

AGENDA

Meeting: Northern Area Planning Committee
Place: Council Chamber - Council Offices, Monkton Park, Chippenham
Date: Wednesday 7 October 2015
Time: 3.00 pm

Please direct any enquiries on this agenda to Fiona Rae, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 712681 or email fiona.rae@wiltshire.gov.uk.

Press enquiries to Communications on direct lines (01225) 713114/713115.

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Membership:

Cllr Tony Trotman (Chairman)	Cllr Sheila Parker
Cllr Peter Hutton (Vice Chairman)	Cllr Toby Sturgis
Cllr Christine Crisp	Cllr Chuck Berry
Cllr Mollie Groom	Cllr Terry Chivers
Cllr Chris Hurst	Cllr Howard Greenman
Cllr Mark Packard	Cllr Howard Marshall

Substitutes:

Cllr Philip Whalley	Cllr Dennis Drewett
Cllr Desna Allen	Cllr Jacqui Lay
Cllr Glenis Ansell	Cllr Linda Packard
Cllr Mary Champion	Cllr Graham Wright
Cllr Ernie Clark	Cllr George Jeans
Cllr Bill Douglas	Cllr Melody Thompson

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AGENDA

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 5 - 10*)

To approve and sign as a correct record the minutes of the meeting held on 16 September 2015.

3 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

4 **Chairman's Announcements**

To receive any announcements through the Chairman.

5 **Public Participation and Councillors' Questions**

The Council welcomes contributions from members of the public.

Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register in person **no later than 2:50pm on the day of the meeting.**

The Chairman will allow up to 3 speakers in favour and up to 3 speakers against an application and up to 3 speakers on any other item on this agenda. Each speaker will be given up to 3 minutes and invited to speak immediately prior to the item being considered. The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this **agenda no later than 5pm on Wednesday 30 September 2015.** Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6 **Planning Applications**

To consider and determine planning applications as detailed below.

7 **15/07077/FUL - Former Garage Site, To The Rear of No's 41-45 Queens Avenue, Corsham, Wiltshire, SN13 0DX** *(Pages 11 - 20)*

8 **15/03266/FUL - Land off Shirehill Lane, West Kington, Chippenham, Wiltshire, SN14 7AR** *(Pages 21 - 48)*

9 **Urgent Items**

Any other items of business which, in the opinion of the Chairman, should be taken as a matter of urgency.

NORTHERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 16 SEPTEMBER 2015 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

Cllr Tony Trotman (Chairman), Cllr Mollie Groom, Cllr Chris Hurst, Cllr Mark Packard,
Cllr Toby Sturgis, Cllr Chuck Berry, Cllr Terry Chivers, Cllr Howard Greenman,
Cllr Jacqui Lay (Substitute) and Cllr Howard Marshall

94 Apologies

Apologies were received from Cllr Christine Crisp and Cllr Sheila Parker.

Cllr Crisp was substituted by Cllr Jacqui Lay.

95 Minutes of the Previous Meeting

The minutes of the meeting held on 26 August 2015 were presented.

Resolved:

To approve as a true and correct record and sign the minutes.

96 Declarations of Interest

There were no declarations of interest.

97 Chairman's Announcements

There were no Chairman's announcements.

98 Public Participation and Councillors' Questions

The Committee noted the rules on public participation.

Sue Webb, on behalf Kington Langley Parish Council, spoke in objection to application 6 b) 15/06571/FUL. The Chair allowed her representation at this stage, as Mrs Webb had indicated that they would not be able to stay later at the meeting.

99 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of applications 6 a) - 15/06571/FUL and 6 b) - 15/05938/FUL as listed in the agenda pack.

100 **15/06571/FUL - Kennet House, Kington Langely, Chippenham**

Public participation:

Keith Bennett and Mark Edwards spoke in support of the application.

The Development Control Team Leader introduced the report, including late observations, which recommended that planning permission be refused.

The Committee then had the opportunity to ask technical questions

Cllr Howard Greenman spoke in his capacity as the local member.

Issues discussed in the course of the debate included: the impact of the proposals on the character of the conservation area and the listed building; the setting of the listed building and the position of neighbouring properties; the impact of the proposals on the space between it and the listed building; the position, size and nature of the existing buildings including a single storey extension the height of the proposed two storey extension and its position in relation to existing buildings; the planning history and the pre-planning application advice given; whether there was any public benefit from the building that could outweigh the impact of the proposals; and the views of the consultees.

Councillor Peter Hutton proposed, subsequently seconded by Councillor Toby Sturgis, that the Committee should refuse the application as per the officer's recommendation detailed in the report.

Having been put to the vote, the meeting;

Resolved

That Planning Permission is REFUSED for the following reason:

The proposal is considered to have an unacceptable detrimental impact to the historic form and character of the setting of the listed building and the surrounding conservation area. The proposal would cause harm to the significance of the designated assets that is not outweighed by any public benefit which is contrary to Section 66(1) & 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, to paragraphs 17(10), 131, 132, 134 and 137 of the NPPF, as well as the aims of Core Policy 58 of the Wiltshire Core Strategy.

The proposed development, by reason of its scale, siting and design would result in a cramped and congested plot upon the southern boundary and, therefore, the proposal would have an unacceptable impact on the visual amenities and character of the surrounding area, contrary to Core Policy 57, criteria iii and vi of the Wiltshire Core Strategy and Section 7, paragraph 58 of the National Planning Policy Framework requiring good design.

INFORMATIVE NOTE: The recommendation hereby put forward was made from the following submitted plans: 1166/02B, 1166/05, Scheme 2 upon 1166/04 and 1166/06 dated 03/07/2015.

101 **15/05938/FUL - The Stables, Ashes Lane, Kington Langley, Chippenham**

Public participation:

Mrs Coleman spoke in objection to the application and Gillian Livock spoke in support of her application.

Sue Webb on behalf of Kington Langley Parish Council under the Public Participation item 5 as she had had to leave the meeting earlier.

The Senior Planning Officer introduced the report which recommended that planning permission be granted subject to conditions. The Senior Planning Officer highlighted that an additional condition and informative had been added to officer's recommendation.

The Committee then had the opportunity to ask technical questions

Cllr Howard Greenman spoke in his capacity as the local member.

Issues discussed in the course of the debate included: the planning history of the site and the relevance of previous planning permissions; the changes to the proposal made, and the advice given by the Planning Officers to the applicant; the position of the proposed extension in relation to neighbouring properties and its potential impact; the size and width of the proposals and how they differ to previously permitted applications; how drainage issues on the site would be dealt with by condition and land drainage consent; that conservation area consent is not required; the access to the site; the views of the consultees; the materials proposed to be used; the views of the Highways Officers that they had no objection to the application; the impact of the proposals on the Conservation Area;

Councillor Toby Sturgis proposed, subsequently seconded by Councillor Peter Hutton, that the Committee should refuse the application as per the officer's recommendation detailed in the report and the late observation.

Having been put to the vote, the meeting;

Resolved that planning permission be granted 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. 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

- 3. No external stonework shall be constructed on site, until a sample panel of stonework, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.**

REASON: In the interests of visual amenity and the character and appearance of the area.

- 4. No development shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels 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.

- 5. Notwithstanding the provisions of the Town and Country Planning**

(General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

- 6. The development hereby permitted shall be carried out in accordance with the following approved plans: barn proposed elevations (Drwg 3) dated 17th June 2015 and Drwg 2260/08 dated 23rd July 2015 and Drwg 01A proposed layout plan dated 2nd September 2015**

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

- 7. 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. The development shall not be first brought into use until the approved scheme has been fully implemented.**

REASON: To ensure the development is adequately drained.

INFORMATIVES TO APPLICANT:

- 8. Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.**
- 9. The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.**
- 10. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.**
- 11. Please note that Council offices do not have the facility to receive materials samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.**

12. It would appear that works to pipe a watercourse have been undertaken and a formal Land Drainage Consent application and approval is required. Application forms and guidance can be found on the Council's website.

102 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 3.52 pm)

The Officer who has produced these minutes is Fiona Rae, of Democratic Services,
direct line , e-mail

Press enquiries to Communications, direct line (01225) 713114/713115

REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Date of Meeting	7 October 2015
Application Number	15/07077/FUL
Site Address	Former Garage Site, To The Rear of No's 41-45 Queens Avenue, Corsham, Wiltshire, SN13 0DX
Proposal	Proposed Erection of 6 Semi-Detached Dwellings with Associated Garden, Amenity Space & Parking, Following Demolition of Existing Garages.
Applicant	Greensquare
Town/Parish Council	Corsham
Electoral Division	Corsham Pickwick – Cllr Alan MacRae
Grid Ref	386850 171054
Type of application	Full Planning
Case Officer	Mark Staincliffe

Reason for the application being considered by Committee

The application has been called in by Cllr Alan MacRae to consider the effect of the development on the existing highway network, car parking within the locality and the development's impact on the residential amenity of local residents.

1. Purpose of Report

To delegate authority to grant planning permission to the Area Development Manager, subject to the signing of a Section 106 agreement; and subject to planning conditions.

2. Report Summary

The main issues in considering the application are:

- Principle of development
- Impact on highway safety and parking
- Impact on the residential amenity of local residents

Corsham Town Council raised no objection to the application, which has also generated five letters of objection from local residents.

3. Site Description

The site is located within the defined settlement boundary of Corsham and consists of an existing, underutilised group of flat roofed garages and associated forecourt, with access taken off Queens Avenue. The site is relatively flat and is separated from the A4 by a mature hedge and trees. To the South, East and West of the site is residential development consisting of mainly two storey terraced dwellings with good sized front and rear gardens.

4. Planning History

N/09/01120/FUL	Erection of Two Storey Side Extension to Provide Garage and Bedroom/Ensuite Over APPROVED
N/10/03207/S73A	Erection Of Two Storey Side Extension (Revision to 09.01120.FUL) APPROVED
N/12/02161/S73	Variation of Condition 3 & Removal of Condition 2 on Application N.10.03207.S73A APPROVED
N/13/00004/FUL	Divide Property into Two Dwellings APPROVED

5. The Proposal

The application seeks consent for the demolition of the existing garage court and the erection of 6 dwellings, 30% of which will be secured as affordable housing. Each residential unit will take access directly from Queens Avenue via the existing garage court access.

Each residential unit will be provided with parking and private rear gardens. The parking provision for the proposal is in accordance with the Council's parking standards.

6. Planning Policy

Wiltshire Core Strategy:

CP1- Settlement Strategy

CP2- Delivery Strategy

CP3- Infrastructure Requirements

CP11- The Spatial Strategy: Corsham Community Area

CP43- Providing affordable homes

CP51- Landscape

CP57- Ensuring High Quality Design and Place Shaping

National Planning Policy Framework 2014:

Achieving sustainable development – Core Planning Principles Paras 14 & 17

Chapter 7- Requiring Good Design

Chapter 8- Promoting healthy communities

Chapter 11- Conserving and enhancing the natural environment

7. Summary of consultation responses

Corsham Town Council- No objection

Waste Services- No objection

Tree Officer- No objection subject to a condition

Highways- I note that access is via the existing access to the garage site. While this may not be considered an ideal arrangement, the nature of Queens Avenue also needs to be considered. I therefore do not consider that there are strong grounds to refuse on a highway basis.

The proposal does not include a turning facility for refuse / emergency vehicles. I understand that refuse collection will take place on Queens Avenue, Large vehicles will have to reverse if accessing the site.

It is also understood that a number of Coulston Road properties currently access via the proposed private access road. This is a civil matter between residents and Greensquare. There will be suitable room for vehicles to reverse in the private access road.

I note the details received with regard to displaced car parking from garages – I do not consider an objection on this basis would withstand appeal.

No objection subject to conditions.

Wessex Water- No objection

Drainage- No objection subject to conditions

Housing- No objection subject to the provision of onsite affordable housing in accordance with Core Policies 43 and 45 of the Core Strategy.

The need for affordable housing has a tenure split of 70% Affordable Rented and 30% Shared Ownership homes. It is however noted that this application has been submitted by one of our Registered Providers who are proposing 2 x Affordable Rent dwellings and 4 x Low Cost Home Ownership which would be fully supported by the New Housing team.

8. Publicity

The application was advertised by site notice, press advert and neighbour consultation. This resulted in the submission of 5 objections. A summary is set out below:

- Displacement of vehicles from the garage court to the public highway
- Loss of parking
- Refuse truck currently collect bins from the garage court how will they be collected?
- Loss of privacy
- Overlooking
- The access is dangerous
- Loss of amenity
- Insufficient parking
- Will remove access to the rear of properties on Coulston Road
- Overbearing impact of development on existing neighbours.

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.

The site is situated within the settlement framework boundary of Corsham wherein the redevelopment of land for residential accommodation is acceptable in principle the redevelopment of sites such as this are acceptable in principle and accord with Core Policy 1 & Core Policy 2 of the Wiltshire Core Strategy.

The proposal is for the demolition of an existing garage court and construction of 6 new residential dwellings. As such, any new residential development must be considered against Policies CP1 & CP2 of the Wiltshire Core Strategy and Sections 1, 6 & 7 of the NPPF. These policies and guidance allow for residential development in principle providing it also accords with the policies of the Core Strategy and in particular policy CP57.

Effects on Character of the area

Since the submission of the original pre application discussions took place many changes have been made to the proposed development in an attempt to overcome concerns expressed by officers. This has included the reduction in the number of units, improvements to amenity space, separation between existing and proposed residential units.

The design of the new houses is considered to be appropriate in the context of the area. The proposed dwellings are of simple proportions with a rectangular footprint and a traditional roof form. However, it also has sufficient detailing to add interest to the design and thereby not look outplace out place within the immediate street scene. It is considered that the design and appearance of the properties creates an attractive frontage that relates well with the street scene. As such the proposed design is considered to meet the requirements CP57 of the Core Strategy and section 7 of the NPPF.

Garden Size

The proposed garden area is comparable, to the gardens within the area and adjacent properties. Bearing in mind the size of the dwellings it is considered that the outdoor space provided satisfies the guidance for outdoor amenity space for a new dwelling. The proposal would allow for some outdoor space, sitting out, bin storage and for hanging out of washing, the proposal would also provide outdoor amenity space for a family to enjoy.

To ensure that adequate amenity space is retained it is deemed necessary to remove permitted development rights for rear extensions and outbuildings. This will allow the Council to control any future extensions and ensure that adequate amenity space is retained.

Impact on Neighbours

The concerns identified by immediate neighbours in relation to privacy, and the overbearing impact of the proposed development on the rear gardens of individual properties are noted. However, taking into consideration the existing site circumstances and the existing overlooking between properties it would be difficult to substantiate a reason for refusal. It is considered that the separation between rear elevations of existing and proposed dwellings (in excess of 20m) is acceptable and will not result in unacceptable levels of overlooking.

Concerns have also been raised in terms of the overbearing nature of the proposed development. The properties fronting onto Coulston Road are over 30 metres (rear elevation to rear elevation) from the proposed dwellings. With such a large separation it is considered that the proposed development will not have an overbearing impact on these properties.

Number 41 Queens avenue is the sole property looking directly onto the flank elevation of any residential unit. The separation between these properties is over 16m (side elevation to rear elevation) but only 10m from the first floor outdoor seating area at number 41. Though number 41 enjoys uninterrupted views from first floor level it is considered that the separation between the properties is sufficient to ensure that the proposal will not have an overbearing impact.

It is considered that the proposed development, on balance, would not cause harm to the residential amenities of surrounding properties. The development will not result in any significant loss of sunlight, daylight or privacy for adjoining properties.

Highway Safety

The Council's Highways Officer is of the view that, subject to the imposition of suitable conditions, the proposals will not adversely impact upon local highway safety. Whilst it is noted that objections were raised by local residents with regards to the access and the displacement of parking, it is unlikely that a reason for refusal could be substantiated at appeal.

The proposed development meets the Council's parking standards and though the parking offered by the garage court will be lost, the occupation of these garages was low and alternative garaging was offered to previous tenants. It is important to note that this is private land and any informal parking or access that is currently taking place could be prohibited at any time.

The highway officer has also confirmed that the nature of the traffic using the proposed site, the existing use of the site and the nature of the roads surrounding the site result in no highway objection. Overall, therefore, it is considered that the proposal is acceptable in highways terms and the provisions of Core Policy 64 & Core Policy 57.

10. S106 contributions

In accordance with Policy CP43 30% on site affordable housing will be secured by way of s106 agreement.

11. Conclusion

On the basis of the considerations set out above, it is considered that the proposal complies with both local and National planning policies. The highways issues and concerns have been address and the development is therefore, subject to planning conditions acceptable.

RECOMMENDATION

To delegate authority to grant planning permission to the Area Development Manager, subject to the signing of a Section 106 agreement; and subject to planning conditions as set out below:

- 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 dwelling shall be occupied until all the existing buildings on site have been permanently demolished and all of the demolition materials and debris resulting there from has been removed from the site.

REASON: In the interests of the character and appearance of the area.

- 3 No railings, fences, gates, walls, bollards and other means of enclosure shall be erected in connection with the development hereby permitted until details of their design, external appearance and height have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

REASON: In the interests of visual amenity and the character and appearance of the area.

- 4 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- all hard and soft surfacing materials;

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission.

- 5 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 6 No development shall commence on site until details of the bricks & roof tiles to be used on the development 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/or [DELETE as appropriate] 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

- 7 No part of the development hereby approved shall be occupied until the parking area shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

- 8 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

- 9 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

- 10 The dwelling(s) hereby approved shall achieve Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate for it has been issued and submitted to, and approved in writing by, the local planning authority certifying that Code Level 4 has been achieved.

Reason: To ensure that the objectives of sustainable development set out Policy CP41 of the Wiltshire Core Strategy are achieved.

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A, B, C, D & E shall take place on the dwellinghouse(s) hereby permitted or within their curtilage.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

- 12 The development hereby permitted shall be carried out in accordance with the following approved plans:

5096 P01 Rev A

P01

P03

P04

P05

Received 17 July 2015

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

INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic

importance, available access and the ground conditions appertaining to the sewer in question.

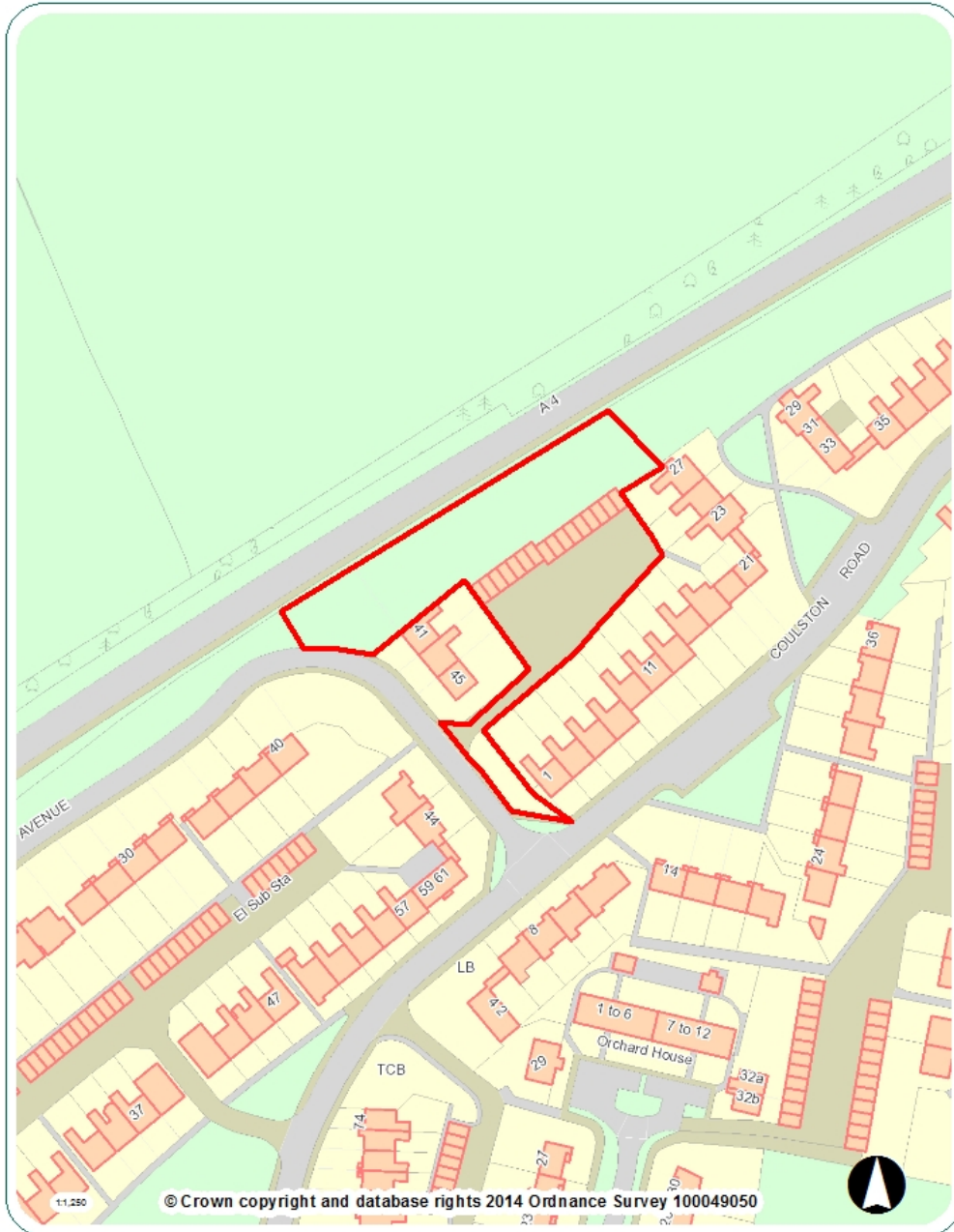
INFORMATIVE TO APPLICANT:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

INFORMATIVE TO APPLICANT:

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Date of Meeting	7 October 2015
Application Number	15/03266/FUL
Site Address	Land off Shirehill Lane, West Kington, Chippenham, Wiltshire, SN14 7AR
Proposal	Erection of General Purpose Agricultural Building
Applicant	Mr T Holderness-Roddam
Town/Parish Council	NETTLETON
Division	BY BROOK – Cllr Jane Scott
Grid Ref	380227 175681
Type of application	Full Planning
Case Officer	Sam Croft

Reason for the application being considered by Committee

This application was previously considered at the Committee on the 5 August 2015, it was deferred to allow the applicant to collate and submit for officer consideration any additional supporting information on highway movements and on existing and proposed agricultural activity on the agricultural unit. It was also requested that the applicant provide additional plans detailing the cross sections of the bund on the site and demonstrating the height of the building in respect to the bund and the surrounding site.

The application was previously recommended for approval at the Committee on the 5th August 2015. The Committee report is attached at Appendix 1.

1. Purpose of Report

To consider the above applications and to recommend that planning permission is APPROVED subject to conditions.

2. Report Summary

The main issues in the consideration of this application are as follows:

- Impact on the Context and Character of the Site, Surrounding Area and AONB
- Agricultural Need
- Highways
- Ecology

Nettleton Parish Council and Marshfield Parish Council both object to the application. 11 letters of objection were received from the public in respect to the development.

3. Site Description

The application site lies in open countryside, adjoining a small wooded area which is just west of Mountain Bower. The public highway, Shirehill Lane, is immediately south of the application site. The site is located in the Cotswold Area of Outstanding Beauty (AONB) and occupies a potentially prominent position within the landscape siting atop a ridge.

The proposal would be associated with West Kington Farms which comprises in excess of 770 ha (1,900 acres). The farming enterprise currently operated by West Kington Farms involves the following cropping regime:

	Land Owned	Land Rented	Share Farmed
Arable	292 Ha	42 Ha	167 Ha
Temporary Leys	17 Ha		
Permanent Grass	13 Ha	84 Ha	
Woodland	12 Ha		
Equestrian	12 Ha		
TOTALS	347 Ha	126 Ha	167 Ha

The farm plan in the committee presentation and at appendix 2 shows the land farmed by West Kington Farms. The enterprise operated by the Applicant across the occupied land combines three elements, namely equestrian stud, arable and beef rearing and breeding. The nature and location of these elements is set out below:

Equestrian Stud – The equine element is based at Church Farm, West Kington and is accommodated within ranges of modern and traditional building and associated yards. The immediately adjoining land is laid out and maintained as paddocks for the turning out of mares and their progeny. Also included within the range of buildings is a modern grain storage barn with a grain dryer. The Farm plan shows, Church Farm lies towards the eastern extremity of the farm holding and access to the western portion of the land involves agricultural vehicles needing to drive through the village of West Kington.

Arable Farming – The arable production enterprise occupies the majority of the farmed land the major part of which lies to the west of West Kington and includes the application site which is currently used as an open storage yard for wrapped fodder and straw and seasonal farm implements. Also located on this site is an open silage clamp although this is not currently used.

Beef rearing and breeding – To date the beef rearing and breeding element of the enterprise has been operated from a number of groups of farm buildings (Westfield Farm, Shire Hill Barn and Manor Farm, Alderton) all of which are rented. This has resulted in this element of the farming enterprise being difficult to supervise and manage due having to travel to check on the cattle, transport them to pasture and to bring in straw and fodder etc. One of those building groups, located at Alderton (not shown on Plan, located North of Nettleton) is no longer available and the applicant has stated that there is a need to replace the lost capacity those buildings provided. In considering suitable locations for a replacement building, it is clearly desirable to site the building on land owned by the Applicant and adjacent to land which could be used to provide the feed and bedding required to sustain animals when housed in the building for calving between January and April. The intention is to retain the other

livestock buildings at Westfield Farm, Nettleton and at Shire Hill Barn, for the finishing of the beef cattle.

The beef rearing enterprise, to which the proposed building relates, comprises some 90 breeding cows and four bulls together with a further 132 followers and heifers. All cattle are finished on the Farm with heifers being finished off grass at circa 18-20 months or on a finishing mix of barley and silage at about 24 months. The steers are finished at about 24 months on a barley and silage mix. All of the finishing of cattle will take place in the rented buildings at Westfield, Nettleton and they are sold under the banner of West Country Farm Assured via Jarrets in Bristol.

Due to a combination of the Schmallenberg virus in 2013 and problems associated with the need to transport the cows about to calve to Alderton, the Farm experienced a number of losses in recent years. The virus issue has now been addressed and the proposed building will give an opportunity to provide housing on the farm for cows about to calve thus avoiding the disturbance and potential distress associated with the need to transport the cows off-farm. In order to combine efficiently with the arable enterprise operated on the Farm, calving of the cows is concentrated in the early part of the year. Although the need for an additional building has been partially generated by the loss of the livestock housing at Alderton this is a general purpose building which will be used for different purposes throughout the farming year.

At other times of the year the building, when the not being used for the rearing of calves, it will be used for Fertilizer Storage (Sept to Feb), Machinery Storage (throughout the year) and Grain Storage. The siting of the building in this location is considered appropriate as it is an area of land already used for storage purposes; it has an established access route; is well related to land farmed by the Applicant; and, has the benefit of being adjacent to an area of woodland which minimises the visual impact of the building. The storage uses will also assist in reducing vehicle movements on the local road network by allowing direct access from the building to the adjacent land.

The applicant has stated that the provision of a multi-purpose building in this location will bring part of the beef breeding and rearing enterprise onto the farmed land where it can be integrated with the established arable and pasture uses of the surrounding land and this building does not represent a separation of the beef rearing element of the farming enterprise or that the proposal involves the creation of a separate farming entity.

Planning History

14/03742/FUL Agricultural Livestock & Storage Buildings, Laying of Yards, Erect Dwelling, Formation of Access & Associated Landscaping - Refused

4. The Proposal

The submitted plans show the proposed building with a steel portal frame divided into six bays. The building is shown clad to the gable ends and one long elevation with the remaining elevation shown gated. The overall dimensions of the building are shown as 36m x 18m with an eaves height of 6m; the building will thus have a floor area of 648m². The building is shown with profile sheet to the roof, spaced timber boarding to 4m and concrete panels to 2m.

The proposal is for the building to accommodate the calving cows; the progeny will be accommodated across the other buildings under the applicant's short-term control. The cattle will be loose housed and bedded on straw from the arable enterprise. Also to accommodate machinery, fertilizer and grain storage during part of the year.

5. Local Planning Policy

National Planning Policy Framework Sections 1, 6, 7 and 11 and Paragraphs 14 and 17

Planning Practice Guidance

Adopted Wiltshire Core Strategy

- Core Policy 51: Landscape
- Core Policy 57: Ensuring High Quality Design and Place Shaping

6. Summary of consultation responses

Nettleton Parish Council - Object to this application on the grounds of poor site access, increase in building size (from 7 to 8 metres) from previous application which would cause a negative visual impact in regards to the AONB in appearance and its prominent position on the hill, plus the probable increase of large farm traffic through the village.

No further comments were received following re-consultation on the additional information provided by the applicant.

Marshfield Parish Council - object to this application on the same basis as the previous application on the following grounds:-

- a) The proposed development is in a prominent position in an Area of Outstanding Natural Beauty and will be widely visible. Other large agricultural buildings are built in less obtrusive folds in the land.
- b) The surrounding road network consists of narrow unclassified roads, some single track with passing places. The building and running of the cattle unit will require servicing by large vehicles totally unsuited to the access lanes. Damage will no doubt be caused to the verges and to the road surface.

Also the junction with the A420 is unsuitable for increased traffic movements and traffic associated with this development would lead to safety concerns.

No further comments were received following re-consultation on the additional information provided by the applicant.

North Wraxall Parish Council – It was reported at Committee that North Wraxall Parish Council raised the following concerns:

- a) The proposed development is in a prominent position in an Area of Outstanding Natural Beauty and will be widely visible. Other large agricultural buildings are built in less obtrusive folds in the land.
- b) The surrounding road network consists of narrow unclassified roads, some single track with passing places. The building and running of the cattle unit will require servicing by large vehicles totally unsuited to the access lanes. Damage will no doubt be caused to the verges and to the road surface.
Also the junction with the A420 is unsuitable for increased traffic movements and traffic associated with this development would lead to safety concerns.
- c) Increase in large farm traffic through the small rural hamlet of Mountain Bower and Nettleton village.

Following the submission of the additional information by the applicant North Wraxall Parish Council submitted further representations in which concerns were expressed on the unsuitability of the small lanes access.

Highways – Officers are minded to adhere to the premise that this proposal is an agricultural use and as such the associated vehicle numbers and type are to be expected in the countryside and on the adjacent rural roads. The proposed access will require an adequate visibility splay and be surfaced in a consolidated material. In summary officers are minded to raise no highway objection to the agricultural proposal subject to conditions.

It was reported at committee that the Highways Officer Confirmed that the highway assessment would have taken into account the fact that the building is an agricultural building and assessed on this basis. Officer do not consider any additional movements from this access and onto the local highway network will create a significant highway issue such that an objection could be raised, taking into account the nature of the proposal and highway network in this area. The dimensions of the access have been conditioned in relation to the proposal. It is important to take into account the following factors below.

The site of the proposal is currently used for agricultural purposes, including storage of equipment and fodder and therefore this currently results in vehicle movements to and from the site on a regular basis.

The supporting statement outlines that the proposal is a consolidation of the business from various farms within the vicinity and therefore is likely to result in a reduction of movements on the highway network.

On closer inspection of the site, the track access is just outside the Wiltshire County boundary and falls within South Gloucestershire and therefore, a consultation should also be made with the highways department of South Gloucestershire Council.

The Highways officer reviewed the additional information submitted by the applicant and concluded that with regard to likely vehicle movements, provided by the applicant they do not consider that this alters the previous highways comments and recommendation. Accordingly, it is not considered that level of traffic to be generated by this proposed agricultural building is so significant and harmful to local highways condition and safety as to justify a refusal.

South Gloucestershire Council Highways – It was reported to Committee that based on a desk-top study of this application / proposal but without the benefit of a site visit – South Gloucestershire Council transportation officer offered the following comments.

Access to the site (i.e. land to be used for the new agricultural buildings) is via from an unnamed road and its junction is located at the border between Wiltshire Council and south Gloucestershire Council. The applicant aims to utilise the existing access to serve a new agricultural building on his land. The access leading to the site is from a single track road with limited passing opportunity. The road has fairly straight alignment and as such forward visibility for the driver travelling along it is considered adequate. Visibility from the site access onto the public highway is also acceptable. As this is an existing access and in view of the fact that it is already in use for agricultural purposes then, the access is considered acceptable.

Based on the evidence of 'google' map, it is noticed that the access track with the public highway is 'unmade' ground. With this in mind, it may be appropriate to add a condition [subject to planning] so that the first 15m of the access track is made up with a suitable bound-surfaced material (or maybe surfaced with 'stone to dust' -fully compacted) to prevent mud or loose material being transferred onto the public highway.

Upon the issue of traffic generation and its impact – with the new building on site, there would be some additional traffic movement to and from this site although difficult to quantify this. Notwithstanding this, the officer is satisfied that traffic generation will be small compared to the overall traffic on the existing network. Likewise, I would conclude that this proposal would not compromise existing levels of highway safety for all road users including those using the lane or main road at its junction with the A420.

The South Gloucestershire Council Highways officer reviewed the additional information submitted by the applicant and concluded the level of traffic to be generated by this proposed agricultural building is not considered so significant as to justify refusal of the application from highway safety point of view. Transportation Development Control officer in South Gloucestershire Council does not object to this application.

Ecology - Having reviewed the available information officers do not believe that the proposals would have any significant effects on the local ecology of the area however there is potential for nesting birds to be affected by the works, therefore it is recommended that any permission granted include an informative highlighting the legal protection afforded to active bird nests.

Given the nature and small area of habitat involved, and the availability of similar habitats in the surrounding landscape, officers do not consider that the scheme would have any long-term effects on population status.

Officers have no objection in relation to ecology.

The Council's Ecologist had no further comment following the submission of the additional information by the applicant.

Archaeology - No Comment. No further comments were received following re-consultation on the additional information provided by the applicant. No further comments were received following re-consultation on the additional information provided by the applicant.

Cotswold Conservation Board - The Cotswolds Conservation Board no longer raises an objection to this current planning application for the following reasons:

As noted within the planning application a meeting was held on site with the agent to discuss what changes would be required to the previous scheme to remove the objection from the Cotswolds Conservation Board.

The current scheme now includes the following changes:

- Re-use of the existing access track (not a new access).
- A single general purpose agricultural building (not a series of Agricultural Livestock & Storage Buildings, Laying of Yards and a new Dwelling).
- The proposed 8m high building has been located backing on to an area of mature woodland (with a tree canopy up to 12m in height).
- The location of the building is within a defined area of general open storage used for haylage or silage storage (within an existing earth bund).
- The proposal includes more suitable landscaping and modification of the earth bund that will physically and visually help to contain the single building and its use.
- The scheme at 648 sqm in total is now considered to be of a typical modern farm building scale and design and was not as before as blocks of industrial like buildings.

In conclusion, the Board maintains its objection to the scale of the original planning application 14/03742 for the reasons given in our original response. Accordingly the Board would resist any future applications at this site should further planning applications be submitted in an attempt to gain what was proposed as part of planning application 14/0372 in a piecemeal fashion. However, in considering the merits of this current application in its own right for a single farm building and with consideration as to the applicant's potential permitted development rights for a building of 465 sqm, the Board does not raise an objection to this proposal. The Board also does not consider a single farm building of the scale proposed within an existing farm holding as likely to result in any material change in traffic flows.

Should the Council be minded to approve this application planning conditions should be attached to secure the protection of the existing woodland during construction; the approval of the landscaping scheme, its future management and necessary alterations to the existing bund; the approval of external materials; no external lighting; the withdrawal of permitted development rights to restrict any new additional farm buildings beyond that proposed in this application.

No further comments were received following re-consultation on the additional information provided by the applicant.

Landscape Officer - No objection subject to conditions. No further comments were received following re-consultation on the additional information provided by the applicant.

Agricultural Consultant - The proposed building is warranted by the proposed alteration to the farming practice, consolidating the beef enterprise at the application site. No further comments were received following re-consultation on the additional information provided by the applicant.

7. Publicity

11 letters of representation were received objecting to the application, on the basis that:-

- Impact upon the AONB.
- Concerns about access and the number of vehicle movement.
- Not connected to services making it inappropriate for the housing of animals.
- The applicant owns plenty of lower land to house stock.
- Would necessitate the building of a dwelling on site.
- Impact on wildlife specifically nesting birds.
- Site is not suitable for a single isolated livestock building, which would be better sited closer to the other principle buildings on the Holding.

A further letter of objection was submitted following the submission of the additional information by the applicant. The basis of the objection was as follows:

- The lorries used for transporting grain will not be able to negotiate to turn left onto plough lane
- Prominent in the AONB
- No services to site
- Narrow lanes
- Haven for wildlife
- Shirehill Lane is single track road and is marked as a cycle route.

8. Planning Considerations

Under the provisions of section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015) and the 'saved' policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006). A number of the NWLP policies continue to be saved to sit alongside the policies of the Core Strategy. These policies will be subject to further review as part of the Core Strategy Partial Review process.

Impact on the Context and Character of the Site, Surrounding Area and the AONB

The application is located within the Cotswold Area of Outstanding Natural Beauty (AONB). Core Policy 51 of the WCS relates to Landscape and sets out that Development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. In particular, proposals will need to demonstrate that the following aspects of landscape character have been conserved and where possible enhanced through sensitive design, landscape mitigation and enhancement measures:

- i. The locally distinctive pattern and species composition of natural features such as trees, hedgerows, woodland, field boundaries, watercourses and waterbodies
- ii. The locally distinctive character of settlements and their landscape settings
- iii. The separate identity of settlements and the transition between man-made and natural landscapes at the urban fringe
- iv. Visually sensitive skylines, soils, geological and topographical features
- v. Landscape features of cultural, historic and heritage value
- vi. Important views and visual amenity
- vii. Tranquillity and the need to protect against intrusion from light pollution, noise, and motion
- viii. Landscape functions including places to live, work, relax and recreate, and
- ix. Special qualities of Areas of Outstanding Natural Beauty (AONBs) and the New Forest National Park, where great weight will be afforded to conserving and enhancing landscapes and scenic beauty.

Furthermore, proposals for development within or affecting the Areas of Outstanding Natural Beauty (AONBs), New Forest National Park (NFNP) or Stonehenge and Avebury World Heritage Site (WHS) shall demonstrate that they have taken account of the objectives, policies and actions set out in the relevant Management Plans for these areas.

In national policy paragraph 115 of the National Planning Policy Framework (NPPF) states

“Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.”

The National Planning Practice Guidance (March 2014) confirms that National Parks and Areas of Outstanding Natural Beauty management plans may also be material considerations in making decisions on individual planning applications, where they raise relevant issues.

Given the location of the proposal and its potential to impact upon the Cotswold AONB the Cotswold Conservation Board (“the Board”) were consulted upon the application. The Board

identified that the Cotswolds AONB Management Plan 2013-18 includes the following policies relevant to this application:

LP1: The key characteristics, principal elements, and special qualities (including tranquillity), which form the natural beauty of the Cotswolds landscape are conserved and where possible enhanced.

LP2: Development proposals and changes in land use and management, both within and outside the AONB, take account of guidance and advice published by the Board.

DTP1: All Local Plan documents, neighbourhood planning, and planning decision-making processes should have regard to the statutory AONB Management Plan, and Position Statements, Landscape Strategies and Guidance issued by the Board, as well as the following criteria in determining the acceptability of a proposed development in the Cotswolds AONB.

Development should:

- be compatible with the distinctive character of the location as described by the relevant landscape character assessment, strategy and guidelines;
- incorporate designs and landscaping consistent with the above, respecting the local settlement pattern and building style;
- be designed to respect local building styles and materials;
- incorporate appropriate sustainability elements and designs;
- have regard to the impact on tranquillity, including dark skies;
- not have an adverse impact on local community amenities and services as well as access to these;
- protect, and where possible enhance, landscape and biodiversity;
- be in accordance with a more sustainable pattern of development, reducing dependence on car travel.

The Cotswolds Conservation Board no longer raises an objection to this current planning application. As noted within the planning application a meeting was held on site with the agent to discuss what changes would be required to the previous scheme to remove the objection from the Cotswolds Conservation Board.

The current scheme now includes the following changes:

- Re-use of the existing access track (not a new access).
- A single general purpose agricultural building (not a series of Agricultural Livestock & Storage Buildings, Laying of Yards and a new Dwelling).
- The proposed 8m high building has been located backing on to an area of mature woodland (with a tree canopy up to 12m in height).
- The location of the building is within a defined area of general open storage used for haylage or silage storage (within an existing earth bund).
- The proposal includes more suitable landscaping and modification of the earth bund that will physically and visually help to contain the single building and its use.
- The scheme at 648 sqm in total is now considered to be of a typical modern farm building scale and design and was not as before as blocks of industrial like buildings.

In conclusion, the Board has confirmed that they wish to maintain their objection to the scale of the original planning application 14/03742/FUL for the reasons given in their original response. Accordingly the Board would resist any future applications at this site should further planning applications be submitted in an attempt to gain what was proposed as part of planning application 14/0372/FUL in a piecemeal fashion. However, in considering the

merits of this current application in its own right for a single farm building and with consideration as to the applicant's potential permitted development rights for a building of 465 sqm, the Board has raised no objection to this proposal.

The Council's Landscape Officer was also consulted on the application and given the Cotswolds Conservation Board comments has raised no objection to the application subject to appropriate conditions.

The applicant provided addition plans detailing the cross sections of the bund on the site and demonstrating the height of the building in respect to the bund and the surrounding site. . The plans show that that the Floor level of the building will be 154m AOD and the height of the building to ridge will be 8m (162m AOD). The height of the adjacent tree canopy is 166m AOD. The sections show that the bund would be 2m high (156.00m AOD). Accordingly, the building would be somewhat screened in the wider landscape by the adjacent tree canopy.

Whilst it is noted that concerns about the potential impact of the development on the AONB were raised in a number of the consultation responses, on the basis of the comments from the Cotswolds Conservation Board and the Councils Landscape Officer, it is not considered that the proposal would have a detrimental impact on the AONB and accordingly the application is considered to comply with Core Policy 51 of the WCS and paragraph 115 of the NPPF

Agricultural Need

The proposal is for the building to accommodate calving cows; the progeny will be accommodated across the other buildings under the applicant's short-term control. The cattle will be loose housed and bedded on straw from the arable enterprise.

The farm operates under the "Farm Assured" system so the space requirement for the livestock is informed by those regulations. The space requirement is tabulated below:

Animal	Number	Space/animal/m²	Total m²
Cow and calf	120	10	1,200

The overall space requirement for the whole herd is thus approximately twice the size of the proposed building. It is understood that calving will be phased such that cows close to calving can be accommodated in batches throughout calving, with other buildings utilised as necessary.

It follows from the above that in the opinion of the Council's Agricultural Consultant the building is of a suitable size for the intended purpose. Turning to the design, the principle criteria for a cattle building where loose housing is utilised is that the upper elevations should allow a good flow of fresh air to facilitate air changes to remove airborne pathogens and that the lower elevations should retain the accumulated farmyard manure. The proposed building meets those two criteria by utilising spaced timber boarding at the upper elevation which allows the passage of natural ventilation and at the lower elevation pre formed thrust resistant concrete panels are shown which facilitate the retention of soiled bedding over the winter. Overall it is considered that the proposed building is warranted by the proposed amendment to the farming practice.

It is noted that a number of the consultation response suggest that there might be existing buildings that could be utilised rather than the erection of a new building or might be better located elsewhere. In the assessment of the application the Council's Agricultural Consultant noted that the enterprises at the farm are an arable operation, a suckler beef unit and an equine business. The equine business and the arable unit both operate from buildings on the freehold land at Church Farm. The beef unit is however spread across a number of

locations. Therefore the location of the building at Church Farm is not considered appropriate.

The current proposal is to provide a new general purpose building to serve a block of some 90 ha or freehold land; the supporting information deals with the proposed farm building in the context of that single block rather than the entire farm enterprise as a whole. The land to which the application relates is used to run a beef suckler herd and to produce arable crops and therefore the location of the building is considered appropriate.

The previous planning proposal (14/03742/FUL), which was withdrawn by the applicant, sought to consolidate the beef unit at a single location however that application was withdrawn. Given the previous application, concerns have been raised during the consultation that if the current application were to be approved this may lead to further development of the site including the provision of an Agricultural Workers Dwelling which would further impact on the AONB. Despite these concerns the Agricultural Consultant identified that the overall staffing requirement for the beef unit is approaching one unit full time across the year and that this requirement is met through the existing farm staff.

It is also noted that concerns were raised during the consultation period that the building would not be connected to services making it inappropriate for the housing of animals. However, the Agricultural Consultant considered the design and location of the building and considered that the building is appropriate for its intended use.

Despite this assessment if an application for a dwelling were to be forthcoming this would be assessed separately and would need to the required functionality and financial tests. It should be noted that the Council cannot determine applications on the basis of speculation as to future development potential. It is enshrined in legislation that each application must be determined on its own merits.

Highways

In respect to the traffic movements associated with the proposed building, the applicant has set out that the levels of vehicular movements will vary dependant on the time of year and the particular use of the building during the farming year. However, it is considered that during a typical year the traffic movements generated by the use of the building will be as follows:

Fertilizer Storage (September to February) - 4 deliveries each of 30 tonnes annually Fertilizer stored will be spread on adjacent and nearby land with minimal use of road network

Machinery Storage (throughout the year) - Occasional and seasonal use of road network

Livestock (Housing of cows for calving only January to April) - Bedding and feedstuffs produced on adjoining land and stored on site - when cattle housed in the building the site will be visited twice per day usually involving use of Landrover vehicle or similar – manure cleared from building in Spring and stored on adjacent land to rot down and be available for spreading on arable land in the Autumn.

Grain Storage - short term storage of grain produced on adjoining and nearby land during harvest period only – approximately 10 x 30 tonne loads

The access and traffic movements have been assessed by both Wiltshire Council and South Gloucestershire Council. In both cases the respective highways officers concluded that the proposed access is acceptable and that proposal would not compromise existing levels of

highway safety for all road users including those using the lane or main road at its junction with the A420.

Ecology

It is noted that the development has the potential impact upon nesting birds and that concerns have been raised in a number of the consultation responses. The Council's Ecologist was consulted on this application and commented that they do not consider that the proposals would have any significant effects on the local ecology of the area; however it is recommended that any permission granted include an informative highlighting the legal protection afforded to active bird nests.

In conclusion it is considered that given the nature and small area of habitat involved, and the availability of similar habitats in the surrounding landscape, it is not considered that the scheme would have any long-term effects on population status. Therefore no objection has been raised by the Council's Ecologist.

9. Conclusion

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. Overall it is considered that the proposed building is warranted by the proposed amendment to the farming practice and that the location of the building is appropriate in the context of the wider enterprise. The proposed access is considered acceptable and that proposal would not compromise existing levels of highway safety for all road users including those using the lane or main road at its junction with the A420. Furthermore, the proposed development is not considered to result in a detrimental impact to the Cotswold AONB or surrounding area. The design of the building would appear to be appropriate given the proposed use of the building. It is therefore considered that the proposal complies with Core Policy 51 and 57 of WCS.

RECOMMENDATION

Approve subject to 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 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: In the interests of visual amenity and the character and appearance of the area.

- 3 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 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.

4 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- all hard and soft surfacing materials;

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, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

5 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

6 No development shall commence on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved 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, to ensure the proper management of the landscaped areas in the interests of visual amenity.

- 7 The development hereby permitted shall not be first brought into use until the access measuring 5m in width for the first 15m, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). Any gate will be required to be set back 15m and be made to open inwards. The access will be required to drain away from the highway and shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 8 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 2.4 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 43 metres to the West and 43 metres to the East from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 900mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

- 9 The development hereby permitted shall be carried out in accordance with the following approved plans and documentation:

Application Form
Supporting Statement
LDC.1900_001 Location Plan
LDC.1900_002 Site Plan
LDC.1900_004 Proposed Building Plan
LDC.1900_005 Proposed Elevations
Received on 07/04/2015.

LDC.1900_003A Proposed Site Plan
LDC.1900_006 Section AA & BB
Received on 19/08/2015

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

- 10 INFORMATIVE TO APPLICANT:
Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

- 11 INFORMATIVE TO APPLICANT:
The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to

obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

12 INFORMATIVE TO APPLICANT:

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

13 INFORMATIVE TO APPLICANT:

Please note that all active bird nests are protected under the Wildlife and Countryside Act (1981); this permission does not override that legal protection. If vegetation clearance is to be carried out during the breeding bird season (March – August inclusive) it is recommended that the area be carefully checked for active nests prior to commencement of works. In the event that an active nest is identified, vegetation removal should be suspended until such time as the breeding attempt is complete.

Appendices:

1. Committee Report 05/08/2015
2. Land Holding and site Layout Plan

APPENDIX 1 – COMMITTEE REPORT 05/08/2015

REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Date of Meeting	5 August 2015
Application Number	15/03266/FUL
Site Address	Land off Shirehill Lane, West Kington, Chippenham, Wiltshire, SN14 7AR
Proposal	Erection of General Purpose Agricultural Building
Applicant	Mr T Holderness-Roddam
Town/Parish Council	NETTLETON
Ward	BY BROOK – Cllr Jane Scott
Grid Ref	380227 175681
Type of application	Full Planning
Case Officer	Sam Croft

Reason for the application being considered by Committee

Applications called in by Councillor Jane Scott on behalf of the Parish Council who is worried about site access, extra traffic on roads and the impact on the AONB.

10. Purpose of Report

To consider the above applications and to recommend that planning permission is APPROVED subject to conditions.

11. Report Summary

The main issues in the consideration of this application are as follows:

- Impact on the Context and Character of the Site, Surrounding Area and AONB
- Agricultural Need
- Highways
- Ecology

Nettleton Parish Council and Marshfield Parish Council both object to the application. 11 letters of objection were received from the public in respect to the development.

12. Site Description

The application site lies in open countryside, adjoining a small wooded area which is just west of Mountain Bower. The public highway, Shirehill Lane, is immediately south of the application site. The site is located in the Cotswold Area of Outstanding Beauty (AONB) and occupies a potentially prominent position within the landscape siting atop a ridge.

The proposal would be associated with West Kington Farms which comprises in excess of 770 ha (1,900 acres). The enterprises at the farm are an arable operation, a suckler beef unit and an equine business. The equine business and the arable unit both operate from buildings on the freehold land at Church Farm. The beef unit is however spread across a

number of locations. There was a previous application which sought to consolidate the beef unit at a single location; however, the application was withdrawn (Application Reference 14/03742/FUL). The current proposal is to provide a new general purpose building to serve a block of some 90 ha or freehold land; this paper deals with the proposed farm building in the context of that single block. The land to which the application relates is currently used to run a beef suckler herd and to produce arable crops.

Planning History

14/03742/FUL Agricultural Livestock & Storage Buildings, Laying of Yards, Erect Dwelling, Formation of Access & Associated Landscaping

13. The Proposal

The submitted plans show the proposed building with a steel portal frame divided into six bays. The building is shown clad to the gable ends and one long elevation with the remaining elevation shown gated. The overall dimensions of the building are shown as 36m x 18m with an eaves height of 6m; the building will thus have a floor area of 648m². The building is shown with profile sheet to the roof, spaced timber boarding to 4m and concrete panels to 2m.

The proposal is for the building to accommodate the calving cows; the progeny will be accommodated across the other buildings under the applicant's short-term control. The cattle will be loose housed and bedded on straw from the arable enterprise.

14. Local Planning Policy

National Planning Policy Framework Sections 1, 6, 7 and 11

Planning Practice Guidance

Adopted Wiltshire Core Strategy

- Core Policy 51: Landscape
- Core Policy 57: Ensuring High Quality Design and Place Shaping

15. Summary of consultation responses

Nettleton Parish Council - Object to this application on the grounds of poor site access, increase in building size (from 7 to 8 metres) from previous application which would cause a negative visual impact in regards to the AONB in appearance and its prominent position on the hill, plus the probable increase of large farm traffic through the village.

Marshfield Parish Council - object to this application on the same basis as the previous application on the following grounds:-

- a) The proposed development is in a prominent position in an Area of Outstanding Natural Beauty and will be widely visible. Other large agricultural buildings are built in less obtrusive folds in the land.
- b) The surrounding road network consists of narrow unclassified roads, some single track with passing places. The building and running of the cattle unit will require servicing by large vehicles totally unsuited to the access lanes. Damage will no doubt be caused to the verges and to the road surface.

Also the junction with the A420 is unsuitable for increased traffic movements and traffic associated with this development would lead to safety concerns.

Highways - I am minded to adhere to the premise that this proposal is an agricultural use and as such the associated vehicle numbers and type are to be expected in the countryside and on the adjacent rural roads. The proposed access will require an adequate visibility splay and be surfaced in a consolidated material. In summary I am minded to raise no highway objection to the agricultural proposal subject to conditions.

Ecology - Having reviewed the available information I do not believe that the proposals would have any significant effects on the local ecology of the area however there is potential for nesting birds to be affected by the works, therefore it is recommended that any permission granted include an informative highlighting the legal protection afforded to active bird nests.

Given the nature and small area of habitat involved, and the availability of similar habitats in the surrounding landscape, I do not consider that the scheme would have any long-term effects on population status.

I have no objection in relation to ecology.

Archaeology - No Comment

Cotswold Conservation Board - The Cotswolds Conservation Board no longer raises an objection to this current planning application for the following reasons:

As noted within the planning application a meeting was held on site with the agent to discuss what changes would be required to the previous scheme to remove the objection from the Cotswolds Conservation Board.

The current scheme now includes the following changes:

- Re-use of the existing access track (not a new access).
- A single general purpose agricultural building (not a series of Agricultural Livestock & Storage Buildings, Laying of Yards and a new Dwelling).
- The proposed 8m high building has been located backing on to an area of mature woodland (with a tree canopy up to 12m in height).
- The location of the building is within a defined area of general open storage used for haylage or silage storage (within an existing earth bund).
- The proposal includes more suitable landscaping and modification of the earth bund that will physically and visually help to contain the single building and its use.
- The scheme at 648 sqm in total is now considered to be of a typical modern farm building scale and design and was not as before as blocks of industrial like buildings.

In conclusion, the Board maintains its objection to the scale of the original planning application 14/03742 for the reasons given in our original response. Accordingly the Board would resist any future applications at this site should further planning applications be submitted in an attempt to gain what was proposed as part of planning application 14/0372 in a piecemeal fashion. However, in considering the merits of this current application in its own right for a single farm building and with consideration as to the applicant's potential permitted development rights for a building of 465 sqm, the Board does not raise an objection to this proposal. The Board also does not consider a single farm building of the scale proposed within an existing farm holding as likely to result in any material change in traffic flows.

Should the Council be minded to approve this application planning conditions should be attached to secure the protection of the existing woodland during construction; the approval of the landscaping scheme, its future management and necessary alterations to the existing

bund; the approval of external materials; no external lighting; the withdrawal of permitted development rights to restrict any new additional farm buildings beyond that proposed in this application.

Landscape Officer - No objection subject to conditions.

Agricultural Consultant - The proposed building is warranted by the proposed alteration to the farming practice, consolidating the beef enterprise at the application site.

16. Publicity

11 letters of representation were received objecting to the application, on the basis that:-

- Impact upon the AONB.
- Concerns about access and the number of vehicle movement.
- Not connected to services making it inappropriate for the housing of animals.
- The applicant owns plenty of lower land to house stock.
- Would necessitate the building of a dwelling on site.
- Impact on wildlife specifically nesting birds.
- Site is not suitable for a single isolated livestock building, which would be better sited closer to the other principle buildings on the Holding.

17. Planning Considerations

Under the provisions of section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015) and the 'saved' policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006). A number of the NWLP policies continue to be saved to sit alongside the policies of the Core Strategy. These policies will be subject to further review as part of the Core Strategy Partial Review process.

Impact on the Context and Character of the Site, Surrounding Area and the AONB

The application is located within the Cotswold Area of Outstanding Natural Beauty (AONB). Core Policy 51 of the WCS relates to Landscape and sets out that Development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. In particular, proposals will need to demonstrate that the following aspects of landscape character have been conserved and where possible enhanced through sensitive design, landscape mitigation and enhancement measures:

- x. The locally distinctive pattern and species composition of natural features such as trees, hedgerows, woodland, field boundaries, watercourses and waterbodies
- xi. The locally distinctive character of settlements and their landscape settings
- xii. The separate identity of settlements and the transition between man-made and natural landscapes at the urban fringe
- xiii. Visually sensitive skylines, soils, geological and topographical features
- xiv. Landscape features of cultural, historic and heritage value
- xv. Important views and visual amenity
- xvi. Tranquillity and the need to protect against intrusion from light pollution, noise, and motion
- xvii. Landscape functions including places to live, work, relax and recreate, and

- xviii. Special qualities of Areas of Outstanding Natural Beauty (AONBs) and the New Forest National Park, where great weight will be afforded to conserving and enhancing landscapes and scenic beauty.

Furthermore, proposals for development within or affecting the Areas of Outstanding Natural Beauty (AONBs), New Forest National Park (NFNP) or Stonehenge and Avebury World Heritage Site (WHS) shall demonstrate that they have taken account of the objectives, policies and actions set out in the relevant Management Plans for these areas.

In national policy paragraph 115 of the National Planning Policy Framework (NPPF) states

“Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.”

The National Planning Practice Guidance (March 2014) confirms that National Parks and Areas of Outstanding Natural Beauty management plans may also be material considerations in making decisions on individual planning applications, where they raise relevant issues.

Given the location of the proposal and its potential to impact upon the Cotswold AONB the Cotswold Conservation Board (“the Board”) were consulted upon the application. The Board identified that the Cotswolds AONB Management Plan 2013-18 includes the following policies relevant to this application:

LP1: The key characteristics, principal elements, and special qualities (including tranquillity), which form the natural beauty of the Cotswolds landscape are conserved and where possible enhanced.

LP2: Development proposals and changes in land use and management, both within and outside the AONB, take account of guidance and advice published by the Board.

DTP1: All Local Plan documents, neighbourhood planning, and planning decision-making processes should have regard to the statutory AONB Management Plan, and Position Statements, Landscape Strategies and Guidance issued by the Board, as well as the following criteria in determining the acceptability of a proposed development in the Cotswolds AONB.

Development should:

- be compatible with the distinctive character of the location as described by the relevant landscape character assessment, strategy and guidelines;
- incorporate designs and landscaping consistent with the above, respecting the local settlement pattern and building style;
- be designed to respect local building styles and materials;
- incorporate appropriate sustainability elements and designs;
- have regard to the impact on tranquillity, including dark skies;
- not have an adverse impact on local community amenities and services as well as access to these;
- protect, and where possible enhance, landscape and biodiversity;
- be in accordance with a more sustainable pattern of development, reducing dependence on car travel.

The Cotswolds Conservation Board no longer raises an objection to this current planning application. As noted within the planning application a meeting was held on site with the agent to discuss what changes would be required to the previous scheme to remove the objection from the Cotswolds Conservation Board.

The current scheme now includes the following changes:

- Re-use of the existing access track (not a new access).
- A single general purpose agricultural building (not a series of Agricultural Livestock & Storage Buildings, Laying of Yards and a new Dwelling).
- The proposed 8m high building has been located backing on to an area of mature woodland (with a tree canopy up to 12m in height).
- The location of the building is within a defined area of general open storage used for haylage or silage storage (within an existing earth bund).
- The proposal includes more suitable landscaping and modification of the earth bund that will physically and visually help to contain the single building and its use.
- The scheme at 648 sqm in total is now considered to be of a typical modern farm building scale and design and was not as before as blocks of industrial like buildings.

In conclusion, the Board has confirmed that they wish to maintain their objection to the scale of the original planning application 14/03742/FUL for the reasons given in their original response. Accordingly the Board would resist any future applications at this site should further planning applications be submitted in an attempt to gain what was proposed as part of planning application 14/0372/FUL in a piecemeal fashion. However, in considering the merits of this current application in its own right for a single farm building and with consideration as to the applicant's potential permitted development rights for a building of 465 sqm, the Board has raised no objection to this proposal.

The Council's Landscape Officer was also consulted on the application and given the Cotswolds Conservation Board comments has raised no objection to the application subject to appropriate conditions.

Whilst it is noted that concerns about the potential impact of the development on the AONB were raised in a number of the consultation responses, on the basis of the comments from the Cotswolds Conservation Board and the Councils Landscape Officer, it is not considered that the proposal would have a detrimental impact on the AONB and accordingly the application is considered to comply with Core Policy 51 of the WCS and paragraph 115 of the NPPF

Agricultural Need

The proposal is for the building to accommodate calving cows; the progeny will be accommodated across the other buildings under the applicant's short-term control. The cattle will be loose housed and bedded on straw from the arable enterprise.

The farm operates under the "Farm Assured" system so the space requirement for the livestock is informed by those regulations. The space requirement is tabulated below:

Animal	Number	Space/animal/m²	Total m²
Cow and calf	120	10	1,200

The overall space requirement for the whole herd is thus approximately twice the size of the proposed building. It is understood that calving will be phased such that cows close to calving can be accommodated in batches throughout calving, with other buildings utilised as necessary.

It follows from the above that in the opinion of the Agricultural Consultant the building is of a suitable size for the intended purpose. Turning to the design, the principle criteria for a cattle building where loose housing is utilised is that the upper elevations should allow a good flow of fresh air to facilitate air changes to remove airborne pathogens and that the lower elevations should retain the accumulated farmyard manure. The proposed building meets those two criteria by utilising spaced timber boarding at the upper elevation which allows the passage of natural ventilation and at the lower elevation pre formed thrust resistant concrete panels are shown which facilitate the retention of soiled bedding over the winter. Overall it is considered that the proposed building is warranted by the proposed amendment to the farming practice.

It is noted that a number of the consultation response suggest that there might be existing buildings that could be utilised rather than the erection of a new building or might be better located elsewhere. In the assessment of the application the Council's Agricultural Consultant noted that the enterprises at the farm are an arable operation, a suckler beef unit and an equine business. The equine business and the arable unit both operate from buildings on the freehold land at Church Farm. The beef unit is however spread across a number of locations. Therefore the location of the building at church farm is not considered appropriate.

The current proposal is to provide a new general purpose building to serve a block of some 90 ha or freehold land; the supporting information deals with the proposed farm building in the context of that single block rather than the entire farm enterprise as a whole. The land to which the application relates is used to run a beef suckler herd and to produce arable crops and therefore the location of the building is considered appropriate.

The previous planning proposal (14/03742/FUL), which was withdrawn by the applicant, sought to consolidate the beef unit at a single location however that application was withdrawn. Given the previous application, concerns have been raised during the consultation that if the current application were to be approved this may lead to further development of the site including the provision of an Agricultural Workers Dwelling which would further impact on the AONB. Despite these concerns the Agricultural Consultant identified that the overall staffing requirement for the beef unit is approaching one unit full time across the year and that this requirement is met through the existing farm staff.

It is also noted that concerns were raised during the consultation period that the building would not be connected to services making it inappropriate for the housing of animals. However, the Agricultural Consultant considered the design and location of the building and considered that the building is appropriate for its intended use.

Despite this assessment if an application for a dwelling were to be forthcoming this would be assessed separately and would need to meet the required functionality and financial tests. It should be noted that the Council cannot consider the potential for future development of the site as part of this application and could not justify refusal of permission on this basis.

Highways

The Council's Highways officer concluded that this proposal is an agricultural use and as such the associated vehicle numbers and type are to be expected in the countryside and on the adjacent rural roads. The proposed access will require an adequate visibility splay and be surfaced in a consolidated material. In summary they raise no highway objection to the agricultural proposal subject to conditions. It is noted that the access/highways is a key concern raised in a number of consultation response; however, given the nature of the development and the fact that the development will be utilising an existing farm track it is considered that the associated vehicle numbers and type are to be expected in the countryside and on the adjacent rural roads.

Ecology

It is noted that the development has the potential impact upon nesting birds and that concerns have been raised in a number of the consultation responses. The Council's Ecologist was consulted on this application and commented that they do not believe that the proposals would have any significant effects on the local ecology of the area; however it is recommended that any permission granted include an informative highlighting the legal protection afforded to active bird nests.

In conclusion it is considered that given the nature and small area of habitat involved, and the availability of similar habitats in the surrounding landscape, it is not considered that the scheme would have any long-term effects on population status. Therefore no objection has been raised by the Council's Ecologist.

18. Conclusion

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. Overall it is considered that the proposed building is warranted by the proposed amendment to the farming practice. Furthermore, the proposed development is not considered to result in a detrimental impact to the Cotswold AONB or surrounding area. The design of the building would appear to be appropriate given the proposed use of the building. It is therefore considered that the proposal complies with Core Policy 51 and 57 of WCS.

RECOMMENDATION

Approve subject to 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 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: In the interests of visual amenity and the character and appearance of the area.

- 3 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 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.

4 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- all hard and soft surfacing materials;

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, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

5 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

6 No development shall commence on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved 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, to ensure the proper management of the landscaped areas in the interests of visual amenity.

- 7 The development hereby permitted shall not be first brought into use until the access measuring 5m in width for the first 10m, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). Any gate will be required to be set back 15m and be made to open inwards. The access will be required to drain away from the highway and shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 8 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 2.4 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 43 metres to the West and 43 metres to the East from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 900mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

- 9 The development hereby permitted shall be carried out in accordance with the following approved plans and documentation: Application Form, Supporting Statement, LDC.1900_001 Location Plan, LDC.1900_002 Site Plan, LDC.1900_003 Proposed Site Plan, LDC.1900_004 Proposed Building Plan and LDC.1900_005 Proposed Elevations, received on 07/04/2015.

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

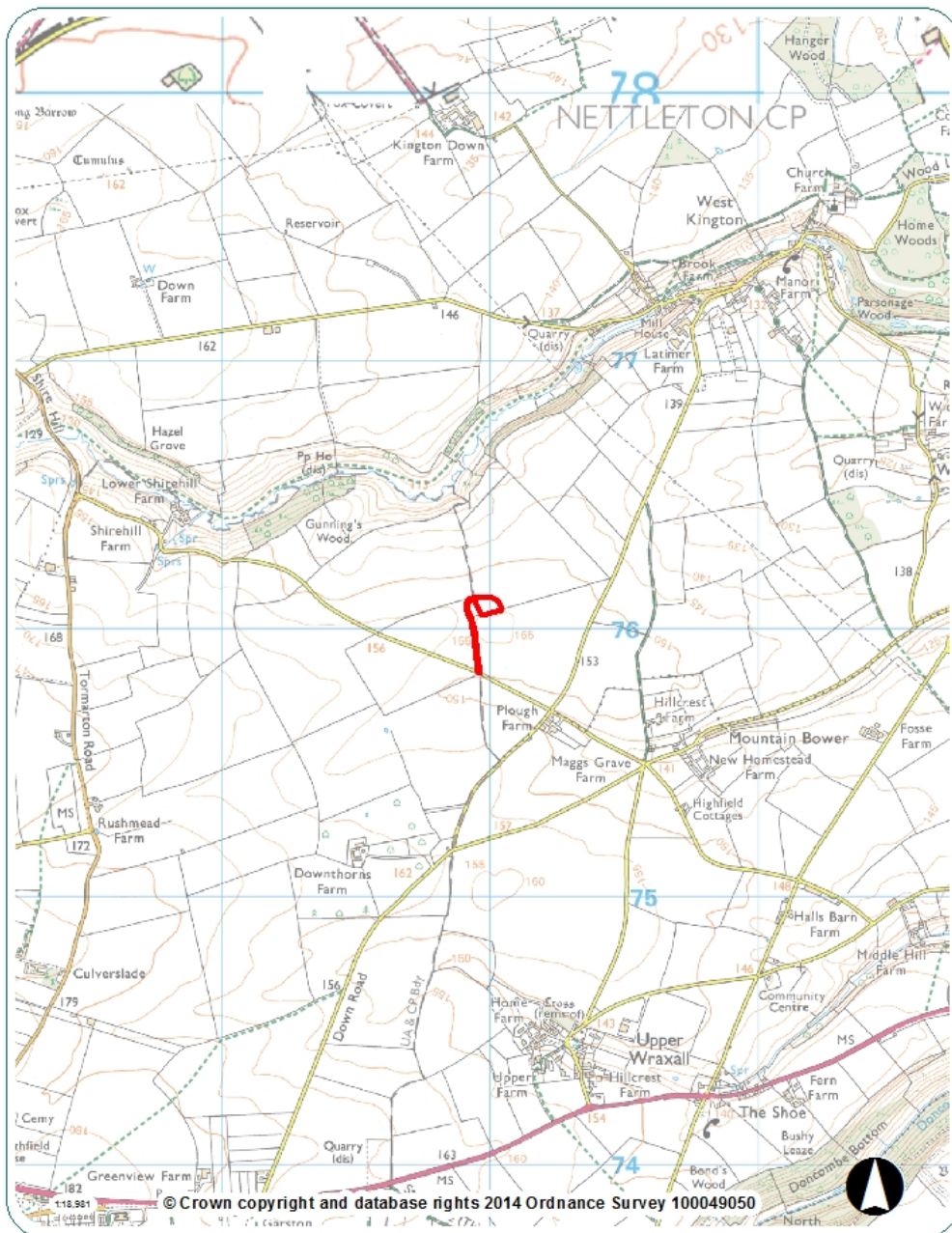
- 10 INFORMATIVE TO APPLICANT:
Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

- 11 INFORMATIVE TO APPLICANT:
The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

- 12 INFORMATIVE TO APPLICANT:
Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

15/03266/FUL
land off Shirehill Lane
West Kingston
SN14 7AR



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