearance of the area from excessive illumination. In the interests of the visual amenity of the greenbelt and the rural location and to protect the character of the area

8 Notwithstanding the information contained on the approved plans, the height of the approved development shall not exceed 7.8 metres, as measured from existing ground level. Before any works commence on the site, a means of identifying the existing ground level on the site shall be agreed in writing, and any works required on site to mark that ground level accurately during the construction works shall be implemented prior to any disturbance of the existing ground level. Any such physical works or marker shall be retained at all times during the construction period.

Reason: to establish existing ground level and therefore to avoid confusion in measuring the height of the approved development, and to ensure that the approved development does not have an adverse impact on the character of the surrounding area.

## **7.0 INFORMATIVES: Notes to Applicant**

### **1. REASON FOR APPROVAL**

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to openness and visual amenity of the greenbelt. As such the proposal complies with Policies GP1 and GB1 of the City of York Council Development Control Local Plan (2005) and national planning policy contained within Planning Policy Guidance 2 'Green Belts' and Planning Policy Statement 7 'Sustainable Development in Rural Areas'.

### **2. ENVIRONMENTAL PROTECTION UNIT INFORMATIVE**

The developer's attention should also be drawn to the various requirements for the control of noise on construction sites laid down in the Control of Pollution Act 1974. In order to ensure that residents are not adversely affected by air pollution and noise, the following guidance should be attached to any planning approval, failure to do so could result in formal action being taken under the Control of Pollution Act 1974:

(a) All demolition and construction works and ancillary operations, including deliveries to and despatch from the site shall be confined to the following hours:

Monday to Friday	08.00 to 18.00
Saturday	09.00 to 13.00
Not at all on Sundays and Bank Holidays.	

(b) The work shall be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228: Part 1: 1997, a code of practice for "Noise and Vibration Control on Construction and Open Sites" and in particular Section 10 of Part 1 of the code entitled "Control of noise and vibration".

(c) All plant and machinery to be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines must be properly silenced and/or fitted with effective and well-maintained mufflers in accordance with manufacturers instructions.

(d) The best practicable means, as defined by Section 72 of the Control of Pollution Act 1974, shall be employed at all times, in order to minimise noise emissions.

(e) All reasonable measures shall be employed in order to control and minimise dust emissions, including sheeting of vehicles and use of water for dust suppression.

(f) There shall be no bonfires on the site

### **3. ENVIRONMENT AGENCY INFORMATIVE**

Any new, substantially enlarged or substantially altered eligible agricultural facility

must comply with the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil (SSAFO)) Regulations 2010 or enforcement action may be taken.

The person proposing to have control over the facility must notify the Environment Agency specifying the type of structure to be used and its location at least 14 days before it is to be used for the keeping or storing of any relevant substance. The applicant can formally notify us of their new, reconstructed, or enlarged facility on 08708 506506.

Further information on the SSAFO Regulations and notification form is available on our website at <http://www.environment-agency.gov.uk/business/sectors/118798.aspx>

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