

**North Northamptonshire Area Planning Committee
(Thrapston)
16 August 2021**

Application Reference	NE/21/00700/FUL
Case Officer	Patrick Reid
Location	Lower Farm Barn, Main Street, Lower Benefield
Development	To erect a sheep shelter in agricultural field on existing concrete slab
Applicant	Mrs Sian Fytche
Agent	N/A
Ward	Oundle
Overall Expiry Date	20 July 2021
Agreed Extension of Time	18 August 2021

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because there are three or more (four) written objections citing material reasons. This is set out in Part 9.2 of the Council's Constitution.

1. Recommendation

- 1.1 That planning permission be GRANTED subject to conditions.

2. The Proposal

- 2.1 A field shelter for sheep is proposed which is to be located in a field on the northern edge of Lower Benefield. The building would measure 7.2m in length, 7.2m in width and 2.9m in height to the ridge. It would have a pitched roof, with the eaves at around 2.4m in height. It would be constructed using timber panels for walls with a black onduline roof.

- 2.2 It is proposed to serve as a shelter for sheep. The submission sets out that it would provide shelter for a flock of twelve sheep during lambing season, storing feed, administering medicines and performing other livestock related care such as shearing. It would be located on an existing concrete base positioned in the corner of the field so as to prevent further disturbance to the site.
- 2.3 The flock of twelve sheep are currently on the land and were evident at the time of the site visit. There is an absence of any building or structure on the land and the proposal seeks to add this for their care.

3. Site Description

- 3.1 The proposed building would be positioned in the south-eastern corner of the field which is to the north of the property and associated buildings known as Lower Farm; also in the ownership of the applicant. The field is roughly rectangular in shape and borders the adjacent A427 on its west. There is a vehicular access into the field at its north western corner off the A427.
- 3.2 To the immediate south of the site is the residential property of Lower Barn, and its associated outside space. A hedge boundary line marks the separation between the domestic land and the agricultural field beyond. Further to the south and running off Causin Way are a number of residential properties of various form. The properties back onto the agricultural fields to their north. To the south of the site is the northern edge of the Conservation Area (CA) boundary which is around 15m away. The CA boundary runs through the access/parking area of the residential property to the south, while not including its northern most edge which is garden/external amenity space.
- 3.3 The field itself is undulating and forms part of the wider landscape which shares this characteristic of changing in levels. The land slopes down toward the northern end from the southern part. It is grass covered, free from structures and currently has sheep grazing the land. All boundaries of the field are marked by hedging.

4. Relevant Planning History

- 4.1 None.

5. Consultation Responses

A full copy of all comments received can be found on the Council's website [here](#)

5.1 Benefield Parish Council

Benefield Parish Council has no objection to this application

5.2 Neighbours / Responses to Publicity

A total of nine representations have been received of which four have been in support, four in objection and one neutral. The issues raised are summarised below:

Objections comments:

- Detrimental impact on the character of the countryside;
- Detrimental impact on the setting of the Conservation Area;
- The nearby stream floods and the site may flood;
- Potential increase in smell and vermin detrimentally impacting the residential amenity of nearby properties;
- The nearby stream may incur sheep excrement due to the development;
- Detrimental impact on views;
- Concern that other landowners may seek agricultural buildings;
- Concern that there may be houses in the future.

Supportive comments:

- A positive development within the community;
- Essential for good husbandry of sheep.

5.3 Local Highway Authority (LHA)

No observations.

5.4 Lead Local Flood Authority (LLFA)

No comments.

5.5 Environmental Protection Team

There are no obvious issues from the development. The applicant should note that should there be complaints, these would be investigated under the relevant legislation.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 National Planning Policy

National Planning Policy Framework (NPPF) (2021)
National Planning Practice Guidance (NPPG)
National Design Guide (NDG) (2019)

- 6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)
Policy 1 – Presumption in Favour of Sustainable Development
Policy 2 - Historic Environment
Policy 3 - Landscape Character
Policy 4 - Biodiversity and Geodiversity
Policy 5 - Water Environment, Resources and Flood Risk Management
Policy 9 - Sustainable Buildings and Allowable Solutions
Policy 25 - Rural Economic Development and Diversification
- 6.4 Rural North, Oundle and Thrapston Plan (RNOTP) (2011)
Policy 23 - Rural Buildings - General Approach
- 6.4 Emerging East Northamptonshire Local Plan (LPP2) (2021)
EN13: Design of Buildings/Extensions
EN14: Designated Heritage Assets
- 6.5 Other Relevant Documents
None.

7. Evaluation

The key issues for consideration are:

- Principle of Development
- Visual Impact
- Impact on Neighbouring Amenity
- Highway Matters
- Environmental Matters
- Flood Risk and Drainage
- Ecology
- Heritage

7.1 Principle of Development

- 7.1.1 The use of the proposed building would be for agriculture and it relates to sheep husbandry. The site is part of a relatively small field which currently accommodates a flock of twelve sheep. It is understood this operates as part of a smallholding and not a larger farm.
- 7.1.2 The proposed use is agricultural and as such is acceptable in principle. In terms of its function and its need, the submission sets out that it is required for lambing as well as storage. The field currently has no shelter or buildings for these purposes and it is considered a reasonable necessity that the flock of sheep require a covered space for lambing and other husbandry tasks, out of the elements. The scale of the building is considered later in this report, but in principle, the provision of a field shelter is considered acceptable.

7.2 Visual Impact

- 7.2.1 The building would be of a relatively modest size, with a footprint of around 51.8 sqm. The flock of sheep it would serve is relatively small at twelve and it is considered that the size of the building is proportionate to its functional requirements. A height of 2.9m to the ridge is relatively modest and the overall massing of the structure is considered to not have a significant visual impact on the surrounding area.
- 7.2.2 In terms of its visibility, the shelter would be around 34m from the nearby road at its nearest point. The distance to the field entrance at the alternate corner is around 51m. The places from which the building would be most visible is primarily the nearby A427 from which motorists will be able to see the shelter above the hedging, as they enter the village from the north. On the approach from the north, a motorist or passenger may look left and see the building in the corner of the field. By its character however, it would appear appropriate for the rural setting.
- 7.2.3 Concern has been raised that the building would be to the detriment of the character of the rural area. In considering this, the nature of the appearance of the building is evidently agricultural and functional. It is expected as part of the character of rural areas that agricultural buildings will be present. The siting of the building would be away from the nearby road and in the corner of the field, where it would not be exposed compared to if it was to be in the middle of the field. This siting is considered appropriate from a visual perspective and it is the most logical siting within the field, away from the road in the corner of the field. The hedgerow beside the A427 does provide some screening of the site from motorists or cyclists, as to some people the views of the building would be limited for the majority of the side of the field.
- 7.2.4 In terms of assessing the impact on the setting of the nearby Conservation Area (CA), an understanding of the reasons and features that are the cause for its designation should be considered. The CA includes the development either side of the highway to the south, including the mixture of residential properties located off it, some of which are listed. The historic nature of some of the buildings off Causin Way indicates that it is symptomatic of its heritage significance and therefore its justification for being a CA. The field shelter, as set out, would be set away from the CA and separated by the domestic access/garden land serving Lower Farm. By sitting in the agricultural field, it would clearly be in an area of land with a different character. Its nature would not appear as an expanse of residential use out from the CA and there would be a visual distinction between the residential and agricultural uses of the shelter, and the dwellings to the south. It is considered that there would be no detrimental impact on the setting of the CA.

7.3 Impact on Neighbouring Amenity

- 7.3.1 Given the nature of the proposal, it would not cause any privacy impact on the nearby properties. It also would not materially affect the outlook of any nearby properties due to the separation from dwellings to the south and the modest scale of the shelter. It should also be noted that any reference to loss of views by neighbouring properties is immaterial to the decision.

7.3.2 In representations from neighbours, concern has been expressed that the development would cause an increase in odour. This matter is largely environmental, and the Council's Environmental Protection Officer has raised no such concerns. It is noted also that there is no reason to indicate that the field shelter would cause any materially detrimental impact on the amenity of nearby residential properties.

7.3.3 In terms of the activities at the site and field currently, these already occur and can carry on doing so without any planning intervention. A smallholding of twelve sheep is agricultural and the activities involved in carrying for the sheep such a shearing, giving medication and lambing could continue. The addition of a shelter simply provides a more suitable and safe location for these activities to occur inside from the elements. Whilst the building is relatively near the dwellings to the south, it is more than sufficiently far away as to ensure that there is no reason to indicate it would result in any material increase in noise or other affect. No lighting is proposed also, meaning there would be no material affect after dark.

7.4 **Heritage**

7.4.1 The council is required by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

7.4.2 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a decision maker to pay special attention to the need to preserve or enhance the character or appearance of a conservation area.

7.4.3 The site is located outside of but near to the Lower Benefield Conservation Area. The nearest boundary to this land is to the south as the main house of Lower Barn, and the properties fronting Causin Way, are within the CA. As such consideration is given to the impact on the setting of the CA.

7.4.4 The building itself would be agricultural in appearance and on agricultural land. In this sense it would not introduce a feature that would be out of character with the site. The features of the CA that contribute to its heritage status include older buildings to the south, some of which are listed. The addition of an agricultural building is not considered to have a material impact on the setting of the CA. It is therefore considered to have a neutral impact.

7.5 **Environmental Matters**

7.5.1 A field shelter for sheep in itself would not cause any direct environmental impact. The field is in agricultural use and already occupied by sheep which are able to roam within it. Concern has been expressed in a representation that sheep using the shelter may result in an increase in excrement reaching the watercourse nearby. In considering this, it has to be acknowledged that the field is agricultural and can and is occupied by sheep without any planning control. It would appear unreasonable to resist a field shelter for sheep on the basis that a water course may be further affected by excrement.

- 7.5.2 The Council's Environmental Protection Officer has commented on the application and has not objected. In terms of noise, there is no reason to indicate that any noise from within the shelter would be sufficient to reach unacceptable levels at receptor locations of nearby properties. There is separation from the site and the nearby properties and there is no evidence to suggest that the shelter would result in unacceptable noise to nearby properties. There is no reason to indicate the shelter would result in an increase in noise compared to the same activities occurring out in the open. As such the proposal is acceptable in this respect.

Flood Risk and Drainage

- 7.5.3 The site of the proposed field shelter is in Flood Zone 1 (lowest category of land/least likely to flood). The northern part of the field is within Flood Zone 2, but there is a clear separation from the site of the proposal. The building is proposed on an area currently laid with concrete and as such the proposal would not introduce further impermeable surfacing. Taking these factors into account, it is clear that the proposal would have no effect on the drainage of the area.

7.6 Ecology

- 7.6.1 The site forms part of a field in which sheep are kept. There is no indication that the site has any features of ecological significance. The addition of the proposed field shelter would be of benefit to the sheep that it would serve and it is considered that the proposal is acceptable in ecological terms.

8. Other Matters

- 8.1 Neighbour comments: Concern has been expressed that the building may lead to future applications for either agricultural buildings or dwellings. There is no clear logic behind such concerns as the provision of a field shelter for sheep does not cause any further likelihood of development nearby. Additionally, all applications are assessed on their own merits and worries and concerns about future events without any link or evidence to the proposal cannot represent a reason to resist a proposed field shelter. It is however noted that there was local support for the proposal also.
- 8.2 A comment was received which raised concern that the shelter would cause a detrimental impact on their views from their property. Views are not a material planning consideration and there is no legal right for a person to have views across land.
- 8.3 A concern was raised that on other land, other landowners may seek permission for other buildings as a result of the proposed field shelter. This is not deemed a logical reason to resist this proposal and all applications for development are considered on their own merits. There is no reason to indicate this proposed field shelter would have any link or result in a cause for any other land or other development nearby. Should any applications be made in the future, they would be assessed on their own merits.

- 8.4 Concern was raised that on other land nearby there may be future applications for houses due to the potential addition of the field shelter. For the same reasons above, there is no logical link between such developments. All proposals are considered on their own merits, and such speculative concerns cannot be a reason to resist an acceptable development proposal.

9. Conclusion / Planning Balance

- 9.1 The proposed field shelter would have an acceptable impact visually and in terms of the nearby Conservation Area. It would not materially affect the amenities of residential properties, would not materially affect drainage and would have an acceptable impact in terms of noise and odour, given that its presence would not intensify the use of the site. It is considered to comply with the relevant policies of the development plan.

10. Recommendation

- 10.1 That planning permission be GRANTED subject to conditions.

11. Conditions

1. The development shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended.

2. The development hereby permitted shall be used for the purpose of being a sheep shelter and shall be carried out in accordance with the following approved plans, all received on 19 April 2021, except where otherwise stated:

- Location Plan received 25.05.21;
- Proposed Elevations received 08.06.21;
- Site Plan 1:500 received 18.05.21;

Reason: To define the terms of the planning permission and ensuring it is solely used for agricultural purposes.

3. The field shelter hereby permitted shall be constructed using the materials specified on the submitted Application Form, namely timber panels for the walls and black onduline roof sheeting for the roof. The building shall remain constructed in these materials in perpetuity.

Reason: To ensure the building is as considered and is of an appropriate appearance for the character of the area.

4. The development hereby approved shall not include external lighting, as none is specified on the submitted details. Should external lighting be proposed, planning approval would need to be sought from the Local Planning Authority.

Reason: In the interests of the visual amenity of the area and the impact of the proposed field shelter.