

APPLICATION REFERENCE: PL/2020/02208/PPFL**Site Address:** Blythe View Farm Kenilworth Road Knowle Solihull

Proposal:	Erection of an agricultural building.
Web link to Plans:	Full details of the proposal and statutory consultee responses can be found by using the above planning application reference number at: https://publicaccess.solihull.gov.uk/online-applications/

Reason for Referral to Planning Committee:	The application has given rise to a substantial amount of public concern.
---	--

Recommendation:	APPROVAL SUBJECT TO CONDITIONS
------------------------	---------------------------------------

EXECUTIVE SUMMARY

This full planning application seeks planning consent for the erection of an agricultural building on land at Blythe View Farm, Kenilworth Road, Knowle. The building would be a 5m x 14m timbers clad, metal roof agricultural building.

It is considered that the applicant has provided sufficient evidence to demonstrate an agricultural need for this building in this location and therefore the principle development is acceptable in compliance with Para 145 of the NPPF and P17 of the Solihull local Plan.

The proposal is considered to be acceptable in all other aspects, subject to appropriate conditions and is thus considered to comply with Policies P14, P15 and P17 of the Solihull Local Plan 2013.

Therefore, the proposal accords with the development plan as a whole and benefits from a presumption in favour of sustainable development in accordance with the Framework and it is for these reasons that the application should be approved.

MAIN ISSUES

The following key planning issues are material to the determination of this application:

- Background;

- Principle of development and whether the proposal is inappropriate development in the Green Belt;
- Impact on the character and appearance of the area;
- Impact on amenities of neighbours; and
- Other matters.

CONSULTATION RESPONSES

Statutory Consultees The following Statutory Consultee responses have been received:

Lead Flood Authority – Given that it is proposed to connect the development to a new soakaway, it is recommended that the applicant carries out soakaway tests to ensure that the proposed soakaway will work and is sized correctly. As the borough predominantly has impermeable soils there is a reasonable chance that the soakaway, unless correctly sized, designed and constructed, will not infiltrate effectively and will pose a flood risk as a result.

Non Statutory Consultees; The following Non-Statutory Consultee responses have been received:

SMBC Highways – No objections

SMBC Policy – No objections subject to agricultural need/justification

PUBLICITY

The application was advertised in accordance with the provisions set down in the Town and Country Planning (General Development Procedure) Order 2015.

11 responses were received from 9 different properties, including one representation from The Knowle Society. All correspondence has been reviewed and the main issues raised are summarised below (Planning Committee Members have access to all third party correspondence received):

Amenity

- Building will be visible from nearby residential units and spoil the view of countryside.

Character/Green Belt

- Building will be too prominent in the landscape;
- To build a structure of the size that is proposed would be totally out of keeping with the landscape and surroundings;
- Building of this size will spoil the outlook over open countryside, and Green Belt; and
- Site is in the Green Belt and should therefore be refused.

Highways

- Barn will be 230m from the closest road, in contrast to other examples which are closer; and
- Potential for increased vehicle traffic along the track will be of significant disturbance.

Agricultural need

- Sheep should not have been purchased prior to the building having consent;
- Existing building on site is small, brick built disused pumping station and not an agricultural building;
- Neighbours have not seen more than a handful of sheep on the land;
- Site of this site cannot sustain 100 animals;
- Submission states the animals would be unable to survive without the shelter of an agricultural building during harsh winters and at lambing time – this is not considered to be the case;
- The agricultural business at Blythe View Farm exists solely as a piece of land with a very small brick built disused pumping station. It is not a farm as the title suggests and it is not supported by a farmhouse;
- Previous applications have sought a dwelling on the site and concerns that this may lead to a conversion; and
- building is too large for the number of sheep and capacity of field.

Site history

- Previous planning permission refused for smaller building; and
- Previous applications have been made under different ownership.

Other

- No pre-application advise has been sought and is considered this should have been undertaken;
- Recent erection of polypipe tunnels on the site;
- Application states no provision for disposal of foul sewage; and
- The application states that there are no surrounding trees or hedges on the proposed development site however applicant has planted an orchard in his field.

PLANNING ASSESSMENT

Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that: -

‘Where in making any determination under the planning acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise’.

The National Planning Policy Framework at paragraph 2 states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the

development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

This report considers the proposal against the Development Plan (Solihull Local Plan), the relevant policies of the National Planning Policy Framework ("NPPF") 2019, the National Planning Practice Guidance.

Background

This application follows on from a previous application at the site which refused permission for a marginally smaller building. The previous application was refused on the basis that insufficient information/evidence had been provided to justify the requirement for an agricultural building on this site.

The applicant as part of this submission has provided evidence of the agricultural requirements for a building, which is set out below.

Principle of development and whether the proposal is inappropriate development in the Green Belt

Paragraph 145 of the NPPF advises that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this included: buildings for agriculture and forestry.

Policy P17 of the Solihull Local Plan advises that the Council will safeguard the "best and most versatile" agricultural land in the Borough and encourage the use of the remaining land for farming. It goes on to state that development involving farm-based diversification will normally be permitted in order to support farm enterprises and the management of land, providing it is in an appropriate location, of a scale appropriate to its location, and does not harm the Green Belt, conservation or enhancement policies.

Blythe View Farm comprises a 3.54 hectares open pasture field which is used for the grazing of sheep owned by the applicants. The site has an existing 16sqm agricultural building with a hardstanding apron around it which is accessed by an established agricultural track from Kenilworth Road.

The proposed building will have a footprint of 70sqm (5m x 14m) with a height of 3.25 to 3.95m ridge and will be timber clad with a metal profile sheet roof. The proposed building would be located to the north of the existing agricultural building at Blythe View Farm to reduce the visual impact of the development in the Green Belt and open countryside setting. The proposed building will be used to store animal feed, hay and agricultural machinery such as a small tractor for maintaining the land as well as for shelter for sheep in adverse weather.

The submission of this application has been supported by information from a Farm Business Consultant from Berrys. This advises that the proposed building is required as the existing agricultural building at Blythe View Farm is not considered to be large

enough to securely store hay and fodder or agricultural equipment required to support the agricultural venture.

The agricultural building is required to support an established and growing agricultural business and for proper animal husbandry. The building would allow the applicant to expand his current flock of sheep, including the provision of new rare breed Balwen Sheep and support a top fruit producing business.

To support this increase in capacity it will be necessary to provide an agricultural building to: -

- Securely store necessary maintenance equipment for sheep breeding and management of fruit enterprise
- Store hay and feed as necessary for the flock
- Provide shelter for young lambs to protect from winter and harsh Spring weather when necessary.
- Shelter for managing and handling the sheep.

Whilst representations have been submitted which question the current presence of sheep on the land, the test in the assessment of this application is whether the land is agricultural use, which it is, and whether there is a justified need for an agricultural building.

Taking account of the supporting information/evidence provided with this application it is considered that sufficient evidence has been provided to demonstrate that there is an agricultural need for the development and erection of a building of this size on the land. In addition to this, siting the proposed building next to the existing agricultural building at Blythe View Farm will not only reduce the visual impact of the development on the Green Belt setting but also enable efficient management of the enterprise by having all the business's hay/fodder and farm equipment within the same location and accessed off the existing track.

The site is located within the Green Belt, where the erection of agricultural buildings is a form of appropriate development. Having regard to the stated requirement for the building it is considered that the proposal constitutes appropriate development within the Green Belt in accordance with paragraph 145 of the NPPF and in accordance with policy P17 of the Solihull Local Plan as set out above. This carries neutral weight in the planning balance.

Impact on the character and appearance of the area

Policy P15 of the Solihull Local Plan requires all development to achieve good quality, inclusive and sustainable design, which conserves and enhances local character, distinctiveness and streetscape quality and ensures the scale, massing, density, layout, materials and landscape of the development respects the surrounding natural, built and historic environment Policy P15 of the Local Plan is consistent with policies set out in the Framework and full weight can be attributed to this Local Plan Policy.

The proposed building would be typically agricultural in its appearance, measuring 5m by 14m with a height of 3.25 to 3.95m ridge. The building would be timber clad, with a metal profile sheet roof. The building would be to the north of the existing small brick built building currently on the site, which is located as the end of an existing access track.

Given its siting and design it is considered that the building, whilst large is appropriate in size for its stated agricultural use, and the proportions are design and typical of similar agricultural buildings found elsewhere within the borough on agricultural holdings. Therefore the proposed building would not have a detrimental impact on the visual amenity or landscape character of the area.

The proposal would therefore be appropriate given its demonstrated need, in terms of its scale, massing, layout, design and landscaping and fully accords with Policy P15 of the Local Plan. This should be accorded neutral weight in the planning balance.

Impact on amenities of neighbours

Policy P14 of the Solihull Local Plan seeks to protect the amenity of existing and potential occupiers of houses and businesses. Policy P14 of the Local Plan is consistent with policies set out in the Framework and full weight can be attributed to this Local Plan Policy.

The closest edge of the proposed building would be approximately 80m from the rear elevation of the nearest neighbour at Hall Farm. Having regard to this separation distance it is not considered that the building would result in loss of light or overbearing impact.

Concerns have been raised with regards to loss of outlook, from neighbouring properties looking out over the open countryside, as a result of the development however this is not a material planning consideration and given the agricultural character of the surrounding landscape, and the appearance of the proposed building it is not considered that it would impact on neighbours visual enjoyment of the area.

Given the location of the building and with respect to the existing use of the site it is not considered that the proposed new agricultural building would have an adverse effect on the amenities of the occupiers of neighbouring properties. The proposal therefore accords with Policy P14 of the Local Plan and guidance in the Framework. This should be accorded neutral weight in the planning balance.

Other matters.

- Drainage.

The Lead Flood Authority have advised that proposed development seeks to connect to a new soakaway, and recommended that the applicant carries out soakaway tests to ensure that the proposed soakaway will work and is sized correctly. The Borough predominantly has impermeable soils there is a reasonable chance that the

soakaway, unless correctly sized, designed and constructed, will not infiltrate effectively and will pose a flood risk as a result.

Having regard to the comments the imposition of a condition would be reasonable and necessary to ensure the development is appropriately drained. Subject to the imposition of a condition, neutral weight can be attributed to the matter in the planning balance.

- Other matters

Concerns have been raised with regards to additional traffic movements to and from the building and disturbance this would cause. Given the agricultural use of the land, it is not considered that the provision of a building would significantly alter the number of potential comings and goings to the site, and these would be agricultural related movements, and not residential traffic. Further, the Council's Highway Engineer has raised no objections to the scheme.

Finally, concerns over the potential conversion of the building from agricultural to residential have been raised. It should be noted that this would require the submission of a planning application, which would be fully assessed on its own merits at that time. And therefore this is not a material consideration in the determination of this application.

CONCLUSION

It is considered that the applicant has provided sufficient evidence to demonstrate an agricultural need for this building in this location and therefore the principle development is acceptable in compliance with Para 145 of the NPPF and P17 of the Solihull local Plan.

The proposal is considered to be acceptable in all other aspects, subject to appropriate conditions and is thus considered to comply with Policies P14, P15 and P17 of the Solihull Local Plan 2013.

Therefore, the proposal accords with the development plan as a whole and benefits from a presumption in favour of sustainable development in accordance with the Framework and it is for these reasons that the application should be approved.

RECOMMENDATION

Approval is recommended subject to the following précis of conditions a full list of standard conditions is available using the following link:

<http://www.solihull.gov.uk/Resident/Planning/searchplanningapplications>:

1. CS00 – compliance with plans
2. CS05 – commencement in 3 years
3. CS06 – materials to be submitted
4. The development shall not be commenced until such a time as a scheme to manage the surface water runoff from the development has been submitted to and

approved in writing by, the Local Planning Authority, with no occupation until the scheme is operational. The submitted details should include:

- a) Results of infiltration tests, carried out in accordance with BRE 365 or similar to determine the suitability of the site for infiltration. If infiltration is deemed to be suitable, the proposed soakaway(s) should be designed in accordance with BRE 365 also.
- b) A plan indicating the size and location of the proposed soakway
- c) If a soakaway is demonstrated to not be suitable then details of an alternative SuDS system should be submitted.
- d) Construction details
- e) Maintenance plan for the whole drainage system in accordance with the SuDS manual

To secure the satisfactory drainage of the site in accordance with policy P11 and P15 of the Solihull Local Plan 2013.