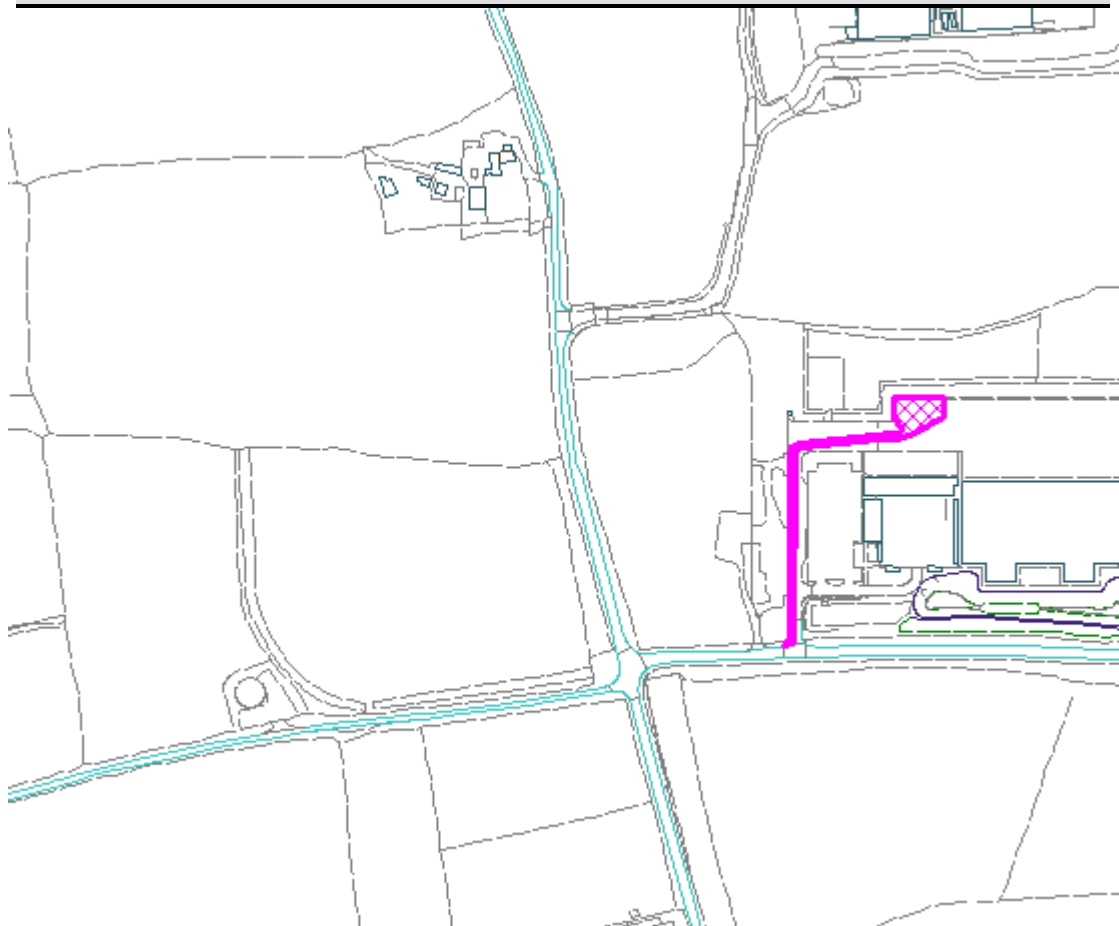


Committee Report – 9 May 2024

Application Number:	1/0082/2024/FUL
Registration date:	6 February 2024
Expiry date:	2 April 2024
Applicant:	Kivells Ltd
Agent:	Kivells Ltd
Case Officer:	Mrs Nicola McGill
Site Address:	Holsworthy Livestock Market, Holsworthy Agri Business Park, New Market Road, Holsworthy, Devon, EX22 7FA
Proposal:	Construction of agricultural storage building for machinery and straw
Recommendation:	Grant



Reason for referral:

The application is on Torridge District Council land.

Relevant History:

Application No.	Description	Status	Closed
1/0731/2015/FULM	Proposed Car Park	PER	05.11.2015
1/0979/2015/FUL	Extension to Holsworthy Livestock Market to form hay store	PER	03.12.2015

Site Description & Proposal

Site Description

The application site is a parcel of land measuring 979 square metres and is part of an existing site comprising a livestock market and agri-business facility incorporating a cafe and office buildings built across 5.18 hectares. The site lies to the north of the town of Holsworthy in the open countryside, access to the site is via an existing entrance to the south of the site off an unclassified public highway known as 'New Market Road'.

The site does not fall within any allocated land designation and is not located within close proximity to any protected heritage asset. The Devon Character Area for this site is 66 (Western Culm Plateau) and the Landscape Character type is 1F (Farmed lowland moorland and culm grassland). The site is located within the Holsworthy Critical Drainage Area and falls within a Zone 1 flood risk which offers a likelihood of less than 1 in 1,000 annual probability of river flooding and is consider a low probability of flooding. It is not within 20 metres of a watercourse.

Proposed Development

The proposal seeks full planning permission for the construction of an agricultural storage building for the storage of straw, fodder, feed and machinery storage in connection with the agricultural livestock building.

The proposed building will be 27.43 metres by 9.14 metres with an eaves height of 4.26 metres and a ridge height of 5.61 metres. There will be an overhang on the south elevation extending out at eaves level by 1.37 metres. The overall floor area of the building will be 250.7 square metres.

The proposed materials will be galvanised steel portal frame and lapped timber boarding to the north and west elevations. The western four bays of the south elevation will be open with metal sheeted gates for access and timber cladding above. The eastern two bays of the south elevation will be entirely clad in lapped timber boarding. The east elevation will be open with metal sheeted gates for access and cladding to the apex. The roof will be corrugated fibre cement sheeted panels with Perspex rooflight panels.

Consultee representations:

Holsworthy Hamlets Parish Council:

Thank for you the consultation request for the planning application reference: 1/0082/2024/FUL for the Construction of agricultural storage building for machinery and straw at Holsworthy Livestock Market, Holsworthy Agri Business Park, New Market Road, Holsworthy, Devon EX22 7FA.

This application was discussed by the members of Holsworthy Hamlets Parish Council at their recent meeting. The discussion included analysis of the location plan, the site plan & the proposed elevations.

Following the discussion, it was agreed that the members of Holsworthy Hamlets Parish Council have no objection to this application.

Environmental Protection Officer:

The Environmental Protection Team has no objections.

Property Services:

No representations received.

Minerals And Waste Planning:

Thank you for consulting us on this application.

The site is within a Waste Consultation Zone for a Biogas Plant. Therefore, Policy W10: Protection of Waste Management Capacity of the Devon Waste Plan 2011-2031, which looks to protect waste management sites from constraint from non-waste development, applies.

Due to the commercial nature of the application, it is considered that the proposal is unlikely to add any further constraint on the waste management site. Therefore, the Waste Planning Authority has no objection to the application.

Representations:

Number of neighbours consulted:	1	Number of letters of support:	0
Number of representations received:	0	Number of neutral representations:	0
Number of objection letters:	0		

No letters of representation received.

Policy Context:

North Devon and Torridge Local Plan 2011-2031:

ST07 (Spatial Development Strategy for Northern Devon's Rural Area); DM08A (Landscape and Seascape Character); DM04 (Design Principles); ST04 (Improving the Quality of Development); DM01 (Amenity Considerations); DM02 (Environmental Protection); DM05 (Highways); DM06 (Parking Provision); DM08 (Biodiversity and Geodiversity); ST14 (Enhancing Environmental Assets); HOL01 (Agri-Business Park)

Government Guidance:

NPPF (National Planning Policy Framework); NERC (Natural Environment & Rural Communities); NPPG (National Planning Practice Guidance); WACA (Wildlife & Countryside Act 1981)

Planning Considerations

The main considerations in the determination of this application are:

1. Principle of development
2. Impact on landscape character and appearance
3. Impact on residential amenity
4. Highways, access and parking
5. Drainage
6. Ecology

1. Principle of development

The application site is located outside of any designated settlement boundaries as identified in the Proposals Maps to the North Devon and Torridge Local Plan. On this basis, the proposed development is in the open countryside for the purposes of the spatial strategy for the District. The provisions of Section (4) of Policy ST07 are therefore relevant which state: *'In the Countryside, beyond Local Centres, Villages and Rural Settlements, development will be limited to that which is enabled to meet local economic and social needs, rural building reuse and development which is necessarily restricted to a Countryside location'*.

A tractor shed and straw store was included as part of the approved planning application for the wider site reference 1/0893/2011/FULM but was never constructed. The proposed building is to be situated in the same location.

This proposal is for an agricultural storage building to provide storage for straw, fodder, feed, and machinery. The building is proposed as a replacement for an articulated curtain-sided lorry trailer which has been used for storage in a temporary capacity and is no longer fit for purpose. The proposed agricultural building is sought to support the existing enterprise on the site and will contribute to the continued success of the market and is therefore in keeping with the provisions of Policy ST07.

2. Impact on landscape character and appearance

Policy DM08A of the Local Plan relates to landscape and notes that development should be of an appropriate scale, mass and design that recognises and respects the landscape character of both designated and undesignated landscape, should avoid adverse landscape impacts and seeks to enhance the landscape wherever possible.

The Joint Landscape Character Assessment for North Devon and Torridge Districts identifies the application site as being located within Landscape Character Type 1F (*Farmed lowland moorland and culm grassland*), the key characteristics of the landscape include a plateau-like character and straight roads crossing along ridgelines.

Landscape guidelines aim for the protection of the area's rural character, sense of openness and long views, avoiding poorly-sited development. Plans should ensure any new development should utilise local vernacular materials and building styles wherever possible, whilst pursuing low carbon/sustainable credentials.

Policy DM04 states that development proposals should be appropriate and sympathetic to their setting in terms of scale, density, massing, height, layout appearance, fenestration, materials and relationship to buildings and landscape features in the local neighbourhood.

The proposed agricultural storage building would be located to the north of the site and adjacent to the existing buildings. The proposed materials for the development are lapped timber boarding for the walls and corrugated fibre cement sheeted panels for the roof which will match the existing buildings.

An established and robust boundary hedge screens the site from the north and west. The wider site is not visible from the A388 to the east and is a sufficient distance from the highway to the south to be readily seen. In addition to the above, the proposed agricultural building would be seen within the context of the surrounding buildings and is not considered to result in a visually dominant form of development. The proposed storage building is expected to relate well to the existing built form on the site and would not extend beyond the boundary of the existing site.

Taking account of the relationship of the application site to existing buildings and the limited viewpoint within which the development can be seen, the proposals are considered to be in keeping with the provisions of Policies DM08A and DM04 of the Local Plan.

3. Impact on residential amenity

Policy DM01 of the Local Plan states that development proposals will be supported where they would not significantly harm the amenities of any neighbouring occupier or uses and the intended occupants of the proposed development would not be harmed as a result of existing uses.

Policy DM02 of the Local Plan relates to environmental protection and notes that development will be supported where it does not result in an unacceptable impact on atmospheric pollution, pollution of surface or ground water, noise or vibration and light pollution.

The closest residential unit is Higher Manworthy approximately 250 metres to the northwest of the site. The Council's Environmental Protection Officer has commented on the submitted plans and has not raised any objections. Further no letters of representation have been received by the Council.

Due to the location of the proposed development relative to neighbouring properties and nature of the proposed development, it is not considered that a harmful impact on the amenities of neighbouring occupiers would occur. On this basis, the proposed development is considered to be in keeping with the provisions of Policies DM01 or DM02 of the Local Plan.

4. Highways, access and parking

Policy DM05 states that all development must ensure safe and well-designed vehicular access and egress, adequate parking and layouts which consider the needs and accessibility of all highway users.

Paragraph 111 of the NPPF advises that development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highways safety, or the residual cumulative impacts on the road network would be severe.

The existing access into the site from the public highway would be unaltered and the proposed building would be set adjacent to the existing group of buildings. There is no proposed change to existing parking and turning spaces on the site as a result of the proposed development and the scheme is not expected to increase parking demand.

The site would be used in association with the existing enterprise on the site and the proposal is unlikely to result in an increase in traffic movements. The proposed development would be in keeping with the provisions of Policy DM05 of the Local Plan.

5. Drainage

Policy DM02 of the Local Plan relates to environmental protection and notes that development proposals will be supported where they do not result in unacceptable impacts on the pollution of surface or ground water. The site is located in the Holsworthy Critical Drainage Area and falls within a Zone 1 flood risk which has less a than 1 in 1,000 annual probability of river flooding and is considered a low probability of flooding.

The submitted application form confirms there is no requirement for foul drainage and surface water drainage is to be addressed by way of existing clean water drains on site. The proposal would therefore accord with Policy DM02.

6. Ecology

Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, The Conservation of Habitats and Species Regulations 2010 (Habitats Regulations 2010).

This is also supported by Policy DM08 of the Local Plan. In addition, Policy ST14 seeks to deliver biodiversity enhancement through development. 186(a) states that where significant harm to biodiversity cannot be avoided or adequately or compensated for, then planning permission should be refused.

The application was accompanied by Devon County Council's Wildlife Trigger List, which advises that the proposal does not include any aspects that require the submission of an ecology report. As the proposal involves the construction of a building on land on an existing hard surface, it is concluded that an ecology survey is not required and the submitted wildlife trigger list is considered to meet the statutory requirements set out above.

The scale and nature of the proposed development is not expected to result in a harmful impact on protected species and so the proposal is in line with policies ST14 and DM08 of the Local Plan.

Human rights

Consideration has been given to the Human Rights Act 1998.

Conclusion

It is therefore considered that subject to the compliance with the attached conditions and taking into account all other material planning considerations, including the development plan the proposal would be acceptable.

Recommendation

GRANT subject to the following conditions:

- 1 The development to which this permission relates must be begun no later than the expiration of three years beginning with the date on which this permission is granted.

Reason: The time limit condition is imposed in order to comply with the time requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

Reason: To ensure the development is carried out in accordance with the approved plans.

Plans Schedule

Reference	Received
Location Plan	31.01.2024
Block Plan	31.01.2024
25977 C	31.01.2024