

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	23.01.2013		
Application Number	W/12/02210/FUL		
Site Address	Land South West Of Huntenhull Farmhouse Huntenhull Lane Chapmanslade Wiltshire		
Proposal	Retrospective application for erection of a tractor shed		
Applicant	Mr C Thomas		
Town/Parish Council	Chapmanslade		
Electoral Division	Warminster Without	Unitary Member:	Fleur De Rhe-Philippe
Grid Ref	382452 147468		
Type of application	Full Plan		
Case Officer	Jemma Boustead	01225 770344 Ext 01225 770211 Jemma.Boustead@wiltshire.gov.uk	

REASON FOR THE APPLICATION BEING CONSIDERED BY THE PLANNING COMMITTEE

Councillor de Rhe Philippe has requested that the application be called to the Planning Committee for the following reasons:

Scale of Development
Visual Impact upon the surrounding area
Design

1. Purpose of Report

To consider the above application and to recommend that planning permission be granted.

Neighbourhood Responses-

Ten letters of objection were received
Two letters of support

Parish Council Response – Objects for the reasons stated in section 7 below.

2. Report Summary

The main issues to consider are:

- design issues and impact upon the immediate area
- impact on amenity
- highway and access considerations

3. Site Description

The site is located south west of Huntenhull Farmhouse which is located within Chapmanslade but outside the village boundary. The site is also located within a special landscape area, special advertisement control area and within a groundwater source protection zone. There is a bridleway located south of the site in question.

4. Relevant Planning History

There is no relevant planning history related to the erection of a tractor shed

5. Proposal

The application seeks retrospective planning permission for the erection of a tractor shed which is to house a tractor, trailer and will also allow for further storage. It is built with timber under a pan tile roof. Due to the size of the holding the building would not have been considered to be permitted development under Part 6 of the General Permitted Development Order.

6. Planning Policy

West Wiltshire District Plan 1st Alteration 2004:

C1 Countryside Protection

C3 Special Landscape Area

C31a Design

C38 Nuisance

R11 Footpaths and Rights of Way

National Planning Policy Framework (NPPF) requires development that is sustainable and in accordance with the policies of the development plan to be approved, unless material considerations indicate otherwise.

7. Consultations

Chapmanslade Parish Council - object, for the reasons set out below.

- * The building is too big for the indicated uses and is within a special landscape area.
- * This building has been constructed without planning permission and without Wiltshire Council or Parish Council seeing detail. e.g. Is there foul drainage.
- * The council found this surprising as Mr Thomas has in all other aspects of recent planning, been very mindful of aspects of conservation.

8. Publicity

The application was advertised by site notice and neighbour notification. Expiry date: 8th January 2013

10 letters of objection have been received with the following comments:

- * Noise from the building is a hazard to horse riders.
- * It can be seen from the bridleway, footpaths and the road and is out of keeping and has changed the character of the right of way due to the shading.
- * It is in the wrong place, is oversized in bulk massing and design for the intended use and should be located next to the house and smaller.
- * It is not a shed, its a barn and they only have a ride on mower
I wouldn't be surprised if an application were submitted for it to be used as a house as it has a pan tile roof.
- * No evidence to support the location and no business plan.
- * How stable are the foundations, will the earth subside and cause an accident to the bridle way.
- * Plans are very poor.
- * Roads have been laid without planning permission. Anybody would know that planning permission would be required.
- * If the application is approved the system needs an urgent review
Orchard Landscape has been totally changed – decking and buildings have been erected and is now not an orchard.
- * Overbearing, out of scale and character.
- * No need for a tractor due to the size of the holding.

- * Detrimental impact upon the Special Landscape Area
- * Trees were felled prior to the building being erected

2 letters of support have also been received with the following comments:

- * I use the lane regularly and the shed can hardly be seen.
- * It is in-keeping.
- * Most of the people objecting do not live in the village.
- * The shed is relatively small and neatly tucked away behind the telephone exchange.
- * The construction from wood with a tiled roof are relatively aesthetically pleasing and not out of keeping.
- * I use the bridleway regularly and barely notice the building

9. Planning Considerations

9.1 PRINCIPLE

Policy C1 seeks to protect the open countryside and states that development proposals in the open countryside will not be permitted, other than those which encourage diversification of the rural economy and rural recreation, unless there is an agricultural, forestry or other overriding justification such as essential transport improvements, schemes of national importance or overriding benefit to the local economy. The tractor shed which is to be used in conjunction with an existing agricultural holding and therefore in principle is considered to be appropriate.

9.2 DESIGN ISSUES & IMPACT UPON THE WIDER AREA

C31a relates to design and states that proposals for new development on sensitive sites will be required to comply with the following criteria:

- Pay particular attention to proportion, composition, form, massing and scale;
- Utilise high quality materials, finishes, and details;
- Integrate landscaping into the design as appropriate;
- Minimise the visual impact of roads, vehicles and parking areas.

The tractor shed is built with timber under a pan tiled roof which is considered to be appropriate to its rural setting. The tractor shed makes provision for two vehicles and a storage area which are to be used to store agricultural machinery required to maintain the fields associated with the farm. Machinery includes a tractor, topper and trailer and therefore the size is considered to be appropriate.

The shed is located to the south west of the site adjacent to existing trees and as such has been built to integrate into the existing landscape. Views of the building from the highway and bridleway are minimal. Therefore Officers consider that the application complies with Saved Policy C31a.

The site is also located within The Corsley Heath to Chapmanslade Greensand Ridge Special Landscape Area which Saved Policy C3 seeks to protect and states that development will not be permitted which is considered to be detrimental to the high quality of the landscape. Proposals for development essential to the social and economic well-being of the rural community or desirable for the enjoyment of its amenities will be permitted having regard to highways, access, scale, design, materials, location, siting, landscaping and other appropriate environmental considerations. With this policy in mind it is considered by Officers that the tractor shed would not be detrimental to the existing landscape for the reasons sited above and as such is considered to comply with Saved Policy C3.

9.3 IMPACT UPON AMENITY

Due to the location of the proposed tractor shed away from any residential properties it is considered that the proposal would not have an adverse impact upon neighbouring amenity in terms of overlooking or overshadowing and would not result in an unacceptable increase of traffic generation and therefore complies with Policy C38.

A concern raised through the public consultation is noise from the building which has spooked some horses using the bridleway. It is acknowledged that there may have been a slight increase in noise due to the erection of a building, however it should be remembered that a tractor can be parked in the same location and could be used on the site without any planning permission and therefore any increase in noise is not considered to be sufficient to warrant a refusal reason.

9.4 ACCESS AND HIGHWAYS

Access to the tractor shed is via an existing gateway, however it is important to note that no vehicular access would be required as the shed is to store a tractor with its associated trailers and attachments. As such the tractor would leave and enter the shed across existing fields which is not an uncommon agricultural practice.

To the south of the site runs an existing bridleway and Saved Policy R11 seeks to protect and enhance public rights of way. It is important to note that this policy does not protect views from a public right of way of bridleway. It is acknowledged that the tractor shed can be seen from the existing bridleway but this does not make the building inappropriate. Officers consider that the shed is appropriate to its rural setting and does not interfere with the bridleway and therefore complies with Saved Policy R11.

9.5 OTHER

Other concerns raised through the public consultation are that a future application may be submitted in the future for residential. This application is for a tractor shed and any subsequent planning applications that may be submitted will be dealt with on their own merits and in accordance with planning policy.

A further concern relates to roads being laid without planning permission. Whilst the roads formed part of the enforcement complaint, the Local Planning Authority has been advised that the areas that were laid to roads will be grassed over at an appropriate time of the year and this will be monitored by the enforcement team. The roads highlighted do not form part of this application.

It was also noted by the consultation that trees were felled prior to the construction. Consent is only required for the felling of trees if they are protected by a tree preservation order or if they are located in a conservation area. The site in question does not fall under these categories and as such consent would not be required.

Recommendation: Permission

For the following reason(s):

The decision to grant planning permission has been taken on the grounds that the development does not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework and the following policies and proposals in the West Wiltshire District Plan 1st Alteration 2004 namely Saved Policies C1, C3, C31a, C38 and R11.

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Appendices:	
Background Documents Used in the Preparation of this Report:	