

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	23.01.2013		
Application Number	W/12/02185/FUL		
Site Address	Land North East Of Stable Cottage Huntenhull Lane Chapmanslade Wiltshire		
Proposal	Erection of an agricultural barn and retrospective hardstanding area		
Applicant	Miss S Snook		
Town/Parish Council	Chapmanslade		
Electoral Division	Warminster Without	Unitary Member:	Fleur De Rhe-Philippe
Grid Ref	382512 147612		
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 Rhe-Philippe has requested that the application be called to the Planning Committee for the following reason:

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

Seven letters of objection were received
Eleven 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 north east of Stable Cottage 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.

4. Relevant Planning History

W/12/01833/FUL – Erection of an agricultural barn – Refused 06/11/2012 for the following reason:

The proposed development, by reason of its siting and size in this location would be visually intrusive and would cause unacceptable harm to the character and appearance of the landscape in this part of the Special Landscape Area. This would conflict with policies C1, C3 and C31a of the West Wiltshire District Plan 1st Alteration 2004 and advice contained within the National Planning Policy Framework.

W/12/00639/AGD – Erection of a barn – Prior Approval Required 01/05/2012 with the following reason:

A Prior Approval application will be required to determine the siting, design and external appearance of the building as under the conditions of Part 6 Class A of the Town and Country Planning (General Permitted Development) Order 1995.

W/11/00040/FUL – Erection of an agricultural building and retention of hardstanding – Refused 03/08/2011 at appeal for the following reasons:

The size of the proposed barn is 222 square metres and the agricultural consultant employed by the Council states that there is a requirement for a barn measuring at maximum 115 square metres and as such the proposed barn is not reasonably necessary for the purposes of agriculture and is contrary to Policy C1. The barn is also located on higher ground along a new track which is away from the road and appears isolated. The barn would also be visible from public footpaths. In conclusion the proposed barn due to its size, bulk and isolated location would result in an obtrusive and discordant element that would be harmful to the character and appearance of the area and the special landscape area.

5. Proposal

The application seeks planning permission for the erection of a barn and retrospective planning permission for the hardstanding.

Following extensive negotiations with the Local Planning Authority and the applicant, and in response to the Inspectors decision the proposed barn has been re-located to be sited in comparison to existing buildings and the existing road (Huntenhull Lane) to reduce its impact upon the open countryside and the size of the barn (111 square metres) is now in accordance with the agricultural consultants opinion that the barn should be no larger than 115 square metres.

It is also important to note that the barn would not be permitted development under Part 6 of the General Permitted Development Order as it is located within 25 metres from a classified road.

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 proposed building is still too large for the implied purpose – too high and floor space too great. The proposed application is sited within a Special Landscape Area and a building of the size proposed would have detrimental impact on this sensitive part of the Parish

Within the Design and Access Statement the size of the site continues to be over stated

The council are concerned that permission for a building of this size will result in the use of a commercial livery.

ENVIRONMENTAL HEALTH OFFICER

No objection. It is noted there is an intention to use part of the building for lambing and as an infirmary for sheep. The first activity is seasonal and short term and I can see that the number of sheep is kept is low; the second activity is very unlikely to cause any loss of amenity. I would agree a condition prohibiting the housing of livestock would be appropriate.

8. Publicity

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

Summary of points raised

Neighbourhood Responses – 7 letters of objection have been received with the following comments:

- * Overly large for the agricultural needs of the plot and the height of 4.2 metres seems excessive.
- * Appearance is not in-keeping – it looks more like an industrial barn.
- * The siting is at the bottom of a hill which contains a water source spring and surface water run off from the fields and the lane is frequently extreme – a full drainage survey is required.
- * Plans are poor.
- * Possible overshadowing to neighbouring properties.
- * Huntenhall lane is very busy.
- * More sensible location.
- * Existing buildings are not shown on the plans.
- * Why do they need another barn.
- * Materials should be more in-keeping.
- * The genuine comments for this application are from the people who live here. The supporting comments appear to come from people who do not live in Chapmanslade.
- * Proposed hedge could result in overshadowing to neighbouring properties.

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

- * The proposed building is very attractive and it would benefit the farmer and the local community.
- * A barn is essential for a farmer.
- * The barn will provide essential rural employment.
- * It will blend into the existing landscape.
- * It will be unobtrusive to neighbours.

9.0 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 proposed barn is to be used in conjunction with an existing agricultural holding for the storage of bedding, food and equipment, lambing and sheep sheering and is in line with the agricultural consultant that a building measuring a maximum of 115 square metres is reasonably necessary for the purposes of agriculture. Therefore the proposed barn is considered to comply with Saved Policy C1.

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 proposed barn is to be built with concrete blocks up to a height of 1.5 metres and then profiled metal sheeting in dark green. Concrete blocks and green profiled metal sheeting are common materials used for agricultural buildings and therefore is considered to be appropriate.

The size of the building has been confirmed as necessary by the Local Planning Authorities Agricultural Professional in a previous planning application. The barn is located adjacent to Huntenhull Lane behind an existing hedge which will partially screen the building however it will still be visible from some public vantage points including the road.

The impact the building will have on its immediate surroundings will be minimised as it will be seen close too existing buildings, partially screened and not on its own. Therefore, Officers consider that the proposal complies with Saved Policy C31a. It will be important to condition a sample of materials to be viewed prior to the commencement of works.

The site is 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 that the proposed barn may have a minimal impact upon the Special Landscape Area however it would not be detrimental to it for the reasons sited above and as such is considered to comply with Saved Policy C3.

It is important to note that the plans show the existing hedge to be increased in height. This is not something that can be controlled by planning legislation.

9.3 IMPACT UPON AMENITY

The application states that the proposed barn will only be used for lambing and sheep shearing and in accordance with the General Permitted Development Order a condition can be attached to any permission to state that the building should only be used for livestock for lambing purposes. This will ensure that the barn is not used for the permanent housing of livestock. The Councils Environmental Health Officers have no objection subject to the said condition being attached.

Officers considered that the proposed barn which is located approximately 32metres away from the nearest residential property would not have an impact upon neighbouring amenity in terms of overshadowing. The proposal therefore complies with Saved Policy C38.

9.4 ACCESS AND HIGHWAYS

Access to the proposed barn is via an existing gateway onto an existing hard standing which has been laid without planning permission, however the access and hard standing are both considered to be appropriate.

9.5 OTHER

It is also important to note that there are existing container buildings on site which are unlawful. The applicant has explained that once a barn is erected they will be able to remove the storage containers. This is being closely monitored by the Planning Enforcement Team and a planning condition is attached to ensure their removal within 3 months.

Recommendation: Permission

For the following reason(s):

The decision to grant planning permission has been taken on the grounds that the proposed development would 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 and C38.

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 through pre-application negotiations.

- 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 The development hereby permitted shall be carried out in accordance with drawing numbers 1, 2, 3, 4 received on 23rd November 2012.
- 3 Within 3 months of the barn hereby approved first being put into use the storage containers shall be removed from site unless otherwise agreed in writing by the Local Planning Authority.

Reason: Due to the impact the storage containers have on the Special Landscape Area having regard to Saved Policy C3 of the West Wiltshire District Plan 1st Alteration 2004.

- 4 The building hereby approved shall not be used for the permanent accommodation of livestock. No livestock shall be temporarily housed in the building unless the need for temporary accommodation arises from (i) quarantine requirements; or (ii) lambing; or (iii) in the case of animals normally kept out of doors, they require temporary accommodation in a building or other structure- (aa) because they are sick; or (bb) to provide temporary shelter against extreme weather conditions.

Reason: the use of the building for the permanent housing of livestock would require further detailed consideration due to its location close to neighbouring properties having regard to the provisions of Saved Policy C38 of the West Wiltshire District Plan 1st Alteration 2004

- 5 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 having regard to Saved Policy C31a of the West Wiltshire District Plan 1st Alteration 2004.

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