Submission Copy

Combined Design and Access and Supporting Planning Statement

Erection of Lambing Shed
Land north of Newcastle Road, adjacent Laverick Hall Farm, West Boldon, NE10 8YN

Erection of a lambing shed land north Newcastle Road, adjacent Laverick Hall.

Design and Access Statement

1. Introduction

1.0 This Design and Access Statement together with a Supporting Planning Statement are submitted in respect of this full detailed planning application for the erection of a lambing shed on land to the north of Newcastle Road, adjacent Laverick Hall.

2. Relevant Site Planning History

2.1 The relevant known planning history of the application site is understood to be an application reference ST/012312/FUL to erect stables and secure the use of the land for the grazing of horses. This application was refused on 23/03/2012

2.2 The decision on this application was subject to a failed appeal reference APP/A4520/A/12/2179969 dated 10/12/2012.

2.3 It is understood an earlier application in 2008 for the erection of a stable building was also refused and a subsequent appeal was unsuccessful however it has not been possible to track down further details.

2.4 A further application for 4 stables and tack and feed store was submitted on 17 March 2021. An amended application description including a change of use of the land from agriculture/grazing to use of land for the keeping and breeding of horses was submitted and refused by the Council.

2.5 This decision was challenged at appeal and was dismissed and the applicant subsequently started to breed pigs on the site under the existing extant use of the land for grazing and agriculture. This use of the land did not require planning consent.

2.6 On the 2nd August 2023 a planning application ST/0454/23/FUL was approved by the Council for an agricultural building on the site.

2.7 Since that approval in August 2023 the applicant has recently decided to expand the agricultural use of the land to include proposals for the keeping and breeding of sheep. In relation to this expansion of use of the site the applicant is now seeking permission to erect a lambing shed.

3. Site Location and Description

3.1 Drawing A/3682/00 shows outlined blue the extent of the applicant's possession. The location of the proposed lambing shed is shown outlined red on drawing A/3682/01A and the position of the approved agricultural building approved in August 2023 is shown outlined in yellow on the same drawing.

3.2 The total site area of the land incorporating all of the land lying within the blue boundary totals approximately 1.5 hectares.

3.3 The application site is located to the north-east of the residential development known as Laverick Hall Farm and north of the properties collectively known as Laverick Farm Cottage, Nickabour and Wardley House.

3.4 Vehicular access to the application site is via Laverick Lane and then the private road serving the residential units comprising Laverick Hall residential units and detached dwelling that also provides access to the applicant's land.

3.5 The general appearance of the application site is similar to the surrounding land characterised as open flat fields primarily used for arable farming or as agricultural grazing land. There is a general absence of trees across the area, however there are mature existing hedgerows along the course of Monkton Beck and the neighbouring field boundaries.

3.6 The application site can be classified as urban fringe but lies inside land designated as Green Belt, albeit on the peripheral edge of the Green Belt.

4. Proposed Lambing Shed – Design, Existing and Proposed Site Layout

4.1 Drawing A/3684/00 illustrates the proposed location of the lambing shed outlined red. The proposed lambing shed would be sited to the north of the approved agricultural building.

4.2 In addition to the approved agricultural building yet to be completed there is a moveable sled mounted field shelter which is to be retained. Other structures currently used by the applicant are temporary and as a condition of the approval granted in August 2023 are required to be removed prior to the use and occupation of the agricultural building.

4.3 These other structures include a simple field shelter on skids that can be moved round the site, a moveable horse box used for the storage of fresh hay for bedding in the pig arcs and a large blue portacabin style container located on the verge adjacent the site entrance. The portacabin is currently used to provide secure storage for pig feed, to store necessary equipment and utensils and store protective clothing used by the applicant when tending the pigs. The pigs and pig arcs are located in the north-west corner of the site area.

4.4 The proposed lambing shed will be used during birthing to provide an essential covered structure with basic facilities to ensure the welfare and well-being of the ewes and new born lambs.

4.5 The external dimensions of the proposed lambing shed measure 16.08m x 5.05m. The height to the eave's measures 2.32m and to the ridge 3.86m. The dimensions of the agricultural building are noted on drawing A/3682/01A

4.7 The external appearance and use of materials to be used are also notated on the same drawing along with the internal ground layout of the lambing shed.

Supporting Planning Statement

5.1 The exiting extant use for the land in the applicant's possession is identified for agricultural and grazing. The use of the site for this purpose is accepted by the planning authority.

5.2 The area of agricultural/grazing land in the applicant's possession amounts to approximately 1.5ha and as this falls under the 5.0ha threshold for agricultural holdings hence planning permission is required for the erection of the lambing shed proposed in this application.

5.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations dictate otherwise.

5.4 The National Planning Policy Framework (NPPF) (July 2021) sets out current national planning guidance and is a material consideration in regard to the determination of planning applications.

5.5 The core principle of the NPPF is the presumption in favour of sustainable development and requires local planning authorities to positively support and approve new development. The NPPF does not change the statutory status of the development plan as the starting point in the consideration of planning applications. Where a proposed development accords with an up-to-date Local Plan the NPPF states this should be approved without delay and refused only if there are significant and clear reasons for doing so unless there are material considerations that dictate otherwise.

5.6 For the purposes of this planning application and with regard to the assessment of the proposed development in relation to its context

with current planning policy the South Tyneside Local Development Framework (LDF) is accepted as providing the up-to-date development plan for the area.

5.7 The South Tyneside LDF comprises a Core Strategy Document; a Development Plan Document (DPD); Supplementary Planning Documents (SPD's) and Supplementary Planning Guidance documents. For the purposes of this planning statement these documents where relevant have been considered in this Supporting Planning Statement.

5.8 The Planning and Compulsory Purchase Act 2004 requires that for those types of application where regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. This refers to all planning applications including, for example new buildings, alterations and extensions, and changes of use.

5.9 Policy DM1 – Management of Development

This policy seeks to ensure that in determining planning applications consideration will be given, where relevant, to the following material criteria;

- the development, including new buildings, extensions, and alterations to existing buildings, is designed to convey sensitive consideration of its surroundings, and where possible enhance its local setting and reinforce local identity, having particular regard to scale and proportions, alignment, form, use of materials and architectural detailing;
- the development is acceptable in relation to any impact on residential amenity;
- the development protects existing soft landscaping, including trees and hedges, where possible or provides replacement planting where necessary;

- new development provides well-designed external spaces including streets, squares, and parks, where possible linked to the wider green infrastructure network, with hard and soft landscaping to provide a high-quality setting for buildings, improve visual amenity, enhance community activity, and support the provision of priority natural habitats and species; and
- the impact of the development is acceptable in relation to highway capacity and safety or includes proposals to mitigate any adverse impacts.

5.10 Policy EA1 – Local Character and Distinctiveness

This policy is set out in the Local Development Framework – Core Strategy document adopted June 2007. Policy EA1 seeks to conserve the best qualities of South Tyneside's built and natural environment the specific criteria relevant to this application being:

b) to protect and enhance the openness of Green Belt;

5.11 Protecting Green Belt Land – NPPF

Within the contents of the National Planning Policy Framework document section 13 sets out specific measures for protecting Green Belt Land. Commencing paragraph 147, section 13 of the NPPF, states as follows:

"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances."

Paragraph 148, section 13 of the NPPF, further advises:

"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances, will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."

5.12 It is recognised the proposed lambing shed is located in an area designated in the development plan for South Tyneside as Green Belt and therefore it is appropriate to consider whether or not this constitutes inappropriate development in this context.

5.13 Paragraph 149, of section 13 of the NPPF, provides clarity in regard to the above and whilst stating *"A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt"* paragraph 149 sets out exceptions to this position. The principal exception relevant in this instance being exception (a) buildings for agriculture and forestry. Exception (a) would apply in the case of this application for a lambing shed to be used by the applicant on the land in his possession.

5.14 On the basis of paragraph 149, section 13 of the NPPF, exception (a) it is considered the proposed development can be deemed in accord and acceptable with the NPPF's aims to protect Green Belt land and approval should be granted.

5.15 In addition to NPPF requirements of protecting Green Belt land the proposed development has been assessed against the criteria set out in Policy DM1 – Management of Development.

5.16 The proposed new lambing shed is designed such that its overall appearance and location are compatible with its surroundings in terms of its presence within the overall landscape. The detailing and use of external materials have been carefully considered to assume the appearance of the approved agricultural building and commensurate with the agricultural/grazing use of the applicant's land and the predominant arable farming land use of the surrounding area. The red facing brick plinth and dark stained timber boards to the walls, with a tiled roof reflects the intended basic agricultural look of the building but also echo's the surrounding ancillary garage buildings that occupy the adjacent Laverick Hall residential development.

5.17 It is considered the location of the proposed lambing shed will appear as part of the collection of ancillary garage structures serving the occupants of Laverick Hall and will be viewed against an existing back drop of built development. The lambing shed is sufficiently distant from the existing residential development so as not to present any environmental nuisance by way of noise, smell or other residential amenity considerations that may affect the occupiers of these neighbouring dwellings. It is considered the scale, mass and height of the proposed agricultural building will have no discernible physical impact on the neighbouring residential dwellings in terms of loss of light or privacy or general aspect of the surrounding area and environment.

5.18 The applicant will be using the same vehicular access that serves the occupiers of the neighbouring houses and Laverick Hall. The access is used by the applicant to access the fields in his possession. The proposed lambing shed will not result in any additional vehicular movements than at present and it is considered the proposal is acceptable in highway terms.

5.19 For the reasons described above it is not considered there are any adverse material considerations that would give reasons to refuse the proposed lambing shed in relation to the requirements outlined in Policy DM1.

5.20 In addition to Policy DM1 the proposal has also been assessed against the requirements of Policy EA1 criteria (b). Policy EA1 (b) seeks to conserve the best qualities of South Tyneside's built and natural environment by protecting and enhancing the openness of the Green Belt. Policy EA1. The development plan for South Tyneside should be consistent and accord with the NPPF. Whilst policy EA1 gives no direction on development in the Green Belt it is reasonably assumed the exceptions identified in paragraph 149 (a) section 13 of the NPPF would apply and therefore the proposed new agricultural building would be acceptable in relation to Policy EA1.

6. Summary and Conclusions

6.1 It is considered the proposed construction and purpose of the new lambing shed is consistent with the extant use of the land for agriculture and grazing and the applicants existing pig rearing enterprise currently operated from the site.

6.2 Material considerations in respect of details of the external design of the proposed lambing shed and proposed use of external materials satisfy the requirements of Policy DM1.

6.3 Whilst the proposed lambing shed is located within designated Green Belt paragraph 149 exception (a), section 13 of the NPPF allows for the construction of new development for the purposes of agriculture or forestry and the proposal meets this exception requirement and is also compliant with development plan Policy EA1.

6.4 For the reasons outlined above it is considered there are no material planning reasons to refuse this application for a lambing shed as presented.