

<b>Date of Meeting</b>	14/12/2017
<b>Application Number</b>	17/05736/FUL
<b>Site Address</b>	Longacre Farm Figsbury Salisbury SP4 6DT
<b>Proposal</b>	Proposed portal frame building for hen house, service link, rearing shed and feedstore. Landscaping work. Work in connection with access. Stationing of mobile home all in connection with free range egg production flock.
<b>Applicant</b>	Pitton Poultry
<b>Town/Parish Council</b>	FIRSDOWN
<b>Electoral Division</b>	WINTERSLOW – (Councillor Devine)
<b>Grid Ref</b>	419406 133596
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Richard Nash

**Reason for the application being considered by Committee:**

The application has been called in by Councillor Devine for the following reasons:

At the request of Firsdown Parish Council (the recommendation is for refusal whereas the Parish Council submitted a formal 'No Comment' on the proposal).

**1. Purpose of Report**

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be refused.

**2. Report Summary**

This application is for the construction of a portal frame building for use as a hen house, with a service link, rearing shed and feedstore. Landscaping work and works in connection with improvements of the access to the site are also proposed. A mobile home would be stationed on the site. These works are all in connection with a free range egg production flock.

**3. Site Description**

The site comprises an agricultural field of approximately 1.1 hectares with an existing bridleway leading towards the A30 to the north. A further slightly larger plot to the north, directly adjacent to the A30, is within the same ownership. The site slopes upwards from north to south, with a relatively steep gradient up to an existing mature belt of trees forming a 0.5 hectare copse running south west across the rear of the site. This copse is also within the same ownership as the application site.

The site comprises Grade 3 agricultural land and is currently uncultivated with some areas of scrub. In the south west corner is a collection of run-down buildings and debris left by a previous owner and in the north-west corner there is a large soakaway constructed by the Local Highway Authority to improve drainage off the A30. There is existing vehicular access

from the A30 in the north east corner of the site, via the bridleway. Whilst the agricultural grade of the land would be appropriate to cultivation, its sloping nature could give rise to slippage and erosion, leading to road drainage issues.

To the west of the site is Warren Down Farm and further west is New Barn Farm. Both of these concerns appear to be smallholdings with a collection of agricultural buildings and land. Opposite the site are more smallholdings/farms including Longacre and Highfield Farm, all with various relatively large buildings. These properties, together with some dwellings, are intersected by the access lane to Figsbury Ring, from where the application site is visible in the wider landscape. The site lies within an Area of Special Archaeological Significance, a Special Landscape Area and a Water Source Protection Zone.

#### **4. Planning History**

S/2005/0730

Proposed Builders Yard

S/2007/1507

Use of Land and Buildings for the Storage of Building Materials and Equipment

S/2008/0583

Use of Land and Buildings for the Storage of Building Materials and Equipment

15/07758/FUL

Retrospective Application for Creation of Car Parking and Turning Area

15/07763/ADV

Retrospective Application for the Erection of Three Freestanding Signs

15/00220/ENF

Car Park for 'Eggs for Sale' business

16/04956/FUL

Construction of Agricultural Trackway, Pole Barn for Hen House, Service Link Building, Pole Barn for Rearing Shed and Feed Bins, Temporary Stationing of Mobile Home, All In Connection With Free Range Egg Production Flock, with Associated Works.

The current application seeks to overcome the two reasons for refusal of 16/04956/FUL, which were concerned with visual impact and highway safety and are set out in full in the Planning Considerations section below.

#### **5. The Proposal**

The application proposes a portal frame building to provide a hen house, service link, rearing shed and feed store, landscaping, work in connection with the access to the site and the stationing of a mobile home, all in connection with a free range egg production business.

The main building would be of a portal frame style, with single skin board cladding and a steel sheet roof. Within the building would be a hen house, rearing shed, packing shed, two feed stores and a WC/service area.

#### **6. Local Planning Policy**

The following Core Policies of the Wiltshire Core Strategy are relevant to the determination of this application and are considered to align with the principles, aims, objectives and

intentions of the NPPF. The following policies (amongst others) are therefore considered to carry significant weight.

*Wiltshire Core Strategy*

Core Policy 1 (Settlement Strategy)

Core Policy 2 (Delivery Strategy)

Core Policy 3 (Infrastructure Requirements)

Core Policy 23 (Spatial Strategy for the Southern Wiltshire Community Area)

Core Policy 48 (Supporting Rural Life)

Core Policy 51 (Landscape)

Core Policy 57 (Ensuring High Quality Design and Place Shaping)

Core Policy 58 (Ensuring the Conservation of the Historic Environment)

Core Policy 62 (Development Impacts on the Transport Network)

Core Policy 68 (Water Resources)

*Salisbury District Local Plan policies (Saved by Wiltshire Core Strategy)*

C6 (Special Landscape Area)

H28 (Temporary Housing for Rural Workers)

H32 (Mobile Homes)

## **7. Summary of consultation responses**

Firsdow Parish Council: No Comment.

Public Protection: Comments remain the same as detailed in the previous planning application for this site 16/04956/FUL: Initially further information was requested due to concerns being raised regarding how manure and fly control was to be dealt with. Having reviewed further information submitted by Applicant it is apparent they only propose to keep 1000 birds on site, although they could accommodate approximately 3000. If the flock of birds is kept at 1000 then there would be a low intensification of the site, which is unlikely to have an adverse impact on nearby residents. A manure disposal and fly management plan should be submitted by condition to agree best practice in this behalf.

Rights of Way: Comments the same as previous planning application: Site is accessed via a bridleway (FIRS3). There are no recorded public vehicular rights over the footpath although note that applicant states they have a private vehicular right of access. No objection to proposal subject to following conditions:

(1) No construction/demolition vehicle access may be taken along FIRS3 without prior consultation with the Wiltshire Council Rights of Way Warden. Where appropriate any safety/mitigation/reinstatement measures must be approved by the Wiltshire Council Rights of Way Warden.

Reason: To ensure the public right of way remains available and convenient for public use.

(2) No materials, plant, temporary structures or excavations of any kind should be deposited/undertaken on or adjacent to the Public Right of Way that obstructs the public right of way whilst development takes place.

Reason: To ensure the public right of way remains available and convenient for public use.

Drainage: Response to original application was support with conditions as there were points regarding drainage disposal that needed addressing. This application has the same foul/storm drainage disposal methods as previous and still does not address issues raised thus repeat the recommended conditions from the original application:

1: No development shall commence on site until a scheme for the discharge of foul water from the site, including details/testing/calculations of effluent disposal system, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development can be adequately drained

2: The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

Reason: To ensure that the development can be adequately drained

3: No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details together with permeability test results to BRE365, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development can be adequately drained

4: The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

Reason: To ensure that the development can be adequately drained

Archaeologist: There are archaeological records for finds in the vicinity of the site, but there are no historic environment records within it. Possible the lack of archaeological finds might be due to lack of previous archaeological work in this area. However, on the evidence available at present, consider it unlikely that significant archaeological remains would be disturbed by proposed development and have no further comments to make.

Historic England (Summary): No objection. Proposals would not result in change in setting to either of the Scheduled Monuments [Figsbury Ring and Roman Road] that would impact on their significance. Consider application meets requirements of NPPF.

Landscape: Note Applicant has made some alterations to scheme to better accommodate development, Maintain position that development does not cause any significant harm to wider landscape, visual character or Special Landscape Area. Have noted comments from Historic England - viewpoints from Scheduled Monuments are considered sensitive therefore take some comfort from notes that there is no significant change in the setting of Figsbury Ring or Roman Road. Whilst there might be glimpsed views of the site from the road do not consider these to be significant in terms of wider agricultural landscape and visual effects would be fleeting and localised.

Highways England: No Objection.

Highways:

**Initial Comments:**

Have previously considered proposal under reference 16/04956/FUL and raised objection due to nature of A30 passing the site, achievable sight lines and additional vehicle movements associated with proposal.

Latest submission includes drawing entitled 'Alterations to Access' showing cross sections through adjacent highway verge. Have carefully studied drawing however regret has not been convinced to alter position, for the following reasons:

1. As the visibility splay approaches and extends beyond the Warren Down Farm access it is setback around 10 metres from the carriageway edge. This will be difficult to achieve given the significant width of the splay and the affect upon the landscape due to the loss of vegetation. To achieve this splay involves land not within the control of the applicant and therefore the splay cannot be guaranteed to be available in perpetuity.

2. The road-verge cross sections indicate a lowering of the verge within the splay to 900mm. This does not allow for vegetation growth and should be 600mm. This relates to everything within the splay and, as mentioned above, the splay is exceptionally wide in places. To achieve this height along the entire length of the verge would require significant works.

Proposal would result in intensification in use of access. Presence of a residential unit would result in additional vehicle movements that do not already exist, such as trips associated with shopping, leisure, schools, doctors and friends/relatives visiting the site.

Principle of additional point of conflict on this fast section of road where overtaking occurs on a regular basis would be detrimental to highway safety. Wish to maintain recommendation of refusal on highway safety grounds.

**Concluding comments following site meeting and discussions with Agent:**

Necessary sight lines would only be achievable with significant encroachment onto neighbouring land and with extensive engineering work to verge. Splay therefore cannot be secured. Access is located on a fast stretch of the A30 where overtaking occurs on a regular basis. Use of the access for residential use will introduce vehicle movements, which do not already exist. It is considered that the access is not suitable to accommodate this vehicle activity. I have not been persuaded to change my view and I wish to maintain my recommendation for refusal on highway safety grounds.

Environment Agency: None received.

## **8. Publicity**

The application was advertised by site notice and neighbour consultations were carried out.

In summary, 4 objections have been received from the community on the following grounds:

- The site comprises green land;
- Access is via a bridleway and sufficient visibility splays cannot be provided;
- Buildings will be highly intrusive in the landscape;
- Potential smell nuisance;
- If natural ventilation doesn't work may have to fit noisy extractor fans;
- Potential introduction of external lighting.

27 letters of support have also been received from the wider community, mainly concerned with supporting the business rather than the merits of the proposal per se.

## **9. Planning Considerations**

### *Principle*

Section 55 of the Town and Country Planning Act 1990 defines the meaning of development as the means of carrying out of building, engineering, mining, or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land. The development plan accepts the principle of development subject to the aims and objectives of policy being met.

The site does not lie within any settlement as defined under CP1 and CP23 and is therefore in the open countryside where there is normally a presumption against new development. However, in this case it is proposed to carry out agricultural development on agricultural land. As such the proposal is considered to constitute development which is acceptable in principle subject to its not conflicting with more detailed and site specific policy. The following parts of this report assess the proposal against relevant policy.

### *Need*

The Applicant seeks to expand a flock of egg producing hens managed under a free range operation. The present small flock has been brought onto the holding from his previous enterprise. The flock is contained on part of the site and at night is accommodated in a mobile 'hut'. Legislation requires that the flock is attended on a daily basis for management and inspection, but also for egg collecting and generally ensuring that the welfare of the flock meets the required standards.

An independent agricultural consultant assessed the functional need for the proposed mobile home in relation to application 16/04956/FUL, when it was agreed that there was such a need albeit on the basis of an initial temporary consent (recommended for three years). Less than six months passed between the date of the previous decision and the submission of the current application, and the proposed scale and nature of the agricultural operation has not changed. It is therefore considered that the previous advice can reasonably be applied to the current proposal.

### *Character and Visual impact, Neighbouring Amenity and Heritage Assets*

Reason 2 for the refusal of application 16/04956/FUL was;

*The proposed pole barn, rearing shed and feed bins will be substantial structures in this sensitive rural location, measuring as they do, 5.4M in height to the top of the feed bins and 5.2M to the ridge of the barns. Such substantial structures will be prominently visible in the landscape in views along the A30 and from Figsbury Rings Hill Fort scheduled ancient monument. There is a roman road that runs to the South of the site along footpath Firs 2. It is considered that the effect of these structures in combination with that of the new track and mobile home would not be completely mitigated by the bunding proposed. The application site is located in a special landscape area and it is considered that such large and prominent structure's will have a negative and intrusive effect on the special landscape area and views of it, and would therefore be contrary to Saved policy C6 of the Salisbury District council local plan and core policy 51 (vi) of the Wiltshire Core strategy.*

Compared to the previously refused pole barn, the building would be of similar length (45 metres), with an increased width (from 9.5m to 12.5m) with a relatively small rectangular area protruding to the rear. The overall area covered by the building would be increased from 508.5 to 590.5 square metres (approximately 16%). The ridge height of the building would however be reduced from 5.2m to 4.5m (approximately 13%). Furthermore, the previous proposal also included external feed silos to a height of 5.4m. No such structures are now proposed as feed stores would be integral to the building.

The reasons for refusal of the previous application did not make reference to the siting, scale or design of the then proposed mobile home. Notwithstanding this, the proposal is now for a single unit, rather than the previously proposed linked pairing. This would be located to the rear of the portal frame building, set against the woodland area and with visible control of the access. The mobile home would be finished with log cladding and a pitched shingle roof, compared to the previously proposed linked pair of flat roof mobile homes.

Compared to the previous proposal, the mobile home would be reduced in width (from 6.1m to 5.9m) but increased in length (from 12.2/15m to 18.1m) and height (from 2.5m to 3.4m). The overall areas covered by the mobile home(s) (including the link) would be reduced from 169.5 to 106.8 square metres (approximately 37%).

Moving through the site, the top of the bund (pre-planting) would be at 127.00 (metres) Above Ordnance Survey Datum (AOD) at Newlyn in Cornwall. The ridge of the portal frame

building would be at 130.42 AOD and the ridge of the mobile home at 131.55 AOD, with trees in the copse providing a backdrop to a highest point of 145.50 AOD.

In terms of the wider landscape, as noted above, the context of the site includes a number of buildings, some of which are of a relatively large scale, and this is not unusual where there are small settlements or groups of developed land in a broadly agricultural landscape. Views of the site from Figsbury Ring would include these features, predominantly in the foreground to the site. Once it has passed the site, views from bridleway FIRS 3, as well as from footpath FIRS 2 and the Roman Road (byway FIRS 5) further to the south, are limited due to the trees at the southern edge of the site.

The application proposes some cut and fill to allow the main building to be set at as low a ground level as possible. The pasture land at the south east corner of the site would be planted with apple trees. The bund to the north of the main building would be informally planted with species such as hawthorn, blackthorn, holly and field maple to further screen the proposals and produce a natural 'scrubland' effect.

The Applicant has also submitted a Schedule for clearing the site of building materials and other items, which would resolve a longstanding issue and improve the general appearance of the site. This could be reasonably controlled by way of a planning condition.

On balance, and taking particular account of the comments of the Landscape Officer, the Public Protection Officer and Historic England, it is considered that the proposals would not have a detrimental impact on the character and visual amenity of the site and wider locality, the amenities of nearby residential properties or the nearby heritage assets.

#### *Highways and Access*

Reason 1 for refusal of application 16/04956/FUL was;

*The site is served by bridleway FIRS3 directly off the A30. Vehicles resulting from the proposed development entering and leaving the busy fast section of the A30 Class 1 road at a point where visibility from and of such vehicles is substandard, would endanger, impede and inconvenience other road users to the detriment of highway safety. As such the proposal is considered to be contrary to the aims and objectives of Core Policy 62 'Development impacts on the transport network' of the Wiltshire Core Strategy as the development does not provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages.*

Access to the site would remain via the bridleway leading off the A30. In support of the proposal the Applicant intends to realign their boundary fence and carry out works to reduce foliage on the verge. The resultant splay would cross the access to Warren Down Farm to the west, whose owners are said to be content with these works, which would also provide a coincidental improvement to their own access. The Applicant considers that these improvements would also offer better visibility to users of the A30, of vehicles emerging from the access to Figsbury Ring. A Travel Plan has also been submitted with the application, with a view to further addressing highway safety concerns.

In order to further reduce the visual impact of the overall scheme, the previous proposal to provide a surfaced track along the bridleway from the A30 access point to the site has been omitted. Instead, the existing bridleway would be retained. This stretch of the bridleway comprises a hardened double track with a central grass strip. The application does however propose a new non-granular surface to the first 5 metres, in order to prevent debris from

entering the highway. An existing parking area at the access point would be realigned to allow waste collection from the site.

The Highways Officer has made detailed comments on why the proposals are unsuitable in terms of highway safety. These comments are set out above and have been maintained despite a site meeting and further representations from the Applicant. The proposal is therefore considered to conflict with Core Policy 62, as the development would not provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages.

## **RECOMMENDATION**

Refuse for the following reasons:

1. The proposed visibility splay would approach and extend beyond the Warren Down Farm access to the west and be set back around 10 metres from the carriageway edge. This would be difficult to achieve given the significant width of the splay. To achieve this splay involves land not within the control of the applicant and therefore the splay cannot be guaranteed to be available in perpetuity. As such the proposal is considered to be contrary to the aims and objectives of Core Policy 62 of the Wiltshire Core Strategy (Development Impacts on the Transport Network) as the development does not provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages.
2. The proposed road-verge cross sections indicate a lowering of the verge within the proposed splay to 900mm. This does not allow for vegetation growth and should be 600mm. This relates to everything within the splay and, as referred to in Reason 1, the splay is exceptionally wide in places and cannot be guaranteed to be available in perpetuity. To achieve the required height along the entire length of the verge would require significant works. As such the proposal is considered to be contrary to the aims and objectives of Core Policy 62 of the Wiltshire Core Strategy (Development Impacts on the Transport Network) as the development does not provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages.
3. The proposal would result in intensification in use of the access to the site. The presence of a residential unit would result in additional vehicle movements that do not already exist, such as trips associated with shopping, leisure, schools, doctors and friends/relatives visiting the site. The principle of an additional point of conflict on this fast section of road where overtaking occurs on a regular basis would be detrimental to highway safety and proposed measures to overcome this, as referred to in Reasons 1 and 2, would not provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages. As such the proposal is considered to be contrary to the aims and objectives of Core Policy 62 of the Wiltshire Core Strategy (Development Impacts on the Transport Network).