

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	30.05.2012		
Application Number	W/11/02431/FUL		
Site Address	Land North East Of Common Farm The Common Broughton Gifford Wiltshire		
Proposal	Slurry store		
Applicant	Mr And Mrs Richards		
Town/Parish Council	Broughton Gifford		
Electoral Division	Melksham Without North	Unitary Member:	Mark Griffiths
Grid Ref	388203 165049		
Type of application	Full Plan		
Case Officer	Miss Jennifer Fivash	01225 770344 Ext 01225 770297 jennifer.fivash@wiltshire.gov.uk	

Reason for the application being considered by Committee

Councillor Griffiths has requested that this item be determined by Committee due to:

- * Design - bulk, height, general appearance
- * Environmental/highway impact
- *In the public interest

1. Purpose of Report

To consider the above application and to recommend that planning permission be granted subject to conditions.

Neighbourhood Responses

17 letters of objection received (3 from the same household).

Parish Council Response

Broughton Gifford Parish Council - No objections.

Melksham Without Parish Council - Object.

2. Report Summary

The main issues to consider are:

- Residential Amenity
- Highways
- Visual impact

3. Site Description

The site is located within a field between Shaw and Broughton Gifford. The field is located down Norrington Lane. To the East of the site is an electricity sub - station and transport depot. The field is bordered by a brook to the north of the site with hedges and trees making up the other boundaries.

The site itself would be accessed using the existing agricultural access off Norrington Lane.

There are residential properties located within 400 metres of the site to the North, East and South of the site.

4. Relevant Planning History

None

5. Proposal

The application seeks permission to erect a slurry store within the field behind an electricity sub – station and transport depot. The slurry store would be used in conjunction with the existing agricultural use of Court Farm and is required to comply with the Nitrate Vulnerable Zone legislation.

The slurry store would be 5.7 metres high and 18.8 metres in diameter. The panels around the edge of the slurry store would be coloured dark blue. The slurry store would not be covered but would be treated with a lightweight polymer coated aggregate that would float on the surface and deals with any odour issues.

6. Planning Policy

National Planning Policy Framework
Section 3 Supporting a Prosperous Rural Economy
Section 10 Meeting the Challenge of Climate Change, Flooding and Coastal Change
Section 11 Conserving and Enhancing the Natural Environment

West Wiltshire District Plan First Alteration 2004
C31A Design
C38 Nuisance

7. Consultations

Broughton Gifford Parish Council - No objections.

Melksham Without Parish Council - Object, for the following reasons:.

- Increased Traffic
- Visible to residential properties within Shaw
- Concerns of whether the store is capped or not leading to odour and fly infestation
- Colour of store - green would be better than blue

Highways

No objection subject to conditions securing improvements to the access.

Environment Agency

No objection subject to informative. Confirm that the store is required to meet the requirements of the Environment Agency and the Nitrate Vulnerable Zone Regulations.

Environmental Health (PROTECTION)

No objection

Wessex Water

No objection

The application was advertised by site notice/press notice /neighbour notification.

Expiry date: 21 October 2011

Summary of points raised:

17 letters of objection received (3 from the same household). Comments relate to:

- Smell increasing contamination and disease
- Size, scale and open nature of slurry store result in an increase in insect life
- Breaches Human rights act
- Close to brook (tributary to the River Avon)
- Field floods
- Increase traffic
- Lack of neighbour communication
- Health Risk
- Restrict use of garden
- Reduction in property value
- Narrow lane resulting in poor access
- Position close to residential dwellings
- Distance of transportation from Gastard to Whitley
- Mucky traffic on Bath Road
- Location
- Muck deposits on road
- Attract vermin
- Weight limit on Norrington Lane
- Colour
- Flooding

9. Planning Considerations

General

The introduction of tighter environmental controls on farming operations in Nitrate Vulnerable Zones has led to the requirement for slurry stores on agricultural holdings dealing with cattle across the county and is supported by the Environment Agency and the NFU. This store is proposed to be located in a central location in the holding adjacent to existing non-residential buildings, including a transport depot and electricity sub-station.

Residential Amenity

Representations have been received regarding this proposal with issues being raised over smell, increased traffic, vermin and impact on the use of the residential space associated with the dwellings as well as other issues.

As is common in the countryside, there are a few scattered dwellings in the vicinity. The nearest is just over 100m away on the opposite side of Norrington Lane, whilst others are located ca 200 metres away on the other side of the electricity sub station at Norrington Common. The advice from the Council's Environmental Protection Officer is that the proposal will not give rise to any unacceptable problems of smell or fly/vermin infestation. The store would be located in position to not adversely impact the enjoyment of the nearby properties and is therefore considered to be acceptable.

Having regard to odour further information has been provided by the agent. Environmental Protection have looked at the information for the use of Aerocover which is a lightweight polymer coated aggregate which covers the material within the store. This aggregate would prevent the release of gases and control odour.

Highways

The highways officer has no objection to the proposal. The proposal would not harm highway safety as there is a suitable access that can be improved. There would be no significant increase in traffic as the proposal is in connection with the existing use of the holding, which is located on either side of Norrington Lane.

Visual Amenity

The proposed development would not harm the character of the area as the site has been chosen with the backdrop of the transport depot and electricity sub station. Furthermore, structures of this type are part of the accepted agricultural use of the landscape. The colour is dark to help further with the assimilation into the landscape.

Conclusion

The design, location and impacts of this proposal are acceptable. The proposal is required in connection with an existing agricultural business use and is required to comply with national environmental legislation. The proposal complies with national planning guidance and local planning policies and planning permission should be granted subject to conditions.

Recommendation: Permission

For the following reason(s):

The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.

Subject to the following condition(s):

- 1 The development hereby permitted shall be begun before the expiration of three 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 by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence on site until the access is formed at right angles to the highway and the first five metres of the access, measured from the edge of the carriageway, has been splayed, consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

 REASON: In the interests of highway safety.

- 3 No development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 3 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 90 metres to the north and south; from the centre of the access. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height 1.2 metres above the level of the adjacent carriageway.

 REASON: In the interests of highway safety.

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans and documents:

432.1 A received on 15 September 2011

432.5 received on 31 August 2011

Aerocover by Biotec Ltd received on 20 April 2012

Reason: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

Informative(s):

- 1 The proposed development must comply with the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010 (SSAFO). These regulations aim to prevent water pollution from stores of silage, slurry and agricultural fuel oil. They set out requirements for the design, construction and maintenance of new, substantially reconstructed or substantially enlarged facilities for storing these substances. Storage facilities should be sited at least 10 metres from inland freshwater or coastal water and have a 20-year life expectancy. The applicant must notify the Environment Agency in writing about any new, substantially enlarged or substantially reconstructed system at least 14 days before it is first used.

Further information on the regulation can be viewed at: <http://www.environment-agency.gov.uk/business/sectors/118798.aspx>

Appendices:	
Background Documents Used in the Preparation of this Report:	