

REPORT OUTLINE FOR AREA PLANNING COMMITTEES**Report No.**

Date of Meeting	4 th September 2019
Application Number	19/05387/FUL
Site Address	Land between Lower Odd Farm and Unit 10 Kemble Business Park Culkerton Road Crudwell Wiltshire SN16 9SH
Proposal	Development of a new tractor and agricultural machinery dealership, workshop and associated car parking together with 82 car parking spaces for those working at the existing industrial estate.
Applicant	Mr Ben Tallis
Town/Parish Council	CRUDWELL
Electoral Division	Councillor Chuck Berry
Grid Ref	396389 195246
Type of application	Full Planning
Case Officer	Catherine Blow

Reason for the application being considered by Committee**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.

The application has been called into Committee by Councillor Berry as the application is recommended for refusal when there are considered to be benefits to the proposal, including parking provision for the adjacent site and promotion of economic activity. This call in has been supported by Crudwell Parish Council.

2. Report Summary

The application received 0 representations of neighbour objection; 0 representations of public support; and Crudwell Parish Council support the proposals.

Issues to be addressed:

- Principle of the development.

- Scale, design, impact upon the character and appearance of the area
- Impacts upon the amenity of the area
- Access and parking/Impact on highways
- Ecology
- Noise
- Lighting
- Drainage

3. Site Description

The site is located to the West of the junction of Culkerton Road and the A429. It is located within Lower Odd Farm, a cattle farm to the East of a complex of agricultural buildings and adjacent to Kemble Business Park to the East. Kemble Air field is located to the North. The remaining land surrounding the application is characterised by undulating agricultural fields. The site is currently used for agricultural purposes including cattle grazing associated within the existing lawful use of land.

The site is located in the open countryside outside any settlement boundary and has no land allocation within the Wiltshire Core Strategy.

4. Planning History

16/09122/PREAPP	Tallis Amos Group Farming Machinery Sales and Aftersales Service
18/10385/FUL	Development of a new tractor and agricultural machinery dealership, workshop and associated carparking together with 87 car parking spaces for those working at the existing industrial estate. - Refused

5. The Proposal

The proposed development would consist of the provision of a new tractor and agricultural machinery dealership including the provision of a new commercial building totalling 990 sq m in gross internal floor area. The proposal also includes provision of parking to serve the adjacent commercial unit at 10 Kemble Business Park.

The proposal seeks to provide a new TAG dealership and maintenance workshop to enable relocation of the business from Bibury. This would measure 49 metres in length and 18 metres in width clad in metal sheeting to roof and walls. The ridge would be 7.6 metres in height. This would provide offices, a trade counter and showroom, parts warehouse and workshops. The building would be centrally located within the site with vehicle circulation surrounding it. The external areas of the site include landscaping, attenuation pond as well as areas of grasscrete, gravel and display area. Security fencing and hedging would also be erected to provide security. The normal operating hours would be 07.00 – 18.00 Monday to Friday 07.00 – 13.00 with no operation on Sundays or Bank Holidays.

The proposal also seeks planning permission for an extended car park to be used as overflow parking associated with unit 10 at Kemble Industrial Estate totalling 82 spaces with access to those spaces provided by the existing access for Kemble Business Park.

This is a revised submission subsequent to the refusal of planning permission for a similar proposed under reference 19/10385/FUL. The reasons for refusal are as follows:

- 1 The proposed development in the location identified would conflict with the development strategy of the development plan as defined by policies CP1, CP2 and CP13 of the Wiltshire Core Strategy (Jan 2015) and thereby conflict with paragraphs 2, 12 and 47 of the NPPF (Feb 2019). In addition, based on the information provided, the proposed development would not comply with the requirements of Core Policy 34. Based on the information provided, there are no material reasons making the development proposal so unique to justify a departure from the development plan. The conflict with these policies results in harm arising from the urbanisation of this rural site in the open countryside, in a remote, unsustainable location, which would result in significant harm to the character and appearance of the area and would fail to provide a sustainable location where a variety of modes of transport are available for staff and visitors, contrary to Core Policy 61.
- 2 The proposed development would result in harm to the character, appearance and visual amenity of the locality through the urbanisation of the landscape contrary to Wiltshire Core Strategy Policies CP51 and CP57 (i, iii, & vi);. and NPPF para 170(b)
- 3 There is a lack of information in relation to noise associated with the proposed use, particularly the external areas of the site to enable full assessment of the impacts upon the amenity of nearby residents or the nearby agricultural and commercial users. In the absence of this information, it cannot be established whether the proposed use would protect the amenity of nearby users and occupiers in accordance with Core Policy 57 of the Wiltshire Core Strategy.

The main changes to the scheme since that formal decision are:

- Amendment to the site area shape and size. The site area is 0.98Ha whereas the previous site area was 1.03Ha. The current application site is narrower but deeper than the previous site;
- The gross internal floor area of the proposal has increased by approximately 150 square metres with the provision of a mezzanine floor provided. The external dimensions of the proposed building remain identical to the previous submission;
- The building has been re-orientated with the ridge running north-south rather than east west and a retaining wall is also shown within the application site;
- The block plan contains addition contextual information regarding landscaping and attenuation pond close to the southern boundary, provision of smaller areas of vehicle display and demonstration areas rather than just the land to the north;
- The access to the parking spaces associated with the adjacent unit have been separated from the proposed development access.

6. Local Planning Policy Wiltshire Core Strategy

Core Policy 1: Settlement Strategy
Core Policy 2: Delivery Strategy
Core Policy 13: Spatial Strategy: Malmesbury Community Area
Core Policy 34: Additional employment Land
Core Policy 35: Existing employment sites
Core Policy 38: Retail and leisure
Core Policy 51: Landscape
Core Policy 57: Ensuring high quality design and place shaping
Core Policy 60: Sustainable transport
Core Policy 61: Transport and New Development

North Wiltshire Local Plan (2011)
NE18 – Noise and Pollution

NPPF February 2019

The relevant paragraphs are considered to be:

Paragraphs: 2, 8, 11, 12, 38, 46, 47, 80- 88, 108, 109, 110, 127, 170

7. Summary of consultation responses

Crudwell Parish Council:

The Parish Council support the proposal due to the beneficial parking provision, which should be implemented at the earliest convenience. The response also sought to ensure the application was considered at Committee if Officers were minded to refuse the application.

Economic Development:

The response supports the proposed development due to the economic benefits of the proposal including the provision of parking to improve the road conditions. The response cites the uniqueness of the business which is linked to the rural community they serve. The response also cites the potential shortfalls of providing this kind of business within existing towns and business parks due to the size and scale of the agricultural machinery involved.

Highways:

The response raises the issue that the site is located outside the settlement boundary although it is noted that there is employment land to the north and east of the application site and the close proximity to the A429 there is no objection to the principle of the proposed development. The response considers the provision of the additional parking to be a benefit to the public highway to reduce on-street parking in vicinity. There

should be adequate visibility splays provided at the site entrance. The parking provision for the employees is acceptable, subject to the provision of covered cycle storage for 4 cycles and it should be demonstrated visitor parking is also sufficient and this should be indicated on the plans provided. The response includes recommended conditions should the development be approved.

Ecology:

The response provides no comment.

Drainage:

The response seeks additional information in relation to drainage for both foul and surface water drainage for the proposed development.

Environmental Health:

The response recommends that conditions are applied to provide electrical vehicle charging points and a noise assessment to ensure noise is limited to an acceptable level.

8. Publicity:

The application has been advertised by both neighbour letter and site notice. No representations have been received.

9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

In this case, the Wiltshire Core Strategy (WCS), including those policies of the North Wiltshire Local Plan saved in the WCS, forms the relevant development plan.

The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) are material considerations, which can be afforded substantial weight.

Principle of the development

Paragraph 12 of the NPPF confirms that the 'NPPF does not change the statutory status of the development plan as the starting point for decision making' and proposed development that is in accordance with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

The proposals are therefore to be considered in the context of the National Planning Policy Framework (NPPF) which sets out Central Government's planning policies, and the adopted Wiltshire Core Strategy (WCS).

At the heart of the NPPF is a presumption in favour of sustainable development and the Adopted Wiltshire Core Strategy seeks to build resilient communities and support rural communities but this must not be at the expense of sustainable development principles. The Settlement and Delivery Strategies of the Core Strategy are designed to ensure new development fulfils the fundamental principles of sustainability. This means focusing growth around settlements with a range of facilities, where local housing, service and employment needs can be met in a sustainable manner. A hierarchy has been identified based on the size and function of settlements, which is the basis for setting out how the Spatial Strategy will deliver the levels of growth.

Core Policy 1 of the Wiltshire Core Strategy sets out the 'Settlement Strategy' for the county, and identifies four tiers of settlement - Principal Settlements, Market Towns, Local Service Centres, and Large and Small Villages. Only the Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined limits of development/settlement boundaries.

Core Policy 2 of the Wiltshire Core Strategy sets out the 'Delivery Strategy'. It identifies the scale of growth appropriate within each settlement tier, stating that within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages.

Core Policy 13 sets out the spatial vision for this community area. As set out in the supporting text to that policy, due to the rural location of Malmesbury, it is not realistic to plan for significant growth here. The strategy seeks to support its role as a tourist location and local retail centre. Paragraph 5.7.3 seeks to diversify the employment base with a flexible approach to edge of town sites. The Principal Employment Areas, Malmesbury Business Park, Dyson site, and Land north of Tetbury Hill will be supported in accordance with Core Strategy 35. In addition, the policy sets out 5 Hectares of additional employment land at Land North of Tetbury Hill and Land at Garden Centre, Malmesbury (which has resolution to grant planning permission for a retail food store and additional business units on this site – reference 18/06980/FUL).

The site is not contained within or in close proximity to the areas identified within Core Policy 13. The site is also not in an existing allocated employment site nor does it seek to redevelop a site last used for business purposes. It is located adjacent to an existing employment site (although that is not allocated within the Core Strategy Proposals Map as a principal employment use), but Policy 34 does not permit the expansion of existing sites that are not located within or adjacent to existing settlements and the proposal is not considered to be essential to the wider strategic economic interests of Wiltshire (for example, essential expansion of an existing business, large local employer, etc)

The site is in a location poorly related to services and facilities, a significant distance from the nearest large town within the Wiltshire administrative boundary, which is Malmesbury, to the south west. There are several villages in the wider area, including Crudwell, which is classified as a large village in the Core Strategy. However, this site is a significant distance from all settlements within Wiltshire. There are settlements to the North, within Gloucester, the nearest being Kemble, which is only a small town. The site

is therefore in the open countryside, poorly related to existing services and facilities in an unsustainable location.

The proposed use is akin to a vehicle dealership, with elements of sales, vehicle display, vehicle repair and office use. Due to the scale of the proposal the development is not considered to be a small scale rural development for the purposes of paragraph 88 of the NPPF 2019 which deal with main town centre uses including retail. The proposed use is considered to be a sui-generis use with elements of retail as well as employment uses (use classes B1 and B2). Paragraph 84 of the NPPF recognises that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements and in locations not well served by public transport. However, in these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunity to make the location more sustainable.

The applicant purports to the need for a rural location due to the size of vehicles sold/repaired as well as their customer base being focussed towards farmers and other rural users who require the vehicles and equipment sold. There is reference with the submission to a large proportion of their staff being mobile engineers indicating that repairs and servicing take place on site rather than with the application site. It should be noted that, according to their website, the TAG group sells both farming equipment as well as smaller equipment for residential gardens and commercial users requiring grounds maintenance equipment, which is not necessarily limited to the farming community. Therefore, the proposal should be assessed against both Core Policy 34 and 38.

Core Policy 34 seeks to allow additional employment land in the locality subject to the criteria contained therein. This policy states that development that provides additional employment land outside large settlements would be supported if it is adjacent to larger settlements and retain or expand an existing business, support sustainable farming through allowing development required to adapt to modern practices and diversification or are for new and existing rural based businesses within or adjacent to large and small villages or are considered to be essential to the wider strategic economic interests of the borough. This policy would accord with paragraph 83 and 84 of the NPPF 19 which also provides advice in relation to supporting a prosperous rural economy.

The policy aims to support rural life through promotion and support of modern agricultural practices and diversification of the rural economy. The information submitted with the application suggests the tractor dealership would assist in promoting modernisation of farming practices with provision of new machinery. However, the business is not land based and although it would supply rural customers there is no requirement for such a remote location and in any event it should be within or adjacent to existing settlements rather than in open countryside. The proposed development could feasibly be accommodated on multiple existing employment sites in the locality. The applicant is Tallis Amos Group does not only supply the farming community but also commercial customers who require equipment to maintain land, such as golf course, playing fields as well as residential customers with larger grounds. There is a mixture of retail, vehicle repair and vehicle display that would operate from the site. The

information details the requirements for the business include the need for a building large enough to repair large farm equipment an outdoor demonstration/display area. The applicant states that a non-town centre location is also required due to the need to transport large vehicles on low loaders. However, these requirements could be fulfilled on an edge of centre, or existing employment site or previously developed site, which would be less harmful to the character and appearance of the open countryside. The applicant states that an access within the town centre would result disruption to road users due to large machinery having to navigate the town centre and so use of the highway should be minimised. However, the site is accessed via a narrow access which is the main access into Culkaton which would be affected by large vehicles associated with the site. The large vehicles would also use a main route through the Borough (A429) a busy route north and south, which would have an effect on road users. It is not clear from the information submitted how this location would minimise road use.

The proposed development would conflict with the development strategy of the development plan. The proposal, due to its remote location would not accord with the Core Policies CP1, CP2 or CP13 and would have a harmful and urbanising effect on this rural site to the detriment of the rural character of the area. There have been no material changes to the local or national policy since the determination of the previous application. The revisions to the scheme subsequent to the refusal would not reduce this harm to an acceptable level.

In an attempt to justify the proposal the applicant has provided additional information in relation to the search for sites to relocate the business from Bibury. The franchiser requires a site within a 10 km radius of Cirencester and consists of a triangle area between Cirencester, Swindon and Malmesbury, which is dominated by open rural land with limited developed land. The search has focussed on Cirencester for 3 years. The search has been collated to summarise a three year search based on recollection of the applicant as well as a scope for sites more recently. The search has included the following efforts:

- Assessment of 18 sites within the preferred geographical area, the majority of which are outside Wiltshire Council's administrative boundary, mainly in Cirencester
- Search of potential sites within or adjacent to Ashton Keynes including The Old Brickworks Industrial Estate (fully occupied), Farmyard at Rixon Gate (planning consent granted for residential development), Wheatleys Farm yard (residential development in progress), Three Bridges Depot (existing coach depot use) and Oaksey settlements
- Search of farmyards and previously developed sites outside the borough boundary in Kemble and Stroud and within Cotswold District, as well as Kemble Dairy (discounted due to the narrow access), Lower Odd Farm buildings (in current agricultural use) Coop Dairy in Latton (permission granted for storage of portable buildings and rally school) Westfield Farm (discounted due to the nearby designated heritage assets)
- Search of Kemble Business Park – one unit found to be available consisting of a new building of 20,000 sq m discounted due to size) no other premises known to be available.

- Local commercial agents have been used to assist in the search for premises at Alder King and Whitmarsh Lockhart and Carver Knowles and Carter Jonas

The search does not show the applicant has been particularly flexible in the land use needs/requirements for their business. It should be noted that the site selected for this planning application requires provision of all of the facilities required to operate their business on the application site. However, in contrast, sites above include discounted sites that have buildings that are too small without the consideration of the provision of a new building within an adequate site. There is reference in the submission to existing agricultural sites in current use or with planning permission for alternative uses but no indication that those site owners have been approached to consider siting of the tractor dealership as an alternative. It should also be noted that their existing dealerships do not appear to include the significant area of display land as proposed in this application. The assessment only provides a cursory assessment of the sites available in a small catchment without detail in relation to the essential and non-essential requirements.

The search does not include other sites within the vicinity of the A429 corridor and although there is reference to two local commercial agents there is no information from those agents as to the extent or criteria of that site search over the period the applicant has been searching for a site or indeed the output of their investigations. In addition, the search of Kemble Enterprise Park is limited to consideration of the currently marketed new unit consented by the Council recently. However, there is no information within the submission in relation to the occupancy or vacancies of other units in this Park, including the unit vacated as a result of the recently permitted scheme. The information provided includes a letter from the occupier and operator of the adjacent unit at Kemble Business Park who are in support of the provision of additional parking to support the existing employees at the business park. The owner of the business park does not detail the availability of units in the adjacent site. The letter from the occupier of the adjacent Unit 10 states that leases for this unit are due to expire this year and they have commenced a search for more suitable premises to meet the demands of their current business that has seen the closure of their London Office and transferal of staff to Kemble. This letter indicates that the business needs of the adjacent occupiers have changed and the warehousing provision on the site is not ideal as well as the lack of parking provision. Although the parking provided for the adjacent unit may be beneficial, it appears that the warehousing provision is also a reason for future relocation, indicating there could be potential vacancy of that unit in the near future.

The development strategy for Wiltshire is to permit employment uses close to existing settlements and this site would not comply with that strategy. The intention of Policy 34 does seek to support rural enterprise and farm diversification but not contrary to the aims and objectives as set out within the spatial vision within the Wiltshire Core Strategy. It is not the intention of Core Policy 34 to permit development of green fields in remote locations and specifically seeks to follow a sequential approach. It is not considered, based on the information provided, that the business needs are so unique to justify the release of a remote rural site for employment purposes.

In addition to the search for sites, the applicant cites two planning permissions. The first relates to a site in Gloucester but this related to retention of an industrial building and erection of a dealership associated with a planning consent that permitted a cattle market. The circumstances are materially different. The second relates to a site in Crowmarsh Gifford in Oxfordshire has no detailed justification for its approval so it is difficult to consider that permission in the context of the current proposal. The applicant also includes a copy of a planning consent for a site in Tilshead for the erection of new detached workshop and vehicle storage building on the existing R Hunt depot site. However, that case related to an existing employment site not a green field. This was an established employment site so is not directly comparable to this case.

The applicant also seeks to justify the proposal on the basis of its location adjacent to Kemble Business Park. However, that site has evolved as result of the reuse of a previously developed site. Policy 34 does not allow for the expansion of such sites, with the Core Strategy directing and the economic development towards existing settlements. It should be noted that the proposal does not involve the expansion of an existing business currently occupying the adjacent or nearby site, nor would it result in additional local employment as the information submitted states that the site and its 40 staff who travel from Swindon and Bristol would be retained. It is noted that the applicant seeks a rural site to be close to its farming customer base and to allow for larger vehicles to access the site. It is accepted that the applicant has scoped sites within and close to existing settlements at Oaksey and Ashton Keynes and sites outside Wiltshire. However, there is no information regarding other sites within or adjacent to other large and small villages. In addition no thorough investigation has been undertaken of land and buildings within existing Kemble Enterprise Business Park to the North. There are large areas of undeveloped land within the Enterprise Park that could be used for this development proposal but there is no information as to whether this has been investigated other than a short paragraph stating there is no 'evident' opportunity here. The expansion of the existing employment site in the manner proposed would not accord with the requirements of Core Policy 34.

The information provided by the applicant has been fully considered but the circumstances provided do not warrant a departure from the development plan in this instance. The conflict with these policies results in harm arising from the urbanisation of this rural site in the open countryside, in a remote, unsustainable location, which would result in significant harm to the character and appearance of the area and would fail to provide a sustainable location where a variety of modes of transport are available for staff and visitors.

Scale, design, impact upon the character and appearance of the area

The previous application was refused due to the harm to the character, appearance and visual amenity of the area through the urbanisation of the landscape contrary to Core Policies 51 and 57 as well as paragraph 170(b) of the NPPF.

The proposed development has been revised since the refusal of planning permission under reference 18/10385/FUL. These changes include a minor reduction in site area, minor changes to the site shape, re-orientation of the building to mimic the adjacent unit,

provision of additional landscaping details. However, there has been no material reduction in the site area or building size and scale. The external dimensions of the building remain identical to the previous scheme.

The proposed development would result in the urbanisation of an existing rural agricultural field. The proposal would involve a large metal clad building, hardsurfacing for parking and circulation space, fencing, lighting and outdoor display area. All of these features would have an urbanising effect on the site to the detriment of the character, appearance and visual amenity of the area, contrary to Core Policies 51 and 57, which seeks to conserve and enhance the locally distinctive character of settlements and landscape setting and transition between manmade and natural features.

The proposal would include some softening of the built form. However, the arbitrary site outline with the retention of an awkwardly shaped field to the west would introduce an alien man made hedging feature that is not necessarily characteristic of the rural landscape. Although there is a belt of screening adjacent to the frontage as part of this sits in front of a display area it is unlikely that landscaping would be allowed to grow to screen, what is essentially a shop window. In addition, there is only a narrow strip for hedging along a large proportion of the western boundary, due to the close proximity of the proposed gravel hardstanding to the west of the building. The narrow strip of hedging is unlikely to provide adequate screening from the open rural land from the west. In addition there is limited landscaping located to the northern boundary of the site. The purported benefit of the landscaping scheme is limited and is not considered to reduce the harm to the character and appearance of the area to an acceptable level.

The applicant argues that the proposals appearance would be akin to the existing buildings within Kemble Business Park and the adjacent agricultural buildings. However, the adjacent commercial site is contained fully within previously developed land so in principle is an acceptable land use with buildings grouped closely together, whereas the proposal would result in a significant increase in site area with the building located remote from that complex of buildings. The adjacent rural buildings are also an acceptable land use and although of a similar scale are clad in different materials and are not set in a significant area of hardstanding, nor are they surrounding by the significant level of parking and circulation space as proposed in the application. The proposal would result in the development of a rural agricultural field that is unacceptable in principle and due to the constituent elements of the proposed development would have an unacceptable impact upon the visual amenity, character and appearance of the open countryside contrary to Policies CP51 and CP57.

There is limited information in relation to lighting which could result in harm to the visual amenity of the area and this matter could be controlled by suitably worded conditions should permission be granted.

Access and parking/Impact on highways

The proposal would result in an additional access from the Culkerton Road and 27 staff and 7 visitor parking spaces to serve the new tractor dealership. The proposal also

includes 82 parking spaces with direct access from the site to the East as well as pedestrian access.

The additional parking for the adjacent unit is presented as a benefit of the proposed development. However, although there is some parking within the highway in the vicinity of the site it is not clear why the employee parking cannot be provided within the existing business park, which has some extensive hardstanding within it. The need for additional parking further highlights the reliance upon the private car to access the site in this remote location. There are other methods to manage parking demand, including car sharing, private bus services to transport staff from nearby transport hubs and flexible working methods using technology to reduce the need to travel to office locations. It is also known that a current site at Cotswold Airfield to the north is used for parking for those staff who are then transported to the site by bus. It is also considered that alternative controls should be considered to reduce the need to travel to the site by private car prior to the provision of a large car park in an open field, which would essentially encourage private car use. There is no information contained within the application as to how this car parking could be secured for the purported use in perpetuity. In any event the desire of the adjacent occupier to provide additional parking that could be provided within existing built form can only be given limited weight in the assessment of the application.

The response from the highways team raises concern regarding suitability of the site in principle due to its location poorly related to services and facilities. The location would also be contrary to the aims of Core Policy 61 which seeks to locate development where it reduces the need to travel. The location poorly related to services and facilities and lack of alternative means of travel to the private car is highlighted by the desire of the adjacent unit to be provided with significant additional parking to prevent private motor vehicles being parked within the highway. Although the parking provision would reduce parking within the highway improving highway safety, the benefit of that parking and the need for the additional parking further demonstrates the inappropriate location for the proposed development and in any event it is considered that there is land available within the existing business parking that could feasibly serve this function and provide this benefit without the need for additional development within what is open countryside.

In addition to the principle, the Officer has provided comment regarding the parking provision and safety of the proposed access. These are considered to be acceptable and would not cause harm to highway safety, subject to conditions.

In a previous application concern was raised by nearby residents regarding the use of narrow access roads through Culkerton by both users and larger vehicles associated with the use. The rat-running through nearby villages is not a matter that could be controlled by the Local Planning Authority but if the development was considered to be acceptable in principle a travel plan could assist in reducing the need to travel by staff at the site. This is considered to be an acceptable mitigation measure to reduce vehicles other than delivery vehicles using nearby roads.

Ecology

The existing site is an agricultural field with limited ecological value. There are no objections to the proposal from the Council's Ecologist. The potential for light spillage that could affect ecological value could also be controlled by suitably worded conditions.

Noise

The previous application was refused due to the lack of information provided in relation to noise associated with external areas of the site. The proposed hours of use of the site are considered acceptable. The noise report has been submitted and this demonstrates that a tractor running at high revs would generate a noise level at source of 63.2 dBA. The report states that this noise level would reduce to 25 dBA at the wall of Unit 10, with other sensitive receptors located further from the site boundary. There is no information regarding plant, which would likely produce less noise than a revving tractor. The response from the Environmental Health seeks to control noise by condition.

Drainage

The application is not accompanied by any details regarding surface or foul water drainage. However, although the site is in a ground water vulnerability zone, where ground water in this area could be high there is no records held by the Council that indicate that the application site is susceptible to either surface or ground water flooding. Therefore, any consent granted could include conditions that would control these detailed matters.

10. Conclusion (The Planning Balance)

The site is not allocated for any form of development and lies outside of the defined limits of development for Malmesbury. The site is therefore in the open countryside where the development strategy of the adopted up to date development plan and national guidance is to restrict development not least of all to recognise the intrinsic character and beauty of the open countryside and to focus development within and direct it to the most sustainable locations. The principle of the proposed development would not accord with the spatial vision for Wiltshire which aims to concentrate new development within or adjacent to existing settlements in accordance with Core Policies 1, 2 and 13.

The proposed development would also not comply with the requirements of Core Policy 34 as it is not located adjacent to existing settlement, would not directly support sustainable farming or farm diversification or essential to the wider strategic interest of economic development of Wiltshire. The information provided by the applicant has been fully considered but based on the information provided including the purported benefits set out by the applicant, the proposed development needs are not so unique as to justify a departure from the development plan and it is not considered that a robust assessment of potentially more sustainable alternative locations has been provided. It would result in the urbanisation of this rural site in the open countryside, in a remote, unsustainable location, which would result in significant harm to the character and

appearance of the site and would fail to provide a sustainable location where a variety of modes of transport are available for staff and visitors, contrary to Core Policy 61.

The proposed development would involve the provision of a large, metal clad building, extensive hardsurfacing and related expanses of vehicular parking, fencing, lighting which would be features that would have an urbanising effect on the site to the detriment of the character and appearance of the area, contrary to Core Policies 51 and 57 (i, iii, & vi), and NPPF para 170(b) (Feb 2019) which seek to conserve and enhance the locally distinctive character of settlements and landscape setting and transition between manmade and natural features.

RECOMMENDATION

Refuse planning permission for the following reasons:

- 1 The proposed development in the location identified would conflict with the development strategy of the development plan as defined by policies CP1, CP2 and CP13 of the Wiltshire Core Strategy (Jan 2015) and thereby conflict with paragraphs 2, 12 and 47 of the NPPF (Feb 2019). In addition, based on the information provided, the proposed development would not comply with the requirements of Core Policy 34. Based on the information provided, there are no material reasons making the development proposal so unique to justify a departure from development plan. The conflict with these policies results in harm as detailed in reason for refusal 2 and would fail to provide a sustainable location where a variety of modes of transport are available for staff and visitors, contrary to Core Policy 61.
- 2 The proposed development would result in harm to the character, appearance and visual amenity of the locality through the urbanisation of the landscape contrary to Wiltshire Core Strategy Policies CP51 and CP57 (i, iii, & vi);. and NPPF para 170(b) (Feb 2019).