NORTHERN AREA PLANNING COMMITTEE ADDITIONAL INFORMATION

04th January 2017

This is information that has been received since the committee report was written. This could include additional comments or representation, new information relating to the site, changes to plans etc.

All Agenda Items

The Agenda has been re-ordered and items reported will be taken in the following order:-

7a) 16/09965/LBC: Mays Farm, Hullavington.

7b) 9 Church Farm, Easton Grey, Malmesbury:-

16/05728/FUL
16/05722/FUL
16/05723/FUL
16/05724/FUL
16/05725/FUL
16/05726/FUL
16/05727/FUL
16/05729/FUL
16/05721/FUL

7c) 15/10712/FUL: Land North of Baydons Lane, Chippenham.

Item 7a) 16/09965/LBC: Mays Farm, Hullavington.

Late Representation
Hullavington Parish Council submitted their representation after the committee report was written and have expressed their support for the application.

Item 7b) 16/05721/FUL- 16/05729/FUL: 9 Church Farm, Easton Grey, Malmesbury.

Late Representation

On 21st December a neighbouring resident, Mr Jodrell, submitted a response to the applicant's submission relating to the Parish Council and neighbours' objections. The main issues raised in this response can be summarised as follows:

- Concerns relating to AD Unit being "upgraded to meet future ambitions" and that this might result in the need to import materials from outside of Church Farm adding to local traffic concerns.
- The quicker turnaround time of 6 days should mean that smaller sized AD unit should be required.
- Various comments were provided over the accuracy of the data provided in relation to the amount of biogas provided from the available feedstock and Mr Jodrell considers this to be 86kw, rather than 200-200kw;

- The information submitted with regards to the feedstock references waste from horses being used and this would mean importation of material from Down Farm and Cranmore Farm, where the horses are kept. As such, the transport information is not sufficiently accurate for a determination to be made over the number of vehicular movements;
- The AD Unit is within 200 metres of 3 residential buildings and this has not been disclosed in the submission;
- Concerns over increased flood risk.

Officer Response

In response to Mr Jodrell's e-mail of 21st December 2016:

- The LPA has received detailed calculations from the applicant which demonstrates that the feedstock available from land within their control would provide 200-220kw of biogas. The LPA is satisfied that the calculations within this data are sufficiently accurate and that no feedstock will need to be imported from land outside of the applicant's control on a regular basis.
- Highways Officers have assessed the submitted information and consider that the proposed development would not result in severe harm to highway safety from a potential increase in the number of vehicular movements associated to the development.
- The Officer Report considers the impacts of the AD Unit on residential amenity and finds them to be acceptable, subject to the conditions referenced in the reports.
- The Council's Drainage Team have been consulted after the completion of the committee reports with regards to flood risk. They have noted that there is a concern over the ability of the soil in question to accept the proposed infiltration pipes referred to within the outline drainage statement. However, even if infiltration testing shows that these would not be acceptable, the amount of land available to the applicant would readily allow for additional sustainable urban drainage measures or an alternative surface water drainage scheme to be provided, the details of which would be agreed as part of the pre-commencement condition proposed for each application. Therefore, the Council's Drainage Officers are satisfied that a suitable surface water drainage scheme could be achieved and secured by way of the proposed pre-commencement conditions and the report is acceptable in this regard.

Late Representation

On 3rd January 2016 Mr Jodrell, submitted an e-mail to the LPA questioning the width of the highway, which is stated by Highways Officers to be between 4 and 5 metres within the committee reports.

Mr Jodrell has measured the width of the highway at 30 metre intervals running north from the junction with the B4040 and submitted 16 stated widths of the highway. His readings are as follows:

"Starting from the B4040 where the junction is 19m across we get the following readings taken at 30m intervals:
Reading 2 is taken at 30m north of B4040 junction = 4.0m
Reading 3 = 4.0m
Reading 4 = 4.0m
Reading 5 which is 15m on from Reading 3 as this is the north boundary of the bungalow owned by the applicant = 3.30m
Reading 6 which 30m north of reading 4 = 2.90m

Reading 7 = 3.0m
Reading 8 = 3.0m
Reading 9 = 3.0m
Reading 10 = 4.0m
Reading 11 = 5.40m - lay-by next to Church Farm office and parlour
Reading 12 = 3.50m
Reading 13 = 3.40m
Reading 14 = 3.20m (North side of principal access to Church Farm)
Reading 15= 3.20m
Reading 16 = 3.0 m
Reading 17 = 3.30m (double bend and extent of proposed building work)"

Mr Jodrell also has provided stated distances from the AD unit to various adjoining buildings, which are as follows:

"The distance from the proposed AD location to the boundary of Church Farm House is 74m. The distance from the proposed AD site to the first dwelling (The Pump House) is 94m. The distance from the proposed AD site to Church Farm House is 124m. The distance from the bungalow owned by the applicant to Church Farm office is 177m"

Officer Response

In response to Mr Jodrell's e-mail of 3rd January, Highways Officers have reviewed the width of the highway against the adopted highway plans and confirmed that the official width of highway is between 4 and 5 metres for the vast majority of the highway in question. Officers have not been to site to measure the width of the highway. However, Highways Officers have confirmed that the width of the highway is sufficient to ensure that any harm to highway safety would not be considered as severe. Therefore, this additional information does not impact Officer's recommendations.

With regards to the distances provided, the Officer's report does not provide any distances between the various buildings and neighbouring properties stated in the above response. The only measurement provided in the report is 380 metres from the application site to the nearest dwelling in the applicant's ownership. The distance has been double checked by Officers and would be 215 metres from the access into this dwelling and the existing southern access of the farmholding. This would be 325 metres to the location of the Proposed Farm Office and approximately 390m into the centre of the farmholding. Therefore, it is considered that the measurements provided within the report are suitably accurate and would not impact officer recommendations.

Late Representation

A further e-mail was received from Mr Jodrell on 4th January which questioned further aspects of the reports in terms of their accuracy. These issues raised can be summarised as follows:

- The wider holding is owned by Valeridge Limited which the applicant is a Partner off and is not technically owned by the applicant;
- The applicant owns the following farms and equine sites Down Farm, Home Farm, Hill Court, Cranmore Farm, Madame Tynings, Elmlease and Church Farm. He only makes reference to Hill Court and Cranmore Farm;

- Raised questions over the ownership of The Transplant Unit and Equine Polo operation at Down Farm;
- The site is visible from both Westonbirt Road travelling north, from Easton Grey and from the B4040 travelling towards Sherston;
- In relation to 16/05722/FUL – Section 5 - The drawings submitted 28/11/2016 following concerns about the appearance show buildings with wooden clad all the way to the ground not just above the concrete silage panels as stated in the summary document;
- The retired farm manager is not in the nearest but the furthest away of the 4 dwellings on Shipton Moyne road;
- Issues relating to the use of a septic tank for the dwelling;
- Inaccuracies within the ecology report relating to bats and owls;
- The bund is made up from clay and wouldn't allow for landscaping;
- The water authority is Bristol Water and not Thames Water;

Officer Response

In relation to the comments from Mr Jodrell dated 4th January, the following comments are provided:

- The applicant has signed Certificate A to certify that they are the owner of the application site;
- The submitted land ownership plan shows the other farms within the land in the applicant's control and these are referenced in the transport movement statement;
- The ownership of the Transplant Unit and Equine Polo operation at Down Farm is not a material consideration which would impact this application;
- Any views from Westonbirt Road travelling north, from Easton Grey and from the B4040 travelling towards Sherston would be very limited, given the hedgerows along the northern, western and eastern boundaries of the application site and the hedgerows along the B4040. The Council's Landscape Officer has reviewed the proposal and did not object to the development due to the impacts of the development on views from the wider area.
- No revised plans were received relating to application reference 16/05722/FUL. The revised plans received on this date did provide a 3d image of the wider site, however, the beef building is shown in accordance with the submitted plans on these.
- The submitted plans show that the furthest away of the 4 dwellings is not in their ownership, so it is unclear if this is correct.
- The issue raised in relation to a septic tank is a building control issue and not a material planning consideration;
- The Ecology Report has been undertaken by a suitably qualified professional and the Council's Ecologist has noted some shortcomings with the report, but is happy that the content shows that the ecological impacts would be acceptable, subject to conditions.
- The existing bund would be re-profiled and this would allow for landscaping opportunities;
- The informative relates to public sewers and the waste water utilities operator in the area is Wessex Water.

Further to the above, it is noted that a response from Lyn Davies which was received on 14th December 2016 was not included within the reports. Therefore a total of 15 responses, all in objection have been received. The objections raised by Lyn Davies do not add any further issues to those listed in Section 8 of the reports and the officer's recommendations would not be changed due to this.

It is also noted that the plans submitted for the Dairy Parlour (application reference 16/05729/FUL) are not sufficiently clear over the proposed materials used. Therefore, an additional condition is recommended as follows:

No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.