Planning Committee: 03 February 2015 **Item Number:** **7**

Application No: W 14 / 1694

Registration Date: 21/11/14
Town/Parish Council: Radford Semele **Expiry Date:** 20/02/15
Case Officer: Rob Young
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North Fosse Farm, Fosse Way, Radford Semele, Leamington Spa, CV31 1XQ

Erection of an agricultural building FOR Blackdown Growers

This application has been requested to be presented to Committee by Councillor Doody.

RECOMMENDATION

Planning Committee are recommended to GRANT planning permission, subject to conditions.

DETAILS OF THE DEVELOPMENT

The application proposes the erection of an agricultural building. The building will measure 36.6m by 27.4m and will be 6.8m in height. The building will be sited adjacent to the western boundary of the site with The Fosse, alongside a former agricultural building. The building will be sited on an existing area of hardstanding and it is proposed that this will be extended to provide an access round the new building to the further yard area and former agricultural building beyond. The applicant advises that the building is required to provide internal storage for returnable transport and packaging crates.

THE SITE AND ITS LOCATION

The application relates to the site of Blackdown Growers which is situated within open countryside to the east of the Fosse Way and to the north of Southam Road. Blackdown Growers produce baby salad leaves and herbs. Their site includes a number of existing buildings including a substantial area of glasshouses. The current application relates to an area alongside the western boundary of the site. This area comprises a large area of hardstanding situated adjacent to a former agricultural building that has been converted to light industrial / non-agricultural storage use.

The application site adjoins the complex of buildings at The Fosse. Those buildings comprises the former farm house and a range of former agricultural buildings, some of which are used as an exhibition centre.

PLANNING HISTORY

In 1992 planning permission was granted for "Enlargement of agricultural access" (Ref. W92/0710).

In 1992 planning permission was granted for "Erection of an agricultural building and recladding of existing building" (Ref. W92/1144). This permission was not implemented. The building authorised by this permission would have been the same as that which is proposed in the current application.

In 2011 planning permission was granted for "Continued use of building for storage and distribution (Use Class B8) on a permanent basis (following temporary planning permission no. W08/0967)" (Ref. W11/0979). This related to the former agricultural building adjacent to the current application site.

There have been a number of other planning applications relating to the application site and other land nearby that is in the applicants' ownership, but none of these are directly relevant to the consideration of the current proposals.

RELEVANT POLICIES

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- DS5 - Presumption in Favour of Sustainable Development (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- SC0 - Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC1 - Planning for Climate Change Adaptation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Sustainable Buildings (Supplementary Planning Document - December 2008)

SUMMARY OF REPRESENTATIONS

Parish Council: No comments received.

Public response: The neighbour at The Fosse has raised the following concerns:

- there is insufficient evidence to substantiate the agricultural need for the building;
- there are existing buildings on the site that could satisfy the need;
- the employee numbers are incorrect;
- the 1992 planning permission is irrelevant because this was for a different purpose;
- the building will occupy an existing yard that will have to be replaced; this will create extensive new areas of hardstanding, worsening existing flooding problems on the adjacent site;
- the use of the building is likely to be B1(c)/B8 light industrial / storage and distribution, given the industrialised nature of the agricultural processes on this site;
- increase in slow moving HGVs exiting the site onto a dangerous section of the Fosse Way;
- no details of renewable energy production have been provided;
- this is establishing a storage and haulage yard in close proximity to the adjacent dwelling at The Fosse;
- conditions should be imposed to mirror those on the permission for the adjacent commercial storage building; and
- conditions should be imposed to restrict the installation of machinery or vehicle maintenance / repair facilities, to limit the building solely to storage and to restrict the permission personally to the applicant.

Cllr Doody: Requests that the application is reported to Planning Committee.

WCC Highways: No objection, subject to a condition to ensure that access to the development is via the two existing accesses either side of the speed camera on Fosse Way.

WDC Environmental Health: No objection.

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- the principle of development;

- the impact on the living conditions of the neighbouring dwelling;

- the impact on the character and appearance of the area;

- highway safety; and

- health and well-being.

Principle of development

The applicant has submitted evidence to demonstrate that there is an agricultural need for the proposed building. They advise that over the past 10 years, UK food regulations and public concern as to food miles, carbon footprint, food security and production means that most equipment, machinery and containers need to be kept inside to avoid contamination of food handling systems. They also advise that the use of returnable transport and packaging crates are now mandatory to reduce landfill waste and these must be stored inside. In April 2015 their biggest customers all require this to be in operation to continue trading and award Blackdown Growers with the new 2015 summer season programmes.

There is no evidence available to the contrary. Therefore it is considered that the applicant has submitted sufficient evidence to demonstrate that there is an agricultural need for the building.

The information submitted by the applicant also confirms that none of the existing buildings on the site can meet the need for additional internal storage. The adjacent building is not suitable because it would require extensive and costly modernisation to bring it up to modern food standards. It is also occupied by a tenant that is using the building for non-agricultural storage purposes. There is also no spare room in the main glasshouses on the site. The whole of these are used for growing crops.

As the applicant has demonstrated that there is an agricultural need for the building and that this need cannot be met by any of the existing buildings on the site, the proposals are considered to be acceptable in principle.

It is also of note that the Council have previously accepted the principle of a new agricultural building in this location by granting planning permission in 1992, albeit that was for a different agricultural purpose.

Impact on the living conditions of the neighbouring dwelling

The proposed building would be approximately 50m away from the nearest dwelling (The Fosse). It would be separated from that dwelling by the outbuildings and offices on that site. Therefore it is not considered that the proposals would harm the living conditions of that property, bearing in mind the fact that this will be an agricultural building associated with an established agricultural operation.

Again, it is also of note that the Council have previously accepted that a new agricultural building in this location would have an acceptable impact on The Fosse (the 1992 permission).

Impact on the character and appearance of the area

The proposals would have an acceptable impact on the character and appearance of the area. There are similar modern agricultural buildings on the application site and on the adjacent site at The Fosse. In terms of the impact on the wider rural area, the siting of the building would relate well to the existing group of buildings at the Fosse and on the application site. Therefore the proposals would not harm the rural character of the area.

Reference should again be made to the previous planning permission for an agricultural building on this site, when the Council accepted that this would have an acceptable impact on the character and appearance of the area.

Highway safety

There has been no objection from the Highway Authority. Therefore the proposals are considered to be acceptable in terms of highway safety. A condition is recommended to restrict the vehicular accesses that can be used, as advised by the Highway Authority.

Health and Well-Being

N/A

Other matters

As the building is proposed to be used for storage purposes, the energy use is likely to be limited. Therefore it would not be appropriate to require on-site renewable energy production in this case, in accordance with Local Plan Policy DP13.

The neighbours have raised concerns about the possibility of additional areas of hardstanding being created. However, the only new area of hardstanding shown on the proposed plans is a new road around the edge of the proposed building. This would be permitted development under agricultural permitted development rights and therefore it does not require planning permission. The part of the development that requires planning permission (the building) would be sited on an existing area of hardstanding and therefore will not increase the risk of flooding off-site.

SUMMARY / CONCLUSION

The erection of this agricultural building on an established agricultural holding is considered to be acceptable in principle. The proposals would have an acceptable impact on the living conditions of neighbouring dwellings and on the character and appearance of the area. Therefore it is recommended that planning permission is granted.

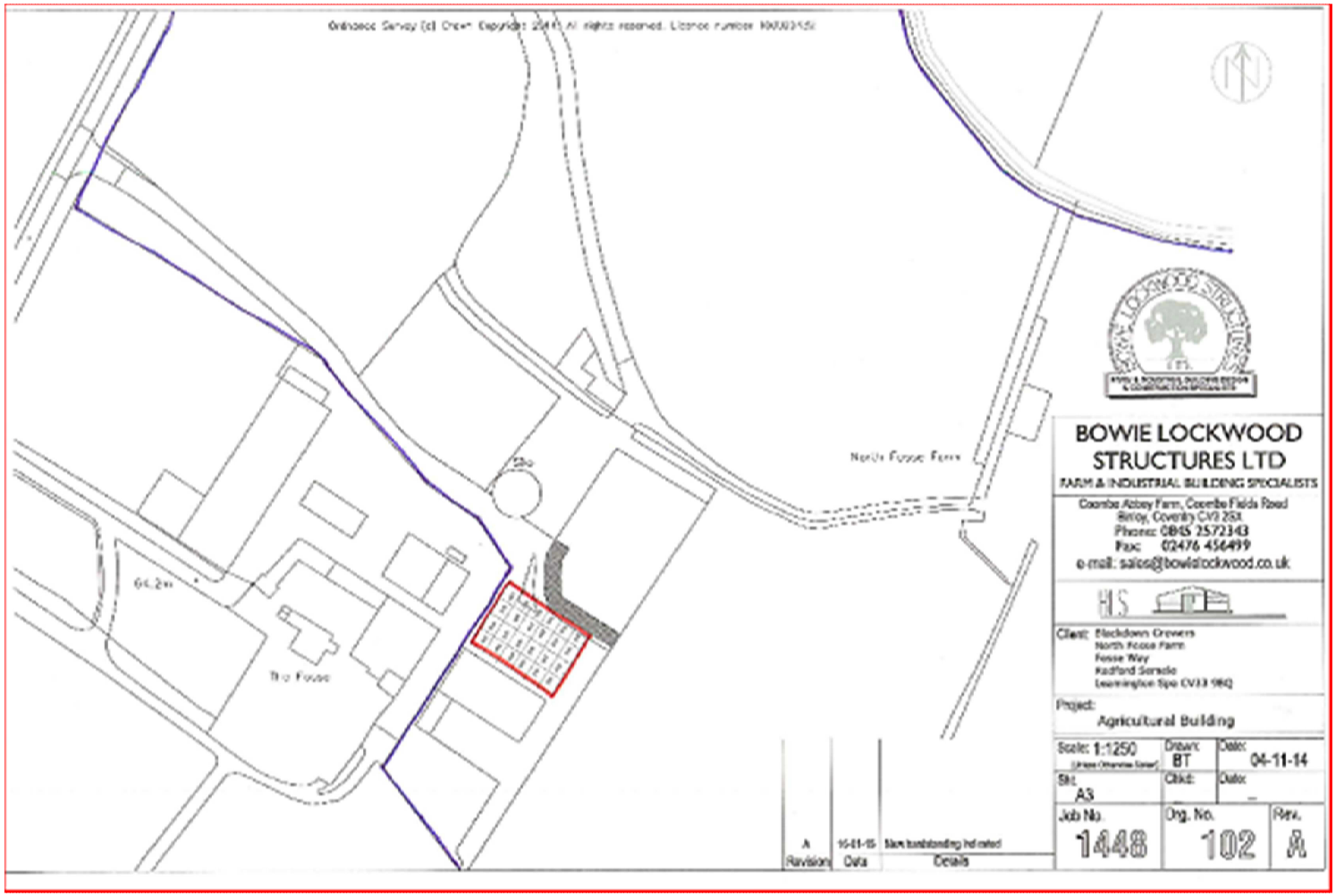
CONDITIONS

1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 101C & 102A, and specification contained therein, submitted on 20 November 2014 & 21 January 2015. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

3 The development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the building hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species, unless the local planning authority gives written consent to any variation. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011.

4 Access to the development shall not be gained from the public highway other than from the two existing vehicular accesses located on the Fosse Way (B4455) that are highlighted in yellow on the site plan submitted on 16 January 2015. **REASON :** In the interests of highway safety, in accordance with Policy DP6 of the Warwick District Local Plan.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64.2m
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Project:
Agricultural Building
Scale: 1:1250
Drawn: BT
Date: 04-11-14
Std: A3
Chkd:
Date:
Job No. 1448
Org. No. 102
Rev. A
A Revision
15-01-15 Date
New buildings indicated Details