

12. AGRICULTURE

PART ONE POLICY

POLICY AGR1 - THE PROTECTION OF AGRICULTURE

IN CONSIDERING PROPOSALS FOR DEVELOPMENT ON AGRICULTURAL LAND THE LOCAL PLANNING AUTHORITY WILL SEEK TO PREVENT:

- (i) THE LOSS OF WIRRAL'S BEST AND MOST VERSATILE AGRICULTURAL LAND;**
- (ii) THE SEVERANCE OR FRAGMENTATION OF A FARM HOLDING;**
- (iii) UNACCEPTABLE NUISANCE OR DISTURBANCE TO EXISTING AGRICULTURAL ENTERPRISE.**

WHERE DEVELOPMENT ON THE BEST AND MOST VERSATILE AGRICULTURAL LAND IS UNAVOIDABLE SUCH DEVELOPMENT SHOULD BE DIRECTED TO THE LOWEST POSSIBLE GRADE.

POLICY AGR1 - REASONED JUSTIFICATION

- 12.1 Despite the high proportion of urban and other non-agricultural land-use in Wirral, approximately one third of the Borough's land area is still used for agricultural purposes. Recent figures from the Agricultural Census indicate that up to 1,800 hectares of land are still used for arable production and that there are over 7,000 head of livestock and 64,000 poultry present throughout the Borough. Agriculture is, therefore, still of considerable significance in terms of its impact on the local economy.
- 12.2 Policy AGR1 reflects the emphasis that national planning policy places upon sustaining the rural economy and protecting the countryside. All Wirral's rural areas fall within the Green Belt. Opportunities for economic diversification are, therefore, more restricted than in many other areas of open countryside. Under these circumstances it is of even greater importance to ensure that the physical conditions necessary to sustain a viable agricultural economy are given appropriate weight when considering the future pattern of development.
- 12.3 In Wirral, over half the land currently used for agricultural purposes is classified within Ministry of Agriculture Fisheries and Food (MAFF) Agricultural Land Classification Grade 1, Grade 2 and Sub-Grade 3a. National planning policy guidance indicates that land of this quality is a resource of national importance which should normally be protected from development. Once lost to development it is rarely practicable to return such land to best quality agricultural production. Policy AGR1, therefore, places a priority on resisting the permanent loss of such land to non-agricultural uses.

- 12.4 Policy AGR1 also seeks to protect the structure of land holdings from the effect of severance or fragmentation arising from non-agricultural development. Even land of poorer quality may have special significance to individual farms, not least in terms of maintaining an established pattern of capital investment, supporting the more intensive use of other areas of land or contributing directly to the overall viability of the wider land holding. Proposals which would leave parcels of land incapable of beneficial agricultural use or which would leave the remainder of the farm incapable of giving a worthwhile return will, therefore, normally be resisted.
- 12.5 The direct loss of land is, however, not the only factor which may affect the continued efficiency and upkeep of farm holdings. Other forms of disturbance arising from adjacent development can have a number of operational implications for future cropping patterns or livestock husbandry. The Secretary of State's Strategic Guidance for Merseyside specifically states that development allowed near farms needs to be such as to avoid incompatible adjacent land use. Policy AGR1, therefore, also provides for the restriction of development likely to cause unacceptable disturbance to existing agricultural enterprise.
- 12.6 The priority attached to the protection of agricultural enterprise expressed within Policy AGR1 not only reflects the continuing importance of agriculture to the local economy but also reflects the special contribution that agriculture makes to maintaining the character and landscape of Wirral's rural areas.

Policy AG1 - Development and Agriculture

In assessing the siting, design and layout of proposals for new development near existing agricultural land holdings, the Local Planning Authority will need to be satisfied that appropriate measures have been taken in order to:

- (i) protect the operational needs of continued and viable agricultural enterprise within the area;**
- (ii) minimise direct or indirect disturbance to existing agricultural land uses;**
- (iii) take the main focus for public recreation away from areas used for agricultural production.**

POLICY AG1 - REASONED JUSTIFICATION

- 12.7 Policy AGR1 provides for the general restriction of proposals likely to give rise to unacceptable disturbance or nuisance to agricultural enterprise. Policy AG1 reiterates this requirement but additionally sets out detailed criteria to ensure that all proposals for non-agricultural uses are sited and designed in such a way as to minimise the potential for harm to local agriculture.

- 12.8 New development, especially of a directly urban nature, can introduce new factors into an agricultural setting which can affect the continued efficiency and upkeep of an adjacent farm holding. These can include noise, increased trespass, vandalism, and other direct or indirect interference with crops, machinery and livestock and the day-to-day running of the farm. In severe circumstances certain areas of land can be rendered unsuitable for the purposes for which they were originally used.
- 12.9 Such difficulties can be reduced by separating incompatible land uses, providing appropriate landscaping and boundary treatments, and by providing for a layout which makes a more distinct separation between the remaining agricultural area and the new area of development. The adequacy, design and location of land for public recreation is often an important factor in drawing the focus of activity away from the agricultural unit. Policy AG1, therefore, intends to ensure that the design, layout and nature of new development is appropriate to the nature of agricultural enterprise nearby and that every opportunity is taken to safeguard continued agricultural production.

Policy AG2 - The Protection of Best Quality Agricultural Land

In order to protect Wirral's best and most versatile agricultural land, proposals involving the non-agricultural use of land classified within Grade 1, Grade 2 and sub-Grade 3a of the MAFF Agricultural Land Classification must, before permission is granted, demonstrate the extent to which it would be practicable to return the land to its former quality if the development took place.

In assessing the scope for a future return to the best quality agricultural land, particular regard will be paid to:

- (i) the siting and extent of hard development proposed; and**
- (ii) the extent and depth of disturbance to soil structure.**

POLICY AG2 - REASONED JUSTIFICATION

- 12.10 Policy AGR1 provides for the protection of Wirral's best and most versatile agricultural land. Policy AG2 re-iterates this principle and sets out the detailed criteria that the Local Planning Authority will apply when dealing with individual planning applications. The objective of Policy AG2 is to prevent the unnecessary and permanent loss of good quality agricultural land which otherwise, if made available for use by the farming community, could continue to be farmed productively with few constraints.
- 12.11 The Agricultural Land Classification devised by the Ministry of Agriculture, Fisheries and Food grades the quality of agricultural land to reflect its productive capacity. Land falling within Grade 1, Grade 2 and sub-Grade 3a is recognised to be the most productive and flexible land in the Country. It is best suited to adapt to the changing needs of agriculture and is, therefore,

considered to be a resource of national importance. National planning policy guidance indicates that considerable weight should be given to protecting such land from development and from other uses which would prevent a return to best quality agricultural use.

- 12.12 In Wirral, over half the land currently used for agricultural purposes is classified within Grade 1, Grade 2 and sub-Grade 3a, and its distribution throughout the Borough is illustrated on Map 2. Land of this quality is of prime importance for the future of farming in Wirral and is therefore specified for protection within Policy AG2. The only exception is where proposals for non-agricultural uses would not preclude a return to agricultural use at some time in the future.
- 12.13 The most important factors for retaining the potential value of the land for agriculture are the minimisation of hard development and the prevention of damage to soil structure. These are identified within Policy AG2 as factors to which the Local Planning Authority will pay special regard when assessing whether a return to best quality agricultural use can be realistically safeguarded.

Policy AG3 - Controls for Agricultural Permitted Development

The Local Planning Authority will require to exercise prior approval over agricultural permitted development where the development proposed would be:

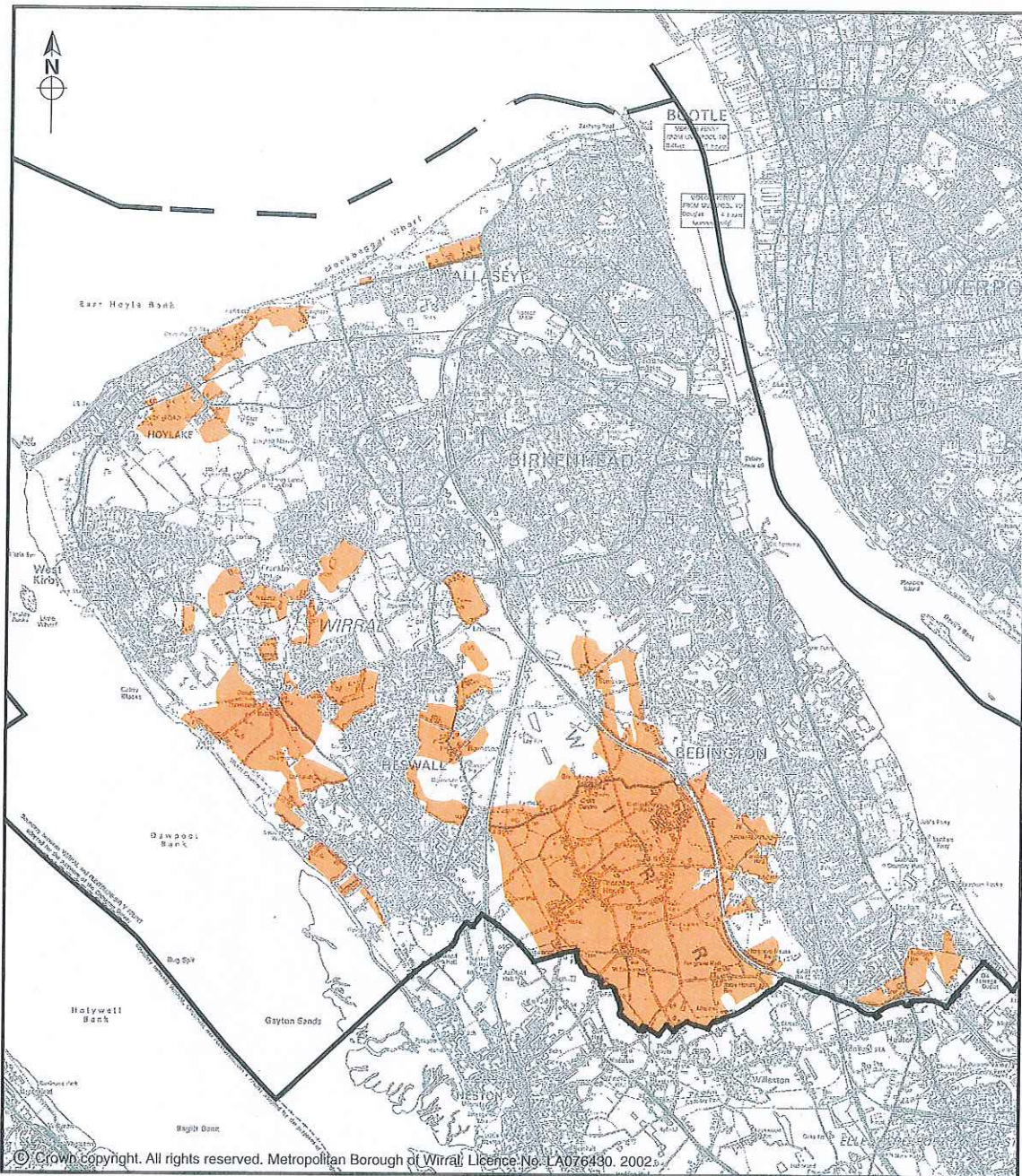
- (i) in an isolated location or prominently visible over a wide area or from the main road network shown on Map 3; or**
- (ii) liable to affect an Area of Special Landscape Value, site of archaeological importance, Listed Building, Conservation Area, site of importance for nature conservation or falls within an area liable to flood.**

The Local Planning Authority in exercising the power of prior approval will require that development:

- (iii) avoids unnecessary intrusion into the skyline, is well related to the existing farmstead in terms of scale, dimensions and alignment, or is otherwise designed and located so as to minimise visual intrusion in the local landscape; and**
- (iv) avoids a detrimental impact on sites or areas of special value or importance for wildlife or conservation which are the subject of protective policies elsewhere within the Plan.**

POLICY AG3 - REASONED JUSTIFICATION

- 12.14 Most types of agricultural development are permitted without the need for planning consent under the General Development Order 1988 (as amended).



Map 2

Agricultural Land Quality



Best and most versatile agricultural land (MAFF ALC Grades 1, 2 & 3A)
(See Policy AG2)

NB: For illustrative purposes only.
Not to scale.

However, proposals may need to be submitted in order to determine whether the Local Planning Authority will require to exercise prior approval over matters related to access, siting, design and external appearance.

- 12.15 Prior approval will not always be required. Policy AG3, therefore, sets out the general circumstances where the Local Planning Authority will seek to exercise these controls. It also indicates the issues which the Local Planning Authority will in particular wish to address. These predominantly relate to the protection of landscape character, the prevention of visual intrusion and the protection of other sensitive areas, such as sites of importance for geology, wildlife, or archaeology, which are identified for special protection elsewhere within the UDP.
- 12.16 The objective of Policy AG3 is not to prevent development required for agricultural purposes but to ensure that it is carried out sensitively and with full respect for the principles of conservation and protection expressed elsewhere within the UDP.

Policy AG4 - The Control of Agricultural Development

In considering proposals for new development required for agricultural purposes the Local Planning Authority need to be satisfied that:

- (i) adequate provision is made for highway access, on site parking and the safe manoeuvring of vehicles and machinery;**
- (ii) adequate measures have been taken in order to minimise visual intrusion within the local landscape, in terms of scale, siting, design and external appearance and that there are appropriate landscaping proposals;**
- (iii) the structures proposed do not significantly prejudice the amenity of neighbouring property un-related to the agricultural holding; and**
- (iv) designated nature conservation sites or Listed Buildings are not adversely affected.**

POLICY AG4 - REASONED JUSTIFICATION

- 12.17 Not all agricultural development has the benefit of permitted development status and proposals requiring planning consent will, therefore, be subject to the normal controls set out elsewhere within the UDP. New development for agricultural purposes is, however, appropriate within the Green Belt. Policy AG4, therefore, seeks to regulate such development in order to minimise its visual and operational impact and includes protection for the amenity of property which is not a part of the agricultural holding to which the application relates.

- 12.18 Policy AG4 specifically requires all new agricultural development to be well integrated within the local landscape. This should be achieved by a mix of careful siting and design, the sensitive choice of colour and materials, and, where necessary, by additional planting. New free-standing structures should normally be avoided and wherever possible new buildings should be well related to existing development in terms of scale, dimensions and alignment. Where free-standing development cannot be avoided, landscape considerations will be of heightened significance. In line with Policy LAN1, new development will only be permitted where the Local Planning Authority is satisfied that the visual impact of the proposals can be adequately controlled and is acceptable in terms of retaining the overall character of the wider area.

Policy AG5 - Criteria for Agricultural Nuisances

In determining proposals for new agricultural livestock units, facilities for the storage of slurry or sewage sludge, or for animal waste processing, the Local Planning Authority will have to be satisfied that the potential for nuisance to residents or other users of non-agricultural land and property nearby can be brought within acceptable limits before permission is granted.

Favourable consideration will be given to proposals that are required to comply with improved environmental standards.

POLICY AG5 - REASONED JUSTIFICATION

- 12.19 Agricultural livestock units and related agricultural facilities do not normally require planning consent unless they are to be located within 400 metres of a "protected building". This reflects their potential to cause nuisance, especially with regard to noise and odour. Policy AG5, therefore, sets out the criteria that the Local Planning Authority will apply in considering such proposals.
- 12.20 Agricultural facilities of this nature can be particularly unacceptable near residential areas, schools or other similar non-agricultural premises where people are normally present for long periods during the day or night. Policy AG5, therefore, restricts them unless appropriate measures to minimise the potential for nuisance can be secured. To be acceptable, however, these measures must bring the likelihood of nuisance to levels which are compatible with the nature and sensitivity of the surrounding area. Such controls will normally be the subject of planning conditions, or where necessary legal agreement, regulating the design or future operation of the site.

Policy AG6 - Development Near Agricultural Nuisances

Proposals for non-agricultural uses, which owing to their location and nature would be particularly sensitive to nuisance from an existing agricultural livestock unit, facility for the storage of slurry or sewage

sludge or for animal waste processing will not be permitted if the proposal is likely to significantly prejudice the amenity of the future occupiers or users of the land.

POLICY AG6 - REASONED JUSTIFICATION

- 12.21 The principle of separating incompatible uses, which underlies the protection given to "protected buildings" within the General Development Order and under Policy AG5, also applies in reverse. Policy AG6, therefore, prevents new non-agricultural development which would clearly be incompatible with an existing agricultural land-use. The objective of Policy AG6 is to prevent the introduction of uses which would lead to additional constraints upon the future operation of what would otherwise be an appropriately located agricultural facility.

Policy AG7 - Agricultural and Horticultural Retailing

The Local Planning Authority will permit farm based retailing as part of a farm diversification proposal providing that the development satisfies the following criteria:

- (i) the proposal must not exceed 100 square metres of net retail floorspace and must be in a position that relates well to the surrounding area and/ or property;**
- (ii) the proposal should utilise existing agricultural buildings;**
- (iii) there must be adequate access to the highway network, sufficient to accommodate estimated peak traffic flows;**
- (iv) appropriate parking must be available for cars and delivery vehicles, in accordance with Policy GB3;**
- (v) the amenity of neighbouring property is not seriously affected; and**
- (vi) adequate landscaping is provided.**

POLICY AG7 - REASONED JUSTIFICATION

- 12.22 National guidance seeks to encourage farm-based diversification especially where proposals can be shown to both benefit economic activity *and* maintain or enhance the rural environment. In these terms, farm-based retailing can be acceptable where proposals are small in scale, appropriate in design and layout and otherwise in line with Green Belt objectives.

- 12.23 Policy AG7, therefore, sets out the criteria that the Local Planning Authority will apply to proposals for farm-based retailing in order to ensure that these requirements are properly satisfied before permission is granted.

Policy AG8 - Criteria for Equestrian and Livery Activities.

Proposals for new livery stables or other commercial equestrian activities involving the overnight accommodation of horses located within the Green Belt will only be permitted where:

- (i) an existing residential property or existing property suitable for conversion to residential use is available on or nearby the site;**
- (ii) the buildings proposed would not be visually intrusive within the surrounding area in terms of their scale, siting, design or external appearance; and**
- (iii) adequate provision has been made for highway access and on-site car parking necessary to accommodate visitors to the site.**

Ancillary uses such as open storage and the setting out of jumps and circuit areas will primarily be determined in terms of their impact upon the character and visual appearance of the area and, where necessary, their impact will be regulated by means of appropriate planning conditions.

POLICY AG8 - REASONED JUSTIFICATION

- 12.24 Equestrian activities are an increasingly popular form of countryside recreation and along with commercial livery services are often considered to be acceptable within an agricultural setting. These uses can not only introduce new opportunities for employment and for the diversification of the rural economy but can also provide an acceptable conversion of formerly agricultural premises.
- 12.25 National planning policy guidance indicates that as with all proposals within rural areas, special care should be taken to minimise the effect of development involving horses upon the appearance of their surroundings. Policy AG8, therefore, sets out the criteria which the Local Planning Authority will normally apply to such proposals. These criteria primarily relate to normal considerations related to visual impact and highway and servicing arrangements. However, they also include the availability of residential accommodation.
- 12.26 Depending on the scale and nature of livery stables and equestrian activities involving the overnight accommodation of horses, it is often necessary for residential accommodation to be available nearby to enable someone to supervise the welfare and safety of horses throughout both day and night. New dwellings are, however, not normally acceptable within the Green Belt. Nevertheless, the presence of uses requiring constant supervision often makes it difficult to resist subsequent applications for new buildings which would otherwise be unacceptable. Policy AG8, therefore, seeks to ensure that new horse related developments are not allowed to develop in locations currently lacking suitable accommodation in order to prevent the proliferation of new dwellings within the Green Belt.

Proposal AG9 - Fender Farm Riding School and Stables, Moreton

The above site, as shown on the Proposals Map, is allocated for an equestrian centre, consisting of riding school, stables and ancillary buildings, including an indoor arena, outdoor arenas and ancillary dwellings required solely for the management of the equestrian centre.

PROPOSAL AG9 - REASONED JUSTIFICATION

- 12.27 Land to the east of Fender Farm, Moreton, is allocated for residential development under Proposal HS3, subject to the satisfactory re-location of the existing equestrian facilities. Proposal AG9 is intended to ensure that land sufficient to accommodate the re-location of the existing equestrian facilities is reserved within the existing farm complex.
- 12.28 The re-location of the existing equestrian facilities, to the site identified under Proposal AG9, will be secured by legal agreement.

