

Committee: PLANNING
Date: 9 October 2007

**Report: UNAUTHORISED SITING OF AGRICULTURAL FEED HOPPER, OS FIELD
0955, ADJACENT B6160, NEWBIGGIN, BISHOPDALE**

Purpose of the report

1. To advise Members of the current situation in respect of the above, and to seek Members' authority for formal enforcement action to secure the removal of an agricultural feed hopper.

Strategic Planning Framework

2. The information and recommendation(s) contained in this report are consistent with the Authority's statutory purposes and its approved strategic planning framework.
3. The following are relevant Yorkshire Dales National Park policies:

Policy GP1	National park purposes
Policy GP2	General design policy
Policy F1	Agricultural buildings and structures

Background

4. A complaint was received in March 2007, in respect of the siting of an agricultural feed hopper. Initial investigations revealed that the hopper was permanently fixed to the ground and as such required planning permission, which has never been sought.
5. The hopper is located just off the B6160, on the north side of the road and to the north west of a traditional agricultural stone barn, approximately 1m away from the lean-to section of the barn. The hopper is bolted to a concrete pad.
6. The hopper stands approximately 4m high, standing just above the height of the eaves of the existing barn. It is constructed of untreated galvanized steel and is silver in colour.
7. The barn and hopper are in open countryside physically unrelated to any other buildings. The hopper is very prominent in views from the highway and surrounding public rights of way.
8. From the information received from the owners it is understood that the hopper is used for storage of feed stuffs for sheep, and lamb supplements in the summer months. They state that the hopper was sited here as it is the only available location to enable access by bulk feed wagons, and for convenience for the distribution of the contents.
9. Further discussions with the owners have taken place, regarding options for re-siting the hopper, but, to date a suitable relocation site has not been found and the hopper remains

in situ. The area planning officer considers that the hopper is visually intrusive in this location and is therefore harmful to the character of the local landscape. It is not considered that the 'owners' justification, which is not substantiated by any analysis of alternative sites outweighs this consideration.

Conclusion

10. The feed hopper, as sited in its current location is considered to be contrary to National Park Purposes as well as local plan policies. Policy F1 – Agricultural building and structures, refers to the criteria requiring that the siting and external appearance will not detract significantly from the surrounding landscape. It is considered that by the form, location and prominence of the feed hopper it significantly detracts from the visual amenity of the local area, and is substantially visually intrusive.
11. The policy also refers to the necessity of the development in that location, and whether or not its proposed function could be satisfied by the appropriate and economically viable adaptation of an existing traditional building. It is accepted that the existing barn is unsuitable for this type of feed storage. However, it is not considered that this point alone outweighs the harm to the building which the hopper is sited.
12. Negotiations with the owners have not been productive, and an acceptable solution has not been found. Painting of the surface of the hopper would not be possible, at this time, as the structure is new. However irrespective of this, it is not considered that this would reduce the harm to an acceptable level.
13. It is considered that enforcement action is justified but that the compliance period should reflect the owners' needs to use the current contents of the hopper.

RECOMMENDATION

14. That the Authority's solicitor be authorised to serve an enforcement notice to secure the removal of the feed hopper and the associated fixtures and fittings, with a compliance period of 6 months.

Marion Brown
Enforcement Officer

25 September 2007

Background documents:

Yorkshire Dales Local Plan adopted 29 April 2006.