

## REPORT OUTLINE FOR AREA PLANNING COMMITTEES

<b>Date of Meeting</b>	7 October 2015
<b>Application Number</b>	15/03266/FUL
<b>Site Address</b>	Land off Shirehill Lane, West Kington, Chippenham, Wiltshire, SN14 7AR
<b>Proposal</b>	Erection of General Purpose Agricultural Building
<b>Applicant</b>	Mr T Holderness-Roddam
<b>Town/Parish Council</b>	NETTLETON
<b>Division</b>	BY BROOK – Cllr Jane Scott
<b>Grid Ref</b>	380227 175681
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	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 5<sup>th</sup> 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 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 648m<sup>2</sup>. 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:

<b>Animal</b>	<b>Number</b>	<b>Space/animal/m<sup>2</sup></b>	<b>Total m<sup>2</sup></b>
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**

<b>Date of Meeting</b>	5 August 2015
<b>Application Number</b>	15/03266/FUL
<b>Site Address</b>	Land off Shirehill Lane, West Kington, Chippenham, Wiltshire, SN14 7AR
<b>Proposal</b>	Erection of General Purpose Agricultural Building
<b>Applicant</b>	Mr T Holderness-Roddam
<b>Town/Parish Council</b>	NETTLETON
<b>Ward</b>	BY BROOK – Cllr Jane Scott
<b>Grid Ref</b>	380227 175681
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	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 648m<sup>2</sup>. 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 Aare 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:

<b>Animal</b>	<b>Number</b>	<b>Space/animal/m<sup>2</sup></b>	<b>Total m<sup>2</sup></b>
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.

# APPENDIX 2 – LAND HOLDING AND SITE LAYOUT PLAN

