

## **WILTSHIRE COUNCIL**

### **SOUTHERN AREA PLANNING COMMITTEE** **13<sup>th</sup> May 2010**

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#### **Lavender Farm, Giles Lane, Landford**

#### **Purpose of Report**

1. To update the Committee in respect of investigations undertaken by the enforcement team into the use of this site.

#### **Background**

2. Members will recall that at the meeting on 18<sup>th</sup> February 2010, after consideration of planning application reference S/2009/0900, Officers were requested to ascertain whether there had been a material change of use of the site from agriculture to include a visitor centre, in the light of issues raised by Landford Parish Council, summarised as follows:
  - Increase in vehicle numbers on Giles Lane;
  - Use of the drying room as a café/tearoom;
  - Change of use of the land to a visitor centre;
  - Buildings constructed without permission.

#### **Officer Update**

3. Whether a material change of use to a mixed use including use as a visitor centre has taken place, is not a straightforward matter to determine and will be a matter of fact and degree in every case.

The authorised use of the site is for agriculture and the lavender farm falls within this ambit. In the same vein as many farm shops, the sale of goods produced at this site does not require planning permission, being ancillary to the agricultural use of the land.

Matters such as the facilities expressly provided for visitors, their scale in comparison with the rest of the site, together with the length of time the site is open to the public, the range of goods and services available number of cars and visitors attracted, can all be relevant factors in determining whether a material change of use has occurred.

During the investigation, the owner confirmed that the lavender drying building is still used for this purpose, but is also used as a shop for goods

produced on the holding and sales of refreshments (including café facilities) during peak visitor periods.

The owner also states that the site is open to visitors between April and October. They do not charge entry so actual visitor numbers are not recorded. However the numbers are understood to fluctuate according to the season. Visitors see the lavender growing, are able to smell and taste it and this encourages the purchase. The café sells a limited range of refreshments including homemade cakes and soup. A small hardstanding (8-10 spaces) is available for staff and visitor parking, but is also used for farm deliveries and storage of farm equipment when the site is not open to visitors. Persons employed at the site have a range of duties including maintenance, lavender production and selling/serving refreshments.

As stated in the officer report in respect of S/09/0900, all the above would tend to suggest that, as a matter of fact and degree, the current scale of 'visitor' activity is ancillary to the use of the site for agriculture. No material change of use therefore appears to have taken place at this time, the nature and scale of the ancillary use being very much akin to the 'farm shop' example mentioned above.

## **Conclusions**

4. In view of the above, it is recommended that no further action can reasonably be taken at this stage as it would appear that there is no breach of planning control at the site. However, this conclusion will be reviewed in the event of any material change in circumstances from those described above being brought to the Council's attention. The owner has also been advised that planning permission is likely to be required in the event that the 'visitor' side of the business grows significantly as it is much more likely that a material change of use will then have taken place.

## **Proposal**

That the contents of the report be noted

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Report Author:

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Date of report 13<sup>th</sup> May 2010

## **Background Papers**

The following unpublished documents have been relied on in the preparation of this report:

None

**Appendices**

None

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