

<b>Date of Meeting</b>	29 <sup>th</sup> November 2018
<b>Application Number</b>	18/05252/FUL
<b>Site Address</b>	Savernake Park Farm, Savernake SN8 4NE
<b>Proposal</b>	Change of use of redundant agricultural storage buildings into a flexible events space and associated development
<b>Applicant</b>	Mr & Mrs Boyd
<b>Town/Parish Council</b>	SAVERNAKE
<b>Electoral Division</b>	WEST SELKLEY – Cllr Davies
<b>Grid Ref</b>	420500 165070
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Ruaridh O'Donoghue

### **Reason for the application being considered by Committee:**

This application is brought to committee at the request of Divisional Member, Cllr Davies. Cllr Davies has expressed concern over Core Policy 48 and its application in this case, and the perceived community benefits this development would bring to Cadley.

### **1. Purpose of Report**

To consider the detail of the application against the policies of the development plan and other material considerations, and the recommendation that the application be refused.

### **2. Report Summary**

The main issues to be considered are:

- Whether the buildings are structurally sound and capable of conversion (CP 48);
- Whether the use is acceptable in principle (CP 48);
- Whether the proposal is considered to be in a sustainable location (CP 48);
- Whether the scheme constitutes high quality design (CP 57);
- Whether the proposal would protect, conserve or enhance landscape character (CP 48 & CP 51);
- Whether the proposal would have a negative effect upon highway safety including if there is sufficient parking for the proposed use (CP 61 and 64); and
- Whether the proposal would have a harmful impact upon ecology (CP 50).

### 3. Site Description

The application relates to Savernake Park Farm. The two buildings subject to the proposed change of use sit in an isolated position some 200m away from the main farm complex.

The application site lies in the open countryside, within the North Wessex Downs AONB and the Savernake Plateau landscape. It is accessed via a single track that connects with the farm complex, which ultimately links to the A346.

Below is a location map with photographs that show the context of the site.





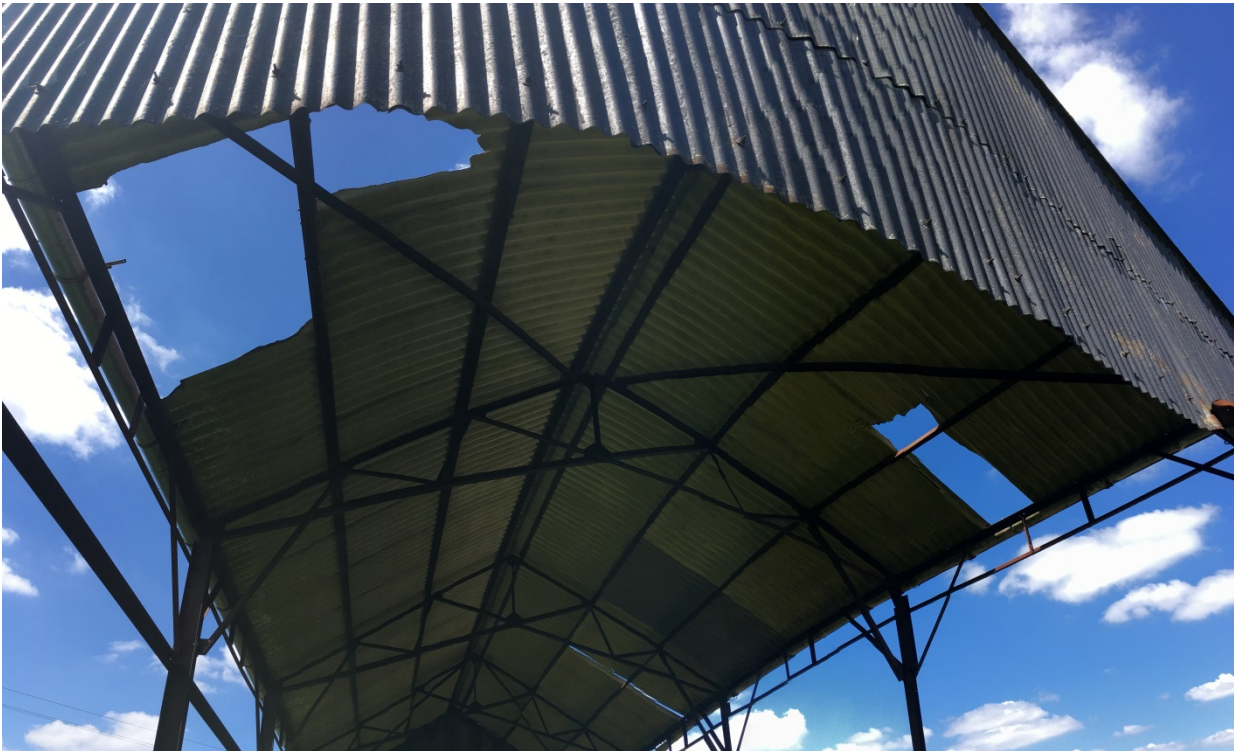
**Photo 1: View of South (side) Elevation of Barn No. 2**



**Photo 2: View of East (end) elevation of Barn No. 2**



**Photo 3: View inside Barn No. 2**



**Photo 4: View of roof of Barn No. 2**



**Photo 5: View of North (side) elevation of Barn No. 1**



**Photo 6: View of South (side) elevation of Barn No. 1**



**Photo 7: View of West (end) elevation of Barn No. 1**



**Photo 8: View of East (end) elevation of Barn No. 1**



**Photo 9: View to the North of the site**



**Photo 10: View to the East of the site**

#### **4. Relevant Planning History**

*18/00490/FUL      Change of use of redundant agricultural storage buildings into a flexible events space and associated development      Refused      (see below for reasons)*

1. The buildings are not structurally sound and capable of conversion without major rebuilding work. By virtue of the proposed use of the building and the changes sought under this application, the scheme is not considered to preserve the character of the original building and would detract from the character and appearance of the landscape.

Furthermore, the site does not have reasonable access to local services. As such, the scheme does not accord with points i, ii and iv of Core Policy 48 of the Wiltshire Core Strategy 2015.

2. The proposal by virtue of the change of use, the loss of the agrarian character through significant rebuilding works and the external changes to the site, would have a significantly harmful impact upon character and appearance of this part of the North Wessex Downs AONB. As such, the scheme is not considered to protect, conserve or enhance landscape character and is therefore contrary to Core Policy 51 of the Wiltshire Core Strategy 2015 and to central government policy contained within the National Planning Policy Framework 2012.
3. The proposal by virtue of its isolated rural location, remote from any nearby service centre and remote from access to public transport facilities means it is considered to be in an unsustainable location. The scheme is therefore considered contrary to Core Policies 60 and 61 of the Wiltshire Core Strategy 2015 and to central government policy contained within the National Planning Policy Framework 2012.

#### **4. The Proposal**

The application proposes the change of use of redundant agricultural storage buildings into a flexible events space and associated development. The proposal will require the following works to be undertaken to the barns to make them fit for the intended use.

##### *Barn 1*

- Underpin / replace dwarf walls
- Extend or add posts where walls are removed to accommodate glazing
- Some repairs to existing timbers
- New horizontal timber feathered edge cladding to replace the vertical cladding presently on the building
- Significant amounts of new glazing on the south west elevation
- New roofing
- Roof at Western end of building substantially beyond repair / re-use
- Dished / cracked floor needs repairing

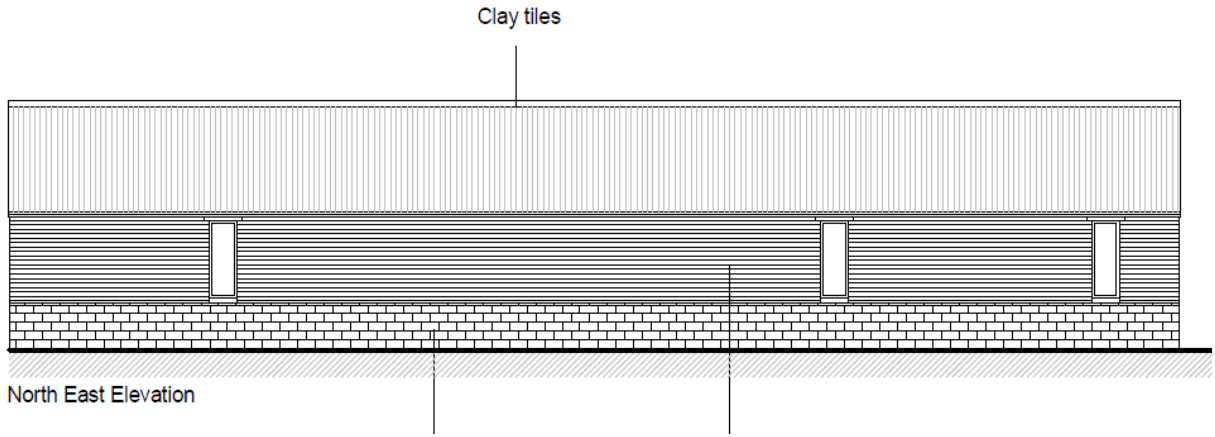
##### *Barn 2*

- Major repair / replace bottom of columns
- 4 new walls to Barn 2 where currently there is just high level corrugated iron cladding
- Significant amounts of glazing on the south west elevation
- Insert floor where presently there isn't one
- New roofing material (plain clay tiles) – current roof has significant holes in

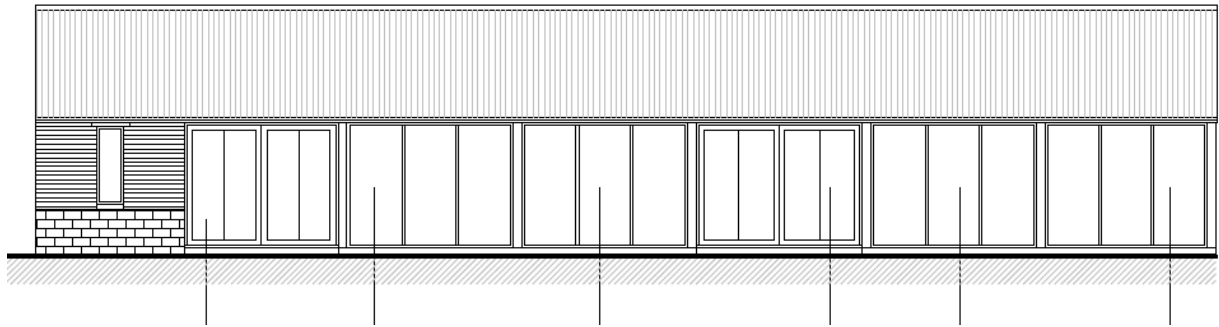
A parking area sufficient for 20 cars is proposed at either ends of the buildings and an area of decking to the south west of them. The creation of a curtilage is also apparent.

Below are the existing and proposed plans and elevations of the scheme.





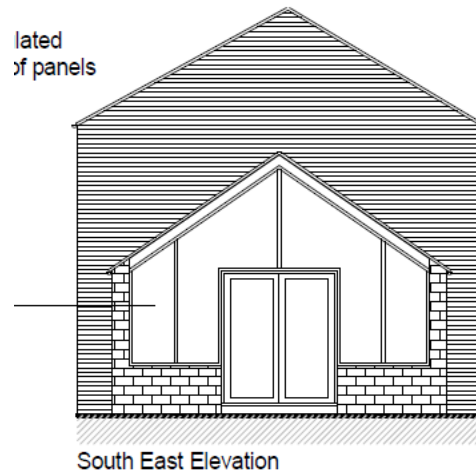
**North East Elevation Barn 1**



**South West Elevation Barn 1**



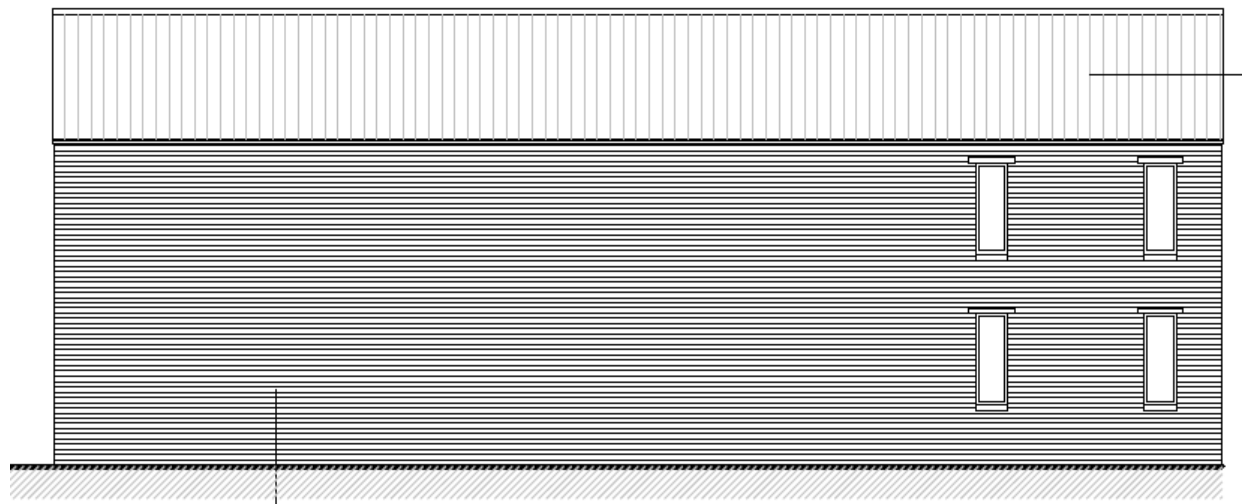
**North West Elevation Barn 1**



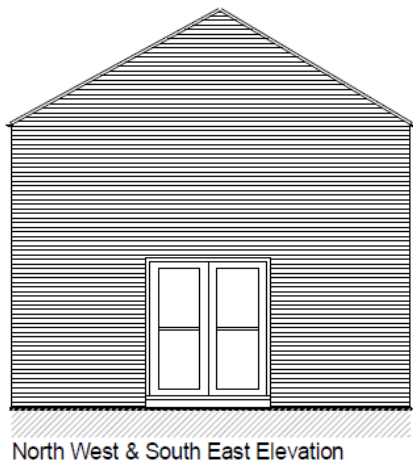
**South East Elevation Barn 1**



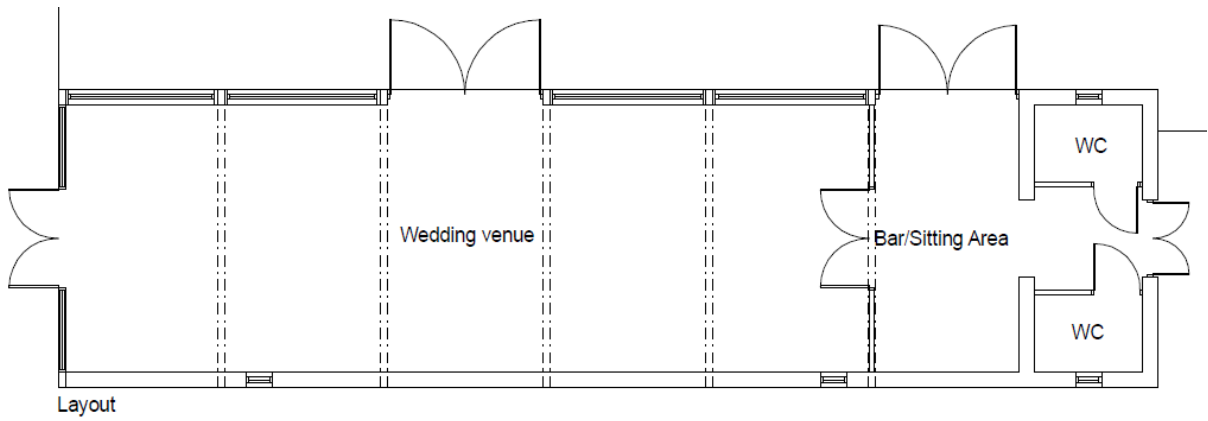
**South West Elevation Barn 2**



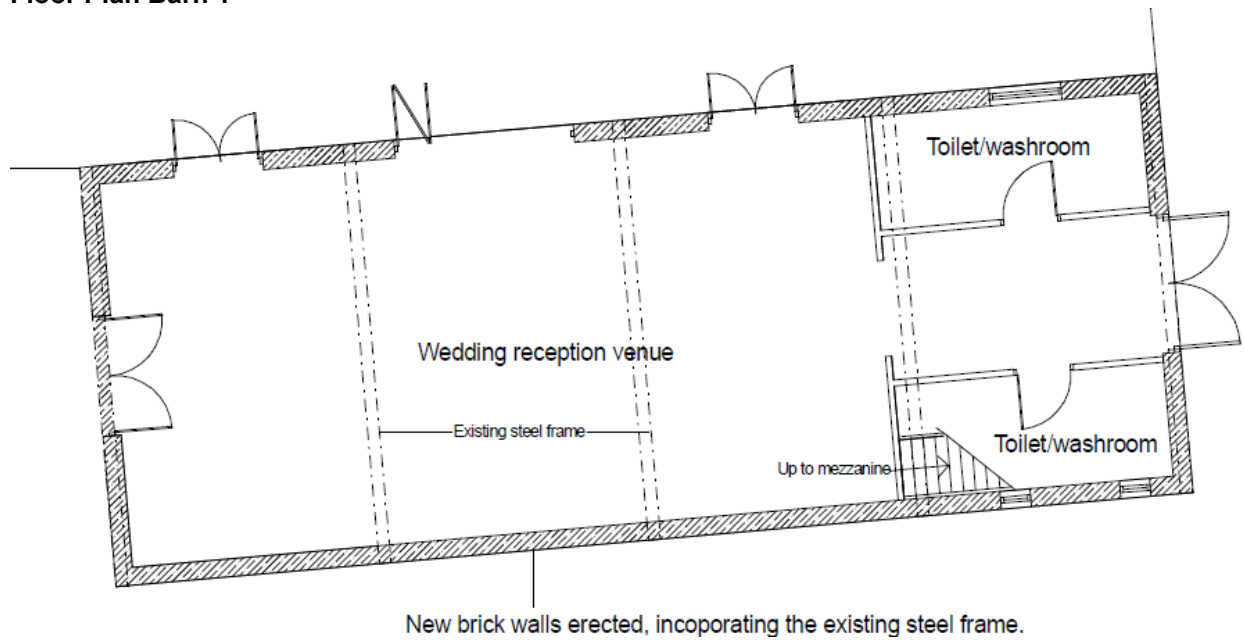
**North East Elevation Barn 2**



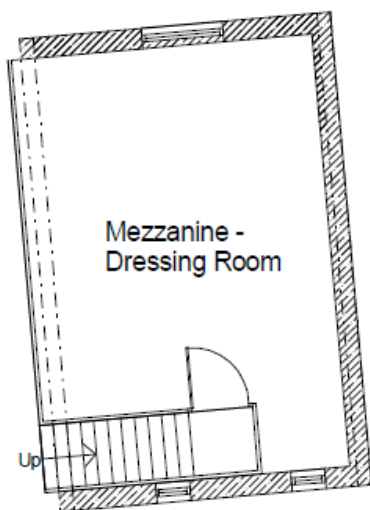
**North West and South East Elevation Barn 2**



**Floor Plan Barn 1**



**Floor Plan Barn 2**



**Mezzanine Floor Barn 2**

## **6. Planning Policy**

### Wiltshire Core Strategy 2015 (WCS):

CP 1 – Settlement Strategy

CP 2 – Delivery Strategy

CP 14 – Marlborough Community Area

CP 41 – Sustainable Construction and Low-Carbon Energy

CP 48 – Supporting Rural Life

CP 57 – Ensuring High Quality Design and Place Shaping

CP 60 – Sustainable Transport

CP 61 – Transport and New Development

CP 64 – Demand Management

### National Planning Policy Framework 2018 (NPPF)

### Supplementary Planning Guidance:

- Local Transport Plan 2011-2026 Car Parking Strategy (March 2015) – Maximum parking standards.
- North Wessex Downs AONB Management Plan

## **7. Consultations**

### Local Highway Authority

Is minded to adhere to the highway comments raised on the previous application 18/00490/FUL. For information purposes, the Highways Officer on the previous application objected on locational sustainability grounds. However, they concluded that, if minded to set aside this objection, then they would raise no technical objections to the D2 use.

### Wiltshire Council Ecology Officer

Was originally objecting to the scheme due to insufficient survey work to determine the presence of bats that may be within the vicinity of the site. After further survey work was conducted and additional information supplied to the Council's Ecology Officer, they are no longer objecting to the scheme given the scale and nature of the proposal. They have recommended conditions requesting the submission of a Construction Environmental Management Plan and a Landscape and Ecology Management Plan to maintain and protect the ecology of the site during and after construction. They also request that no external lighting is installed and that a scheme for biodiversity enhancement is submitted for approval.

### Savernake Parish Council

Savernake Parish Council has considered this application and is evenly split between objecting and supporting the application.

Those members objecting felt that the reasons given by Wiltshire Council for refusing the previous application have merit and do not believe that the current application is sufficiently different to merit approval.

Those members supporting the application feel that this proposal will help preserve jobs within the countryside and that this proposal should be approved, this support is subject to a request that if the previous consent for a Clay Pigeon Shoot which was run by a previous occupier of the farm is still valid, then as a condition of granting consent for this proposal would be that the shooting consent is cancelled. Access and egress to the site should also be off the A346 rather than the lane leading to Wootton Rivers.

## 8. Publicity

The application has been advertised by way of a site notice. There are no neighbours adjoining the site, therefore no consultations letters were required to be sent out. No comments were received as a result of this consultation exercise.

## 9. Planning Considerations

### Principle of Development

The site is located within the open countryside where under Core Policies 1 and 2 the only acceptable forms of development are those which accord with the exceptions policies listed at paragraph 4.25 of the WCS. The only relevant policy in this list would be Core Policy 48 – Supporting Rural Life. Compliance with this policy must therefore be secured if development is to be considered acceptable in principle.

Core Policy 48 of the WCS is supportive of the conversion and re-use of rural buildings for employment, tourism, cultural and community uses. The use proposed is considered to be an employment use and therefore, can be considered under this policy. This is the only relevant policy of the WCS for assessing whether the principle of the development is acceptable or not.

The policy contains a number of criteria that would need to be satisfied in order for compliance with it to be achieved. These are as follows:

- i. The building(s) is / are structurally sound and capable of conversion without major rebuilding, and with only necessary extension or modification which preserves the character of the original building; and
- ii. The use would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas; and
- iii. The building can be served by adequate access and infrastructure; and
- iv. The site has reasonable access to local services, or
- v. The conversion or re-use of a heritage asset would lead to its viable long-term safeguarding

Each of the above points will be addressed below to conclude whether or not the scheme accords with this policy.

### *Point i*

Notwithstanding the conclusions of the submitted Structural Report, the Council does not consider that the buildings are structurally sound in their present condition. The report highlights significant points in relation to each barn and it is these points that the Council considers to be alterations of a structural nature. These points were covered above in the description of the proposal. Furthermore, the report is lacking in some information, for example:

- Would the existing trusses be capable of taking the increased weight of the new roofing material (Barn 1)?
- How is lateral wind load on an open building (Barn 2) catered for when it is to be closed in? i.e. to prevent building sway (will this require further structural works?)
- Is the dished / cracked floor in Barn 1 to be replaced?

In addition to this, the report identifies in places that further work is required. For example:

- it concludes in respect of Barn 2 that “Major repair or replacement of the bottom portion of the steel columns may be required and further investigation as above is advised”;
- it states that the ridge to Barn 1 was beyond the reach of the surveyor’s ladders and needs further investigation; and

- overall it concludes that the inspection was necessarily superficial and that certain structural elements that were buried, concealed, or inaccessible were not inspected and thus it cannot be concluded that they are free from defect.

Without a full investigation it cannot be concluded at this stage that the buildings are structurally sound. It is appreciated that the applicant states that these repair works could be undertaken without the need to obtain planning permission. This is correct in so far as repair on a like for like basis is concerned. Alterations and extensions to an agricultural building require either prior approval, if the work is considered reasonably necessary for the purposes of agriculture within that unit or planning permission, if not. It is clear that the works are not reasonably necessary for the purposes of agriculture and as such require consent along with the proposed use.

Aside from the test on structural soundness, the policy also requires that only necessary extension or modification is undertaken which preserves the character of the original building. The original buildings are still in agricultural use (albeit perhaps not active), and as such, have an agrarian character. The level of works proposed in this application would not preserve the character of either of these buildings. Although it is not proposed to physically alter the size or height of the buildings, the agrarian character of the buildings will be completely lost through these significant alterations. For example, the addition of significant amounts of glazing would be a feature uncommon to an agricultural building. Furthermore, the addition of an external decking area (with inevitable table and chairs and external lighting) and two parking areas would alter the character of the land around these buildings as once again, these are not features typical of agrarian buildings and their surrounds. In addition, the decking and parking areas would create a form of artificial curtilage to the barns that does not presently exist.

The proposal is not considered to be structurally sound without requiring major rebuilding works and the result of such works would not preserve the character of the original building.

#### *Point ii*

At present, the site has an agricultural use which is very much akin to the countryside and the AONB. Agricultural buildings generally sit unassuming in the landscape as they are common within the countryside, particularly in this area where there is a rich history of farming activity. The buildings are also similar in appearance to many other agricultural buildings within the locality, albeit maybe not in the best of states. They sit isolated from the main farm complex by some 200 metres with no concrete apron around them or indeed any other form of curtilage delineation. They sit on the edge of an arable field. They are not buildings of any particular merit that contribute to the character of the landscape and as such are not really buildings the Council would be looking to preserve under Core Policy 48. The basis of this policy is primarily focused on those buildings that have merit on their own and are considered worthy within the wider landscape of protection because of their contribution to it. Notwithstanding this point, the Council takes issue with their change of use away from agricultural to a D2 use.

Changing the use of the building, modifying its external appearance and extending it will upset this balance and impact upon the character and appearance of the landscape in a harmful manner. The introduction of alien features, such as decking and large parking areas would have an urbanising effect on an otherwise largely undeveloped landscape (save for the other agricultural buildings and associated farm dwelling situated some 200-300 metres away). Given that the proposal is within the AONB, this issue is particularly important as the NPPF places great weight on the protection of the scenic quality and beauty of AONB landscapes (paragraph 115).

The primary purpose of the AONB designation itself is to safeguard the natural beauty, views and visual amenity of this highly valued landscape for current and future generations. Core Policy 51, in addition to the requirements of this policy (CP 48), seeks to ensure development proposals protect, conserve and where possible enhance landscape character. It also states that development proposals must not have a harmful impact upon landscape character.

Given the concerns expressed above, the Council does not consider the landscape character of this part of the AONB to be protected or conserved. The loss of the agrarian character of the buildings that sit in an elevated and isolated position away from the main / original farm complex would introduce a harmful character change. This change would see urbanising influences and paraphernalia associated with a wedding venue use located in and around the buildings. It would also no doubt introduce a lighting scheme into a currently unlit area. The buildings, in their elevated and isolated position, with limited development visible within their view, greatly add to a sense of rural tranquility. The fundamental character change and loss of agrarian use would lead to the loss of the sense of tranquility that this landscape is characterised by and to a degree its sense of darkness. The point of tranquility is raised in the AONB Management Plan and is a key issue that poses a threat to this part of the North Wessex Downs (the area around the Savernake Plateau). The impacts from internal and external lighting upon dark skies are also a threat to the remoteness and tranquility of the AONB as highlighted in the Management Plan.

Whilst it is appreciated that an application has been allowed within the main farm complex (16/08272/FUL), the circumstances were very different. This application allowed for the conversion of two redundant agricultural buildings to B1 and B8 use. However, these buildings did not require significant alteration; such alterations would retain the agricultural character of them, they were within the existing farm complex and had an area of hard standing around them for the parking of a limited number of vehicles. Additionally, such uses are more likely to occur in the daytime when lighting would not have an impact upon the dark skies of the AONB. Furthermore, save for the AONB designation, it would have been possible to carry out such works under the prior approval procedure. This is not the case for the buildings which are the subject of the application, whereby under prior approval only the change of use is permitted, not any external alterations etc.

In addition to the above landscape concerns, the plans of the proposal do not show any storage space for paraphernalia such as tables and chairs and it does not show any kitchen area. Furthermore, there are no office / maintenance facilities for staff who would be employed to run the place as a wedding venue. In addition to this, limited parking has been provided (20 spaces). Such a venue is likely to require a far greater level of parking when one considers the potential for half of these spaces to be used by venue staff (anticipated to be between 15-20 as stated within the D&A), caterers, bar staff, musicians etc. This would indicate that future pressures to expand the venue to accommodate these elements are likely and this would only exacerbate the visual harm.

Overall, it is considered that the proposal would detract from the character and appearance of the landscape and would thus not accord with this part of the policy. Furthermore, it would conflict with the aims of Core Policy 51 (the Council's dedicated landscape policy).

As the use would be in an isolated, open countryside location, it would not be detrimental to the amenities of any residential areas.

*Point iii*

No information has been provided to suggest the necessary infrastructure is present at the site for it to be used as a wedding venue e.g. utilities. However, there are buildings not too far away that have such infrastructure. As such, it is probable that the site could be served from these existing infrastructure points.

The implications on the adequacy of the access will be addressed later in the report by the Council's Highways Engineer.

*Point iv*

Facilities that would complement a flexible event space use e.g. hotels, taxi services and shops

are most likely to be found in Marlborough and to a lesser extent in Pewsey. Marlborough, the nearest of the two, is over 5km away. The site is located down a narrow access track that is unpaved and unlit along all of its length before it joins the A346; a 50-60mph road that is also unlit with no pavements. These conditions are not conducive to cycling or walking and the nearest bus stop is approximately 20 minutes away on foot (also having to navigate these roads). Based on these considerations, access to services within these centres would most likely be entirely by private car, the implications of which are subject to separate consideration by the Local Highway Authority. However, with regard to Core Policy 48, officers do not consider the site to have reasonable access to local services.

#### *Point v*

The building is not considered to be a heritage asset and therefore, this point of the policy is not applicable.

It is, however, recognised that national planning policy is supportive of the sustainable growth and expansion of rural businesses through the conversion of existing buildings (NPPF paragraph 83). It is noted that point d of paragraph 83 states that planning decisions should enable the development of accessible local services and community facilities to which the applicant asserts this would be, presumably to serve the hamlet of Cadley. Paragraph 84 of the Framework follows on from this to states that planning decisions should recognise the constraints of rural areas when looking to meet the needs of the communities within it (e.g. locations outside of the existing settlements in areas poorly served by public transport). These points are indeed material considerations when looking at this application and, should be weighed accordingly in the planning balance.

However, it should be strongly acknowledged that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The primacy of the development plan is enshrined throughout the NPPF. The Core Strategy contains an up-to date policy to deal with the conversion and re-use of rural buildings which accords with the broad principles contained within the NPPF. As there is identified conflict with this policy, the proposal cannot be considered to comply with the development plan as a whole and thus should not be supported in principle.

#### Highway Safety / Parking

In terms of the sustainability of the site from a transportation perspective, the Local Highway Authority has raised concerns with the proposed development due to the location and the unsustainable nature of the site in relation to access to public transport, services, and facilities. Core Policies 60 'Sustainable Transport' and 61 'Transport and New Development' of the WCS seek to ensure that new developments are located within sustainable locations and are designed to encourage the use of sustainable transport facilities. The policies aim to reduce the need to travel particularly by private car, and support and encourage the sustainable, safe and efficient movement of people. The development would not accord with the aims of these policies due to the location of the site within the countryside where there is very limited access to public transport facilities and no services within walking distance. Marlborough sits over 5km away and is the nearest centre that offers a level of service provision one would expect to support a flexible event space e.g. taxis, hotels and shops and an employment base. At just over 5km it is beyond IHT guidance for maximum walking and cycling distances, and the nearest bus stop is some 2km away on a busy 'A' road that has no footpaths or street lighting.

Whilst it is not expected that such venues should be located within the town or on the edge, they should at least be in areas where there can be some semblance of sustainable travel / access to services and facilities.

The Local Highway Authority raises no technical objections to the use of the site for a D2 use. As such, aside from the unsustainable location there are no additional highway objections to the scheme that could not be otherwise addressed through appropriate planning conditions.



### Ecological Impact

The Council's Ecologist is no longer objecting to the scheme. The applicants submitted additional information and carried out some further survey work which has now satisfied the Ecology Team. They have recommended several conditions which are highlighted above in their summary of consultation responses. In the event that the Committee wish to approve the application, officers consider that these conditions should be imposed to adequately mitigate against the impacts to the ecology of the area, notably, Annex II bat species which are of higher conservation concern.

### Other Issues

The applicant has stated that permission was given for a flexible events space at Rushall Organics under application reference 15/04047/FUL, and that scheme was very similar to this. It is therefore alleged that there has been an inconsistent application of policy. However, a significant difference of the scheme is that at Rushall Organics, the building was considered to be structurally sound and capable of conversion. The application before this committee is not considered to be structurally sound nor is it capable of conversion without major rebuilding work. This site was also not in the AONB and therefore landscape considerations were very different.

In addition to this, it would appear that the converted building at Rushall Organics was primarily intended to be used in relation to existing activities at the farm (e.g. fishing, shooting, orienteering and nature trails) i.e. improving facilities to an existing business venture that already attracted people to the site. In contrast, this particular proposal is for a new use rather than building on established activities at the farm. Furthermore, applications should be determined on their individual merits on a case-by-case basis. Precedent alone is not a reason to grant planning permission.

### **10. Planning Balance / Conclusion**

In principle, the scheme conflicts with Core Policy 48 because the buildings are not structurally sound or capable of conversion without major rebuilding work, and because they are not located in a reasonably sustainable location to access local services and facilities. Due to the unsustainable nature, the proposal also conflicts with Core Policies 60 and 61 of the WCS. Significant weight should be given to the conflict with these policies as they form part of the statutory development plan which by law planning applications must be determined in accordance with.

It is acknowledged that the NPPF is supportive of the sustainable growth and expansion of rural businesses (paragraphs 83-84) and this should indeed be a material consideration. However, the Council, for reasons aforementioned above, does not consider this to be a sustainable location for a D2 use and this somewhat tempers this point of the Framework where the focus is on 'sustainable growth'. Whilst we have seen a revised NPPF (published July 2018) since the adoption of the WCS, this point has not changed from the 2012 version which, was the version the WCS and its policies was tested against for conformity. CP 48 is therefore still a sound policy in accordance with the NPPF and accordingly, conflict with development plan policy is not outweighed by this material consideration. Most importantly, the NPPF still advocates the primacy of the development plan.

In landscape terms, it is appreciated that the countryside is a living and working community and that farms do need to diversify to ensure ongoing viability etc. As such, the Council is mindful that a balance need to be struck between the interests of farming, and the primary purpose of the AONB designation itself (to safeguard the natural beauty, views and visual amenity of this highly valued landscape for current and future generations). In this case, it is considered that the right balance has not been struck. The Council has identified that significant harm would result to the landscape character of the area contrary to the requirements of Core Policies 48 and 51 of the WCS. This landscape harm is not outweighed by the merits of the re-use of the buildings in the interests of farm diversification. Significant weight should also be attributed to this conflict. Furthermore, it should be noted that other buildings within the main farm complex have been

allowed to be converted to non-agricultural uses as enabling the farm to diversify and maintain viability.

Ecologically, the impacts of the development can be adequately mitigated for through the use of appropriate planning conditions as outlined in this report.

The policies of the development plan that the scheme is in conflict (CP 48, 51, 60 and 61) are not aspirational or desirable requirements, they are in fact, fundamental to ensuring the Council delivers a sustainable pattern of development across Wiltshire. It is therefore imperative that they are adhered to in order ensure the Core Strategy can deliver its spatial strategy and vision – allowing this development would undermine this. Clear and evidential conflict, as identified above, with these policies means that the scheme cannot be considered to comply with the development plan as a whole. Material considerations, including the policies contained within the NPPF do not indicate a decision should be made otherwise. Accordingly, the scheme should be refused in line with the concerns raised above.

#### **RECOMMENDATION:**

That planning permission be refused for the following reasons:

1. The buildings are not structurally sound and capable of conversion without major rebuilding work. By virtue of the proposed use of the building and the changes sort under this application, the scheme is not considered to preserve the character of the original building and would detract from the character and appearance of the landscape. Furthermore, the site does not have reasonable access to local services. As such, the scheme does not accord with the points i, ii and iv of Core Policy 48 of the Wiltshire Core Strategy 2015.
2. The proposal by virtue of the change of use, the loss of the agrarian character through significant rebuilding works and the external changes to the site would have a significantly harmful impact upon the character and appearance of this part of the North Wessex Downs AONB. As such, the scheme is not considered to protect, conserve or enhance landscape character and is therefore contrary to Core Policy 51 of the Wiltshire Core Strategy 2015 and to central government policy contained within the National Planning Policy Framework 2018, notably, paragraph 172 that places great weight on the importance of conserving AONB landscapes.
3. The proposal by virtue of its isolated rural location, remote from any nearby service centre and remote from access to public transport facilities means it is considered to be in an unsustainable location. The scheme is therefore considered contrary to Core Policies 60 and 61 of the Wiltshire Core Strategy 2015 which seek to ensure development is in accessible locations where reliance of the private car can be reduced, and to central government policy contained within the National Planning Policy Framework 2018.