



**Melton  
Borough  
Council**

# Planning Committee

**25<sup>th</sup> July 2019**

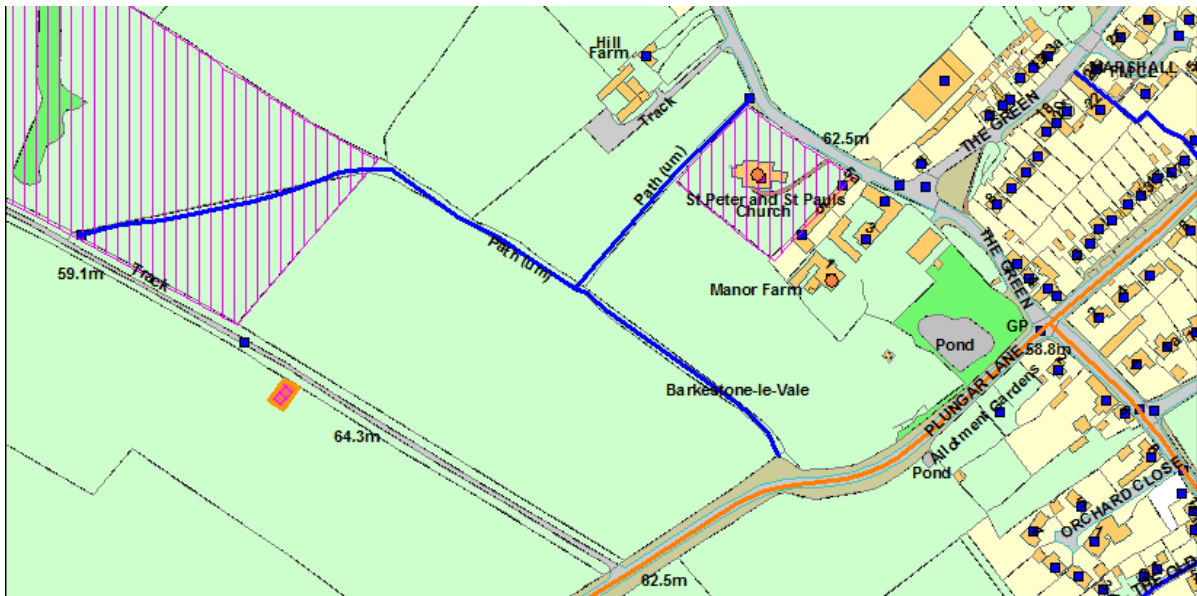
Report of:

**Assistant Director of Strategic  
Planning and Reg. Services**

**19/00560/FUL: Fields OS 2571 4565 And 3251, Barkestone Lane, Plungar**

**Proposed retention of fertilizer silo and water tank.**

## 1. Summary:



The site is located to a fields north of Barkestone Lane, Plungar. The field is accessed via a track, just west of the village for Barkestone, surrounded by open countryside linked with public footpaths to the nearby canal. There are notable views over Nottinghamshire and vantage points back toward the village of Barkestone.

The submission comprises a retrospective application for the retention of a silo and water tank positioned adjacent to the track. The site totals 35sqm comprising a concrete base which supports a single 50 cubic metre liquid fertilizer storage tank and a 26,000 litre vertical sprayer tank, which are to be used in relation to the farming activities belonging to the Belvoir Estate.

## 2: Recommendations:

**It is recommended that the application is refused .**

### 3: Reasons for Recommendation:

3.1 In the opinion of the Local Planning Authority, the silo, water bowser and associated concrete base in this location is considered contrary to Policy EN1 of the Melton Local Plan by reason of its prominent location and visibility, resulting in a imposing, adverse impact upon the intrinsic character of its open countryside location and to the detriment of its landscape setting.

3.2 In the opinion of the Local Planning Authority, The siting of this agricultural equipment has been insensitively placed, resulting in harm to the setting of the Grade II\* listed Church of St Peter and St Paul and the Grade II listed Manor Farmhouse. The proposal is therefore contrary to EN13 of the Melton Local Plan which states proposals should ensure the protection and enhancement of heritage assets, including their setting. No public benefits are present to outweigh this harm.

### 4: Key factors:

#### **Reason for Committee Determination**

The application is required to be presented to the Committee due to the number of representations received.

#### **Relevant Policies**

**The Melton Local Plan 2011-2036 was adopted on 10<sup>th</sup> October 2018 and is the Development Plan for the area.**

- **No inconsistency with the NPPF has been identified that would render Local Plan policies ‘out of date’ as it applies to this application.**

Please see Appendix D for a list of all applicable policies

#### **Main Issues**

The main issues for this application are considered to be:

- Principle of development
- Impact upon its open countryside location
- Impact upon the nearby heritage assets
- Residential amenity

## 5: Report Detail:

### 5.1 Position under the Development Plan policies

The site lies within the open countryside close to the settlement of Barkestone le Vale where policy SS1 applies

### 5.2 Principle of Development

Policy SS1 supports the principle of sustainable development and Policy EC2 seeks to support the economic growth and production of local business to invest, expand and adapt, generally encouraging the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.

The siting of the silo and water tank to this position is to enable easier accessibility for the servicing and farming of the arable fields to this vicinity and would generally be supported. While Policy D1 relates to design, it is considered that the silo and water bowser are of a typical design and not uncommon for such purposes in rural settings and therefore acceptable in principle.

Policy EN1 of the Local Plan requires development to be sensitive to its landscape setting and to respect existing landscape character and features. In addition, development will be supported where it does not have an unacceptable adverse effect upon an area's sense of place and local distinctiveness or upon areas of tranquillity. Furthermore it seeks to protect important views, approaches and settings.

The silo and water bowser are set back from Barkestone Road approximately 195 metres to the north. There is a low lying hedge line running the field boundary adjacent to the highway, giving direct views across the openness of this landscape. This results in the silo being a prominent feature to which attention is attracted.

Although it can be argued that such structures are not considered alien features within the open countryside, it is by virtue of its position being in isolation and located to the ridge/trigger point that it appears prominent on the horizon within an otherwise unspoilt and undeveloped countryside location.

Further vantage points are afforded from the nearby public footpaths crossing north, east and west and from the track used to access the nearby canal. It is upon closer approach from this aspect toward the site that the landscape develops, having far reaching views across Nottinghamshire, that the position of the silo and water bowser become a dominant feature in the landscape, to the detriment of the character and appearance of its open countryside location.

Furthermore, the Silo is positioned to higher ground approximately 270 metres from the nearby Grantham canal being a SSSI whereby Policy EN1 and EN2 are applicable, which seek to protect important features including important ponds, watercourses and other water areas. Furthermore Policy EN2 states It will protect and enhance biodiversity, ecological networks and geological conservation interests

throughout the Borough

Concerns have been raised, through public consultation regarding of possible contamination into the nearby canal should the Silo fall or be damaged. The Canal and Rivers Trust have been consulted however we await their response.

**It is considered that the principle of the development is contrary to the adopted Melton Local Plan (Policy EN1) particularly in terms of landscape setting.**

### **5.3 Impact Upon Heritage Assets**

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character and appearance of that area. Policy EN13 refers to heritage assets as the equipment can be viewed in relation to Designated Heritage Assets within Barkestone.

The application is the result of an enforcement case following the receipt of complaints about its appearance. Attempts have been made to negotiate an alternative and more acceptable location for its retention to this current location but these have not been successful.

The Conservation Officer comments that the agricultural equipment has been insensitively placed, causing less than substantial harm not only to the setting of the GII\* listed Church of St Peter and St Paul but also the GII listed Manor Farmhouse.

Additionally the public footpaths afford short, medium and long distance views of the village and it is considered that the church spire is the focal point of the village, particularly when viewed from the south west and south. Due to the siting and height of the silo, when viewed from these public vantage points, the setting of the church is adversely affected.

This impact is considered to amount to 'less than substantial harm' within the definition provided by the NPPF, and must therefore be balanced against any public benefits. However it is not considered that such benefits are present in this case.

**It is therefore considered that the siting of the silo and water bowser to this location are contrary to the NPPF and Policy EN13 of the Melton Local Plan, resulting in a harmful impact upon the setting of the nearby designated Heritage Assets**

### **5.4 Impact upon residential amenities**

The location of the equipment is of a considerable distance in relation to any nearby residential dwellings. As such the proposal is acceptable and does not have any adverse impact on residential amenities.

**It is considered the proposal is satisfactory in terms of residential amenity**

### **5.5.Highway Safety**

The site has an existing access via the track from Barkestone Lane and is already

frequently used by farming vehicles to access and cultivate the associated fields. However concerns have been raised due to the siting of the silo and water tank, it is envisaged to generate additional traffic to replenish those tanks. The owner has implemented a turning area within the site close to the equipment however the Highways Authority are satisfied it will not have severe impact on the highway network.

**The proposal is therefore considered to meet the requirements of the NPPF and Policy D1 of the Melton Local Plan in terms of highway considerations**

## **Consultation & Feedback**

A site notice was posted to the entrance of the track and as a result 14 letters of objection have been received from 13 different households.

## **Appendices:**

A; Consultation responses  
B: Representations received  
C: Applicable Development Plan Policies

## **Report Timeline:**

**Assistant Director Approval**

12<sup>th</sup> July 2019

**Report Author: Mrs Deborah Wetherill, Planning Technician, Development Management**

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## **Appendix A : Consultation replies**

### **Barkestone, Plungar and Redmile Parish**

The Parish Council wish to object to the siting of the Fertilizer Silo and Water Tank for the following reasons:

- This is visually intrusive on the important landscape setting
- It is not a secure site
- Hazardous chemicals being stored are not in a secure environment

- The fertilizer silo and water tank are located at the highest point in the Vale of Belvoir

### **Conservation Officer**

Conservation objects to the proposal for a water tank and fertilizer silo in Field OS 2571, 4565 and 3251 on the fringes of Barkestone-le-Vale. The siting of this agricultural equipment has been insensitively placed, causing less than substantial harm to the setting of the GII\* listed Church of St Peter and St Paul and the GII listed Manor Farmhouse. While there is no objection to the installation of such equipment in the countryside, it must be situated in a discreet location to avoid setting the precedent for harmful piecemeal accretions around the fringes of listed heritage assets. The setting of the GII\* Church is of paramount importance in this instance, and there are tangible views both from / towards the equipment which interrupt the connection between the church and the open countryside. While there are very marginal public benefits that may accrue from this proposal, they are not considered to outweigh the harm caused to the setting, and as such the application is recommended for refusal.

### **LCC Highway Authority**

After consideration of the submitted plans the LHA does not believe the proposed development will have a severe impact on the highway network and therefore the Local Highway Authority has no comments to make.

### **Canal and River Trust**

Recommend consultation with Natural England regarding the potential for spillage or leaks that could affect the nearby canal's status as an SSSI if permission is granted.

## **Appendix B : Summary of representations received**

### **Principle of Development**

- It was placed there in the first place and obviously without planning permission. This is a barely accessible and inappropriate location.
- Consultation with planners in an advisory capacity should be mandatory for a construction of this size in open countryside.
- Whilst needed, surely a better location can be found?
- They are usually sited next to other farm buildings. The better agricultural models always work with local communities and show consideration of their place within that community and the local environment.
- I understand the requirement for farms to use the product. I do not see the need to set a tall, imposing, disruptive structure next to a trig point, at a viewpoint visible from 3 counties, above a canal, and on a hill such that a leak would pollute a large area.

### **Impact on the environment**

- A silo full of chemicals should not be sited in that area.
- What would the environmental implications be if the silo failed and the run off reached the disused canal area below.
- This silo is sited in an inappropriate location. Please refer to the Agricultural Industries Confederation document Code of Practice for the prevention of water pollution from the storage and handling of fluid fertilisers, Part3 - Users. Produced in consultation with the Environment Agency.
- Concerned about possible leakage and the resultant pollution, particularly in and around a SSSI - a much lower and secure area would be preferable. The silo has to be serviced and this is usually undertaken by an HGV which will damage the local sensitive environment.
- There are major health and safety risks related to its location - it has been sited around 100 metres away from a section of the Gratham Canal which is an SSSI. It is above the canal so any leakage would run into the nearby ecosystem.
- An environmental impact study should show a safe location for the siting - a leak from the current site would devastate the local watercourse.

### **Impact on Open Countryside**

- A less conspicuous site could be found.
- This was a previously unspoilt landscape of the area and siting in open countryside. Belvoir estates have a centre of operations less than 3 miles away where it could be located.
- The structures do not fit into the landscape; from their current position, beautiful views have now been spoiled. Even in a rural (and working) environment there needs to be a balance and there are better alternative sites.
- The inappropriate siting of this silo is such that it is visible from miles around, and is direct line of sight of the village church from certain directions. It is also totally incongruous with its rural surroundings.
- This Trig Point is at 64 metres above sea level. It's one of the highest, if not the highest point in the Vale of Belvoir.
- The silo can be seen from all over the Vale - it is the most prominent structure when viewing Barkestone especially from the south and west. That used to be the 14th century church, but the silo now dominates the view. It can be seen from at least 18 miles away.
- The silo is therefore very prominent and can be clearly seen from Belvoir Castle and the Belvoir Ridge, many vale villages including Plungar, Sutton, Granby, Barnstone and Langar and Cropwell Bishop. It can be seen from Bottesford and Bingham. It can be seen from Nottingham.

### **Highways**

- The letter fails to acknowledge the regular HGV tanker movements to service the silo on a tiny single track lane entirely unsuitable for HGV traffic and leading to significant verge damage in winter months.
- Heavy traffic churned up the verges and undoubtedly shortened the life of the tarmac.

- Tankers trying to reach the silo on the single lane track that is simply not wide enough. A tanker trying to turn around at the site of the silo and also trying to reverse up the track to prevent having to turn in a space that doesn't accommodate it - the tanker wheels are always on the verge, not on the road as the road is not wide enough. Over time this will cause further damage to the track and verges

### **Appendix C: Recommended Conditions**

N/A

### **Appendix D : Applicable Development Plan Policies**

#### **Local Plan**

- Policy SS1 - Presumption in Favour of Sustainable Development.
- EN1 - Landscape
- Policy D1 - Raising the Standard of Design.
- Policy EN13 - Heritage Assets
- Policy EC2 - Employment Growth in the Rural Area (Outside Melton Mowbray)