

REPORT TO THE EASTERN AREA PLANNING COMMITTEE

Report No. 5

Date of Meeting	22nd August 2013
Application Number	13/00038/FUL
Site Address	Land at Hare Street, Manningford Bruce, Wilts.
Proposal	Erection of barn with PV panels to the south facing roof.
Applicant	Mr Stephen Purdy
Town/Parish Council	MANNINGFORD
Grid Ref	413897 159066
Type of application	Full Planning
Case Officer	Rachel Yeomans

Reason for the application being considered by Committee

This application has been called to committee at the request of Councillor Oatway at the request of local residents and the Parish Council.

1. Purpose of Report

To consider the recommendation that planning permission be granted subject to conditions.

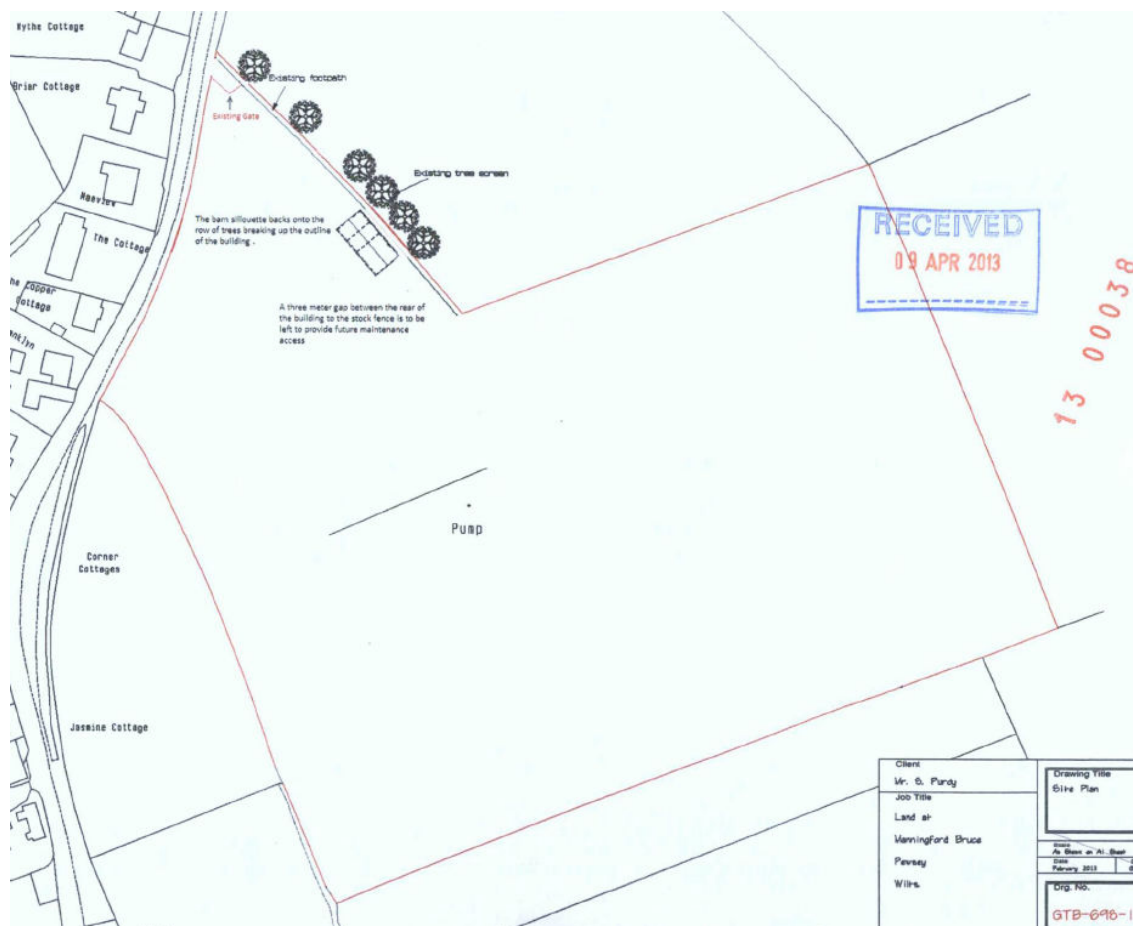
2. Report Summary

The key issues in considering this application are:

- The principle of the building and whether its scale is justified
- Impact of the building and the proposed photovoltaic panels upon the visual amenities of the area and whether the building would preserve the objectives of the North Wessex Downs Area of Outstanding Natural Beauty.
- Archaeological impact.

3. Site Description

The application site lies to the east of Hare Street. It can be accessed by proceeding out of Pewsey in an easterly direction (towards Devizes) along the A345. Take the right hand turning signed Manningford Bruce. Proceed through the village following the road, ignoring two left turnings. The road bends round to the right as dwellings continue on the left hand side and the application site can be accessed on the right, opposite these dwellings, adjacent a public footpath. The site is an open field bounded by a roadside hedge which sits on a slight banking but is relatively flat.



Site Location Plan

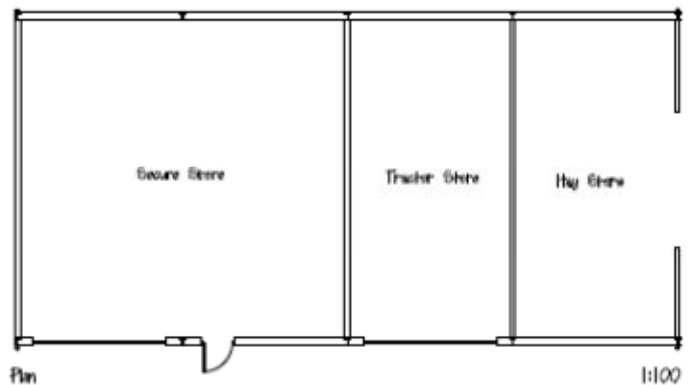
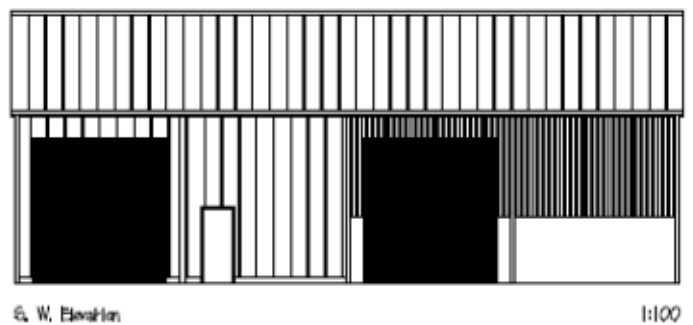
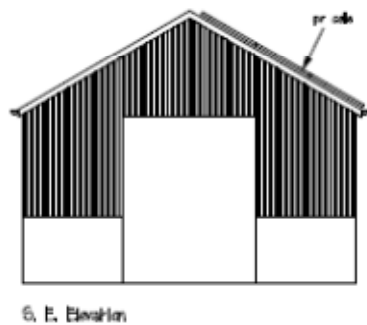
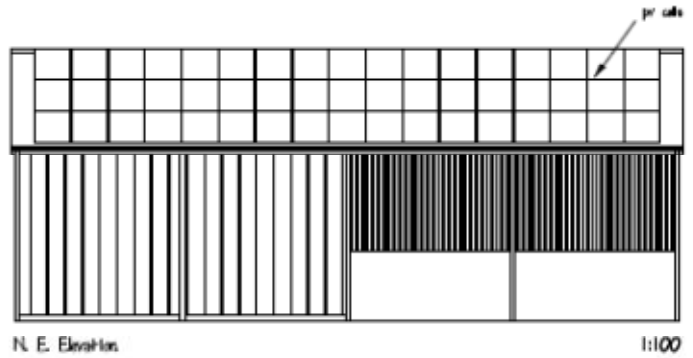
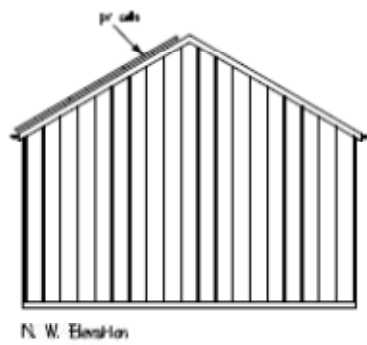
4. Relevant Planning History

E/2012/0594/FUL The erection of a barn; the provision of a new vehicular entrance and access track. Following negotiations, this application was withdrawn by the applicant.

5. The Proposal

The application proposes an agricultural barn in a field close to the village of Manningford Bruce measuring 18.2 metres long, by 9.2 metres wide with 4.6 metre eaves height and 7.5 metre ridge height.

Previous application E/2012/0594/FUL included an access track, amendments to the access onto Hare Street and a concrete hardstanding to aid access into the building. Following officer concerns about these elements, the applicant has omitted these elements from the latest set of proposals. The barn would be set in from the road by a minimum of c.43 metres and is intended to be placed parallel to the northeastern boundary adjacent to which lies a public footpath.



Amended plans and elevations

6. Planning Policy

Kennet Local Plan - policies PD1, NR6 and NR7 of the adopted Kennet Local Plan are relevant as is the National Planning Policy Framework with particular regard to Chapter 3: Supporting a Prosperous Rural Economy and Chapter 11; Conserving and Enhancing the Natural Environment.

The site lies within the North Wessex Downs Area of Outstanding Natural Beauty (AONB), where there is a statutory duty to have regard to the purpose of conserving and enhancing the natural beauty of the AONB.

7. Consultations

Wiltshire Highways - The access has restricted visibility in both directions. However, it

appears that the smallholding uses are taking place and therefore it would be difficult to make a case that the proposed barn will lead to any increase in vehicles using the access. I have no highway objections.

Wiltshire County Archaeologist - The Wiltshire and Swindon Historic Environment Record shows that the proposed development lies close to a circular feature which has been identified from aerial photography as a possible Bronze Age round barrow. Previous comments from this department have recommended pre-determination evaluation, however, I understand from the applicant that the barn will be constructed on a concrete base and below-ground impact will be relatively shallow. I therefore consider that a proportionate response to the development impact is that an archaeological watching brief be undertaken during construction work

Manningford Bruce Parish Council – It is debatable that a profitable and sustainable business can be achieved and maintained on 4.2 hectares and there is no business plan to back it up. It is therefore difficult to justify a building of the scale proposed. A building of this size and the 51 PV panels would have a significant impact on the Area of Outstanding Natural Beauty. It is not clear what would be done with electricity generated from the PV nor is it clear that there is any commitment to install the panels. Consequently, the parish council object to the application in its current form and further consideration should be given to its scale and position.

AONB officer - We have been contacted by two local residents concerned about the above development. Based on the size of this proposal we would normally have left it to the Council to form their own decision in respect of AONB impact rather than commenting formally.

However, as we have been specifically asked to comment on this application please could we raise the following: If not already done, please could the Council's Landscape Officer comments be requested? Could the need for the building (and scale) be confirmed as required with the Council's Land Agent? If need is justified can any other improvements be made to siting, landscaping or colours to reduce the harm of this proposal? Please could it be confirmed with the applicant that there is no intention to have any new surfaced hardstandings, parking or turning areas. We assume the 51 PV panels will be connected to the grid. Could the applicant confirm that any new cables will therefore be buried?

Any new external lighting should be avoided – to protect the dark night skies of the AONB. Please could this be confirmed. Finally, should the Council be minded to approve this application, suitable planning conditions should be attached to control use of the building for agricultural purposes only.

8. Publicity

This application has been advertised by means of a site notice and neighbour notifications.

A total of five further objections have been received from local residents. Several residents and the parish council have made comments such as that they are pleased with the maintenance of the field, one recognises the need for a barn but questions its scale. Comments can be briefly summarised as follows;

- The North Wessex Downs Management Plan identifies the need for agricultural development to be justified on basis of viable farms and agricultural business. This application concerns a 10 acre hobby farm and so the building cannot be justified on agricultural needs grounds. There would be nothing added to the rural economy.
- Its scale is considered excessive (including height) and is unnecessary for the needs of the holding – 500-600 bales would require half of the land to be left for such

purposes and the livestock which could be kept on the remaining area would be insufficient to make a living from. The Council's agricultural advisor has not been could

- Its size and position would dominate the AONB landscape and would be visible from neighbouring residences.
- A position round the corner would reduce its impact and additional tree planting should be required.
- The barn should not be located 3 metres into the field simply for maintenance.
- Tree saplings would be planted to obscure view but it is not clear how the proposal will permit an entrance to the barn without significant alteration to the access track.
- There is no guarantee the applicant will install solar panels and therefore this element should not be given any weight
- A machinery shed in Manningford Abbots (K/58431/F) was refused in 2008 on grounds it was not connected with agriculture and would encroach into the countryside. This building can similarly not be justified.
- There is an archaeological interest in the land and surveys should be carried out before planning permission is granted
- The character of the AONB should take precedence over this development.
- Sustainability is a matter of proportionality and no matter how sustainable the development is if it is not justified it cannot be sustainable

9. Planning Considerations

9.1 The principle of the proposed building, including its scale.

The application proposes a new agricultural building of 168 square metres adjacent to the boundary on an open field and close to the built up form of the village. The applicant has set out within his Design and Access Statement that he is not primarily seeking to turn the land into a profitable agricultural business but is aiming to manage the land and to grow crops and rear livestock on a more subsistence level, thus making a positive contribution to food supply. The applicant has demonstrated these intentions in preceding years by turning this field which was previously less well managed, into a productive area, investing in the land through new fencing and gates, restoring hedges and clearing land of scrub vegetation. From site visits, it is clear that a large portion of the land is being utilised for arable crops whilst the remaining element (estimated at just less than half) is being utilised for the rearing of sheep, pigs and other livestock. The applicant owns 4.2 hectares in this location and it is understood that the applicant rents a further 10 acres (totalling 23 acres) and has previous farming experience.

It is accepted that whilst this may not be a conventional farm, seeking to operate at a profit sufficient to provide for the needs of the farmer, this does nevertheless qualify as 'an agricultural business'. It makes a positive contribution to the rural economy through the contribution of food into the supply chain as a result of the applicant's work. The fact that this business may not be delivering a profit should not be sufficient reason to deny any new buildings on the site as this use is a legitimate use of the countryside. (Officer note; new equestrian buildings for recreational purposes nor self-sufficient holdings would be expected to demonstrate financial viability) Furthermore, in an additional statement provided by the applicant (dated 5th July 2013), it is clear that the smallholding demands the support of other local businesses and services. Consequently, it is held that this smallholding does make a positive contribution to the rural economy, with a further benefit being that the land has been carefully tended and managed, resulting in a number of positive comments from neighbours

and the parish council who have acknowledged the improved appearance of the site.

The applicant is seeking to further invest in the smallholding by developing a building commensurate with the needs of the holding. The applicant has set out the various needs of the holding, and the scale of the proposed multifunctional agricultural building is not considered excessive having regard to the area of land being farmed and the varied farming activities being undertaken. This includes an area for storage of farm machinery, a secure storage area for fertilisers, storage of feedstuffs, hay storage, hospital / lambing shelter and inclement work area. The applicant has further quantified this through the provision of details of existing machinery. One neighbour has further estimated that half of the land would produce in the order of 500-600 small bales and this accords with general guidance on crop yields which suggests that 1 acre would produce somewhere in the order of 100 bales depending upon the quality of the land and growing season etc.

In summary, it is considered that this is an agricultural use compatible with the countryside, and that the proposed building can be justified for the needs of that holding and its further sustainable growth and expansion. The National Planning Policy Framework in Chapter 3: Supporting a Prosperous Rural Economy sets out that a positive approach should be taken towards sustainable new development including to well designed new buildings. The applicant is clearly operating from the land in question and in that sense, this is the most sustainable location for the building.

Some neighbours have quoted the refusal of planning permission for a machinery shed in Manningford Abbots (K/58431/F in 2008) as setting a precedent for refusal. However the use of that proposed building was not primarily to support agricultural need and was not considered necessary or reasonable in the countryside. It does not therefore set any precedent for this application.

Policy NR6 of the adopted Kennet Local Plan takes a generally protective stance towards new development in the countryside unless the development is demonstrated to be of benefit to the rural economy in the locality or to the social well-being of the rural economy. As set out above, the applicant's business is clearly making a positive contribution to the rural economy and it is considered that the proposed building can be reasonably justified to support the needs of this holding, such that it is considered compliant with this policy requirement.

9.2 The design of the building and its impact on the visual amenities of the area, including the North Wessex Downs Area of Outstanding Natural Beauty

The barn building is proposed to be located more than 40 metres from the road, a sufficient distance so as not to impinge upon residential amenity. The applicant has removed proposed changes to the access and a concrete access track from the scheme since the previous application was submitted following officer and neighbour concerns regarding this element of the works. The barn building would be sited close to a public footpath which runs along the northeast boundary of the site. Immediately to the northeast of this lies a row of tall shrubs/ trees which would provide a backdrop for the building and screening of the building from the north, helping to minimise the impact of the building on the wider landscape.

From Hare Street, with the exception of the five bar gated access into the site, this boundary benefits from a mature hedge set on a slight verge banking which would help to filter views from this public vantage point. The building would remain visible above the hedge, the public footpath from which uninterrupted views would be gained and from neighbouring properties, particularly from first floor level openings, although it should be remembered that private views are not a material planning consideration.

The design of the building is a typical agricultural building, of a utilitarian appearance

appropriate to its intended function. The proposed materials are typical of agricultural buildings and the final external appearance of such materials can be carefully controlled by condition in the event Members are minded to grant permission in order that to assimilate the building into its surroundings. The scale of the building is not so large that it would completely dominate the landscape as has been suggested. Conversely, officers consider that the building would have a localised impact but having regard to its proposed scale and mitigating factors such as the distance from Hare Street and existing vegetation and control over final external materials and coloration, it is not considered that the building would result in significant harm to the visual amenities of the area, the landscape character, views nor would it detract from the scenic quality of the Area of Outstanding Natural Beauty such that it would warrant refusal of planning permission on this basis. The landscape of the AONB would be conserved. Balanced with the other benefits the building would bring, the proposal is considered compliant with the requirements of Chapter 11 of the National Planning Policy Framework; Conserving and Enhancing the Natural Environment and Policies PD1 and NR7 of the adopted Kennet Local Plan 2011.

Whilst neighbours would clearly prefer that the building were located further northeast 'around the corner' of the public footpath and at 90 degrees in order that the building is less visually prominent, the applicant has set out that the proposed site is of poor quality for agricultural use because of previous dumping of rubble on the site and does not wish to move it as this would take more productive land out of use. Having regard to the siting proposed, as indicated above, the proposed siting is not considered harmful to warrant refusal of planning permission on this basis.

9.3 Proposed PV Panels

The proposed PV panels could aim help to contribute towards the electricity requirements for the building with excess going back to the grid helping to meet the Government's targets for carbon reduction. However, it is acknowledged that the applicant may choose not to install such panels and so their potential benefits should only be given limited weight in the decision making process. PV panels do have the potential to draw further attention to the building unless these are sensitively designed. Black panels, which are designed to absorb the light and are therefore not so reflective, installed as a large rectangle, with black factory finished edges to the panels are generally held to be the least obtrusive in sensitive areas. Therefore, if Members are minded to grant planning permission, a condition to this effect is recommended.

10. Conclusion

The proposed barn is justified for agricultural purposes in terms of the needs of the holding and will help meet the agricultural needs arising from the applicant's farming activities. The farming of this land makes a positive contribution both to the management of the countryside and to the rural economy by producing food on a more subsistence scale. The proposed building is a typical utilitarian construction in a suitable position, distant from neighbouring properties and sited where it would not result in any significant harm on the visual amenities of the area or the AONB subject to the conditions set out below. Consequently, approval of planning permission with conditions is recommended.

RECOMMENDATION – Grant planning permission subject to the following conditions

- 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 The building hereby approved shall be used for agriculture only and for no other purpose as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

- 3 No development shall commence within the proposed development site, nor shall any underground cabling or servicing be installed (including cable runs to serve the solar PV panels) until:

- a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
- b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

- 4 No development shall commence on site until 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: To protect the character and appearance of the area.

Notwithstanding the submitted details, the PV panels hereby approved shall be installed with a 'black' coloration with each panel having a factory finished black surround, and shall thereafter be maintained in accordance with these details.

- 5 REASON: To minimise the impact of the panels on the visual amenities of the area and preserve the scenic beauty of this Area of Outstanding Natural Beauty.

- 6 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

7 The development hereby permitted shall be carried out in accordance with the following approved plans: [Location Plan, Site Plan (excluding the annotation of 'proposed concrete track' both received on the 10th May 2013 and the amended plans 'Plan and Elevations' clarifying the orientation of the building received on the 22nd July 2013.

REASON:

For the avoidance of doubt and in the interests of proper planning.