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Supporting Statement in relation to the erection of a cubicle shed

Upper Farm, Cherhill

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Project	Upper Farm
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Contents

1 Introduction 3
2 Site and Planning History 3
3 The Proposed Development 4
4 Planning Policy Context 5
National Planning Policy Framework 5
Wiltshire Core Strategy (2015) 6
5 Planning Considerations 11
Principle of Development 11
Other Material Considerations 15
6 Heritage Statement 15
7 Conclusions 18

1 Introduction

1.1 JMI Planning is a Midlands based town planning consultancy. Its directors are chartered town planners with over 30 years' combined experience in both the public and private sector.

1.2 The author of this statement, Jon Imber, has worked as both a development control and forward planning officer in local government, and more recently as a senior planning consultant in the private sector. He has extensive knowledge of the planning system and experience of the appeals process. He is a member of the Royal Town Planning Institute.

1.3 This statement is to be read in conjunction with the Agricultural Appraisal prepared by The Dairy Group, a consultancy with significant expertise in schemes of this nature.

2 Site and Planning History

2.1 The application site forms part of a working dairy farm at Upper Farm, which lies on a hillside approximately 0.5km north of the village of Cherhill.

2.2 The site lies immediately west of the existing farmyard and slurry lagoon. It is otherwise surrounded by agricultural land farmed by the applicant. There is a dwelling associated with the agricultural unit to the north. The nearest dwelling not associated with the farm lies approximately 0.5km to the south.

2.3 Land levels rise from south to north. The site is set within a wider landscape context of undulating countryside.

2.4 In April 2023 prior approval was granted by the local planning authority for cow

housing (LPA reference PL/2023/02411). This permission has yet to be implemented.

2.5 The site and its surroundings are shown on the following photograph.



3 The Proposed Development

3.1 Upper Farm is a 467 hectare dairy enterprise farmed by the applicant. The farmyard currently accommodates around 300 dairy cows plus youngstock replacements. However, much of the dairy cow housing is outdated and in need of modernisation.

3.2 The applicant's business plan objective is to run an efficient well managed dairy herd. Key to achieving this objective is the provision of the best facilities for the herd to

ensure that it reaches its full potential. At present the enforced use of older buildings at the farm is compromising the applicant's ability to meet this objective.

3.3 It is therefore proposed to erect high welfare cow housing adjacent to the existing farmyard. The building will adjoin the scheme granted prior approval in April 2023.

3.4 The proposed building measures 32.41 metres wide by 48.15 metres long. It has a ridge height of 7.88 metres. The building is to be finished in a mixture of concrete panels and Yorkshire boarding with a fibre cement roof. The building has been designed to ensure spacious bedded yard area and excellent ventilation.

3.5 The Dairy Group has secured similar high welfare cow housing for other clients, which has delivered significant benefits both in terms of the welfare of their herds and the efficient operation of their holdings.

3.6 The high welfare cattle housing is to be built in three phases. Each phase is subject of a separate planning application.

4 Planning Policy Context

National Planning Policy Framework

4.1 Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. It explains that in the context of decision taking, this means approving proposals that accord with the development plan without delay.

4.2 Paragraph 81 of the NPPF prescribes significant weight to the need to support economic growth and productivity.

4.3 Paragraph 84 of the Framework supports the sustainable growth and expansion of all types of business in rural areas through both the conversion of existing buildings and the provision of well-designed new buildings. It specifically supports the development of agricultural and other land based rural enterprises.

4.4 Paragraph 174 of the Framework states that the planning system should contribute to and enhance the natural and local environment by 'protecting and enhancing valued landscapes'.

4.5 Paragraph 177 of the NPPF attaches great weight to conserving landscape and natural beauty within an AONB. It states that major development proposals within such areas should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest. In *Aston v Secretary of State for Communities and Local Government* [2013] EWHC 1936 (Admin), Wyn Williams J rejected the submission that the definition of "major development" in paragraph 116 of the NPPF was the same as that in the Town and Country Planning (Development Management Procedure) Order 2010.

4.6 Section 16 of the NPPF relates to heritage assets. Relevant paragraphs are considered in further detail in the Section 6 of this statement which assesses the impact of the proposals upon the setting of the listed Lansdowne Monument.

Wiltshire Core Strategy (2015)

4.7 Core Policy 2 of the Wiltshire Core Strategy restricts development beyond settlement boundaries other than where specifically allowed for by other policies.

4.8 Core Policy 34 states "*Outside the Principal Settlements, Market Towns and Local Service Centres, developments will be supported that:*

i. are adjacent to these settlements and seek to retain or expand businesses currently located within or adjacent to the settlements; or

ii. support sustainable farming and food production through allowing development required to adapt to modern agricultural practices and diversification; or

iii. are for new and existing rural based businesses within or adjacent to Large and Small Villages; or

iv. are considered essential to the wider strategic interest of the economic development of Wiltshire, as determined by the council.

Where they:

a. meet sustainable development objectives as set out in the polices of this Core Strategy and

b. are consistent in scale with their location, do not adversely affect nearby buildings and the surrounding area or detract from residential amenity and

c. are supported by evidence that they are required to benefit the local economic and social needs and

d. would not undermine the delivery of strategic employment allocations and

e. are supported by adequate infrastructure."

4.9 *"**Core Policy 51***

Landscape

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. Proposals should be informed by and sympathetic to the distinctive character areas identified in the relevant Landscape Character

Assessment(s) and any other relevant assessments and studies. 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, fi eld 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.

iv. 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.

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.

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. Proposals for development outside of an AONB that is sufficiently prominent (in terms of its siting or scale) to have an impact on the area's special qualities (as set out in the relevant management plan), must also demonstrate that it would not adversely affect its setting."

4.10 "***Core Policy 57***

Ensuring high quality design and place shaping

A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality. Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through:

i. enhancing local distinctiveness by responding to the value of the natural and historic environment, relating positively to its landscape setting and the existing pattern of development and responding to local topography by ensuring that important views into, within and out of the site are to be retained and enhanced

ii. the retention and enhancement of existing important landscaping and natural features, (e.g. trees, hedges, banks and watercourses), in order to take opportunities to enhance biodiversity, create wildlife and recreational corridors, effectively integrate the development into its setting and to justify and mitigate against any losses that may occur through the development

iii. responding positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting

iv. being sympathetic to and conserving historic buildings and historic landscapes

v. the maximisation of opportunities for sustainable construction techniques, use of renewable energy sources and ensuring buildings and spaces are orientated to gain maximum benefit from sunlight and passive solar energy, in accordance with Core Policy 41 (Sustainable Construction and Low Carbon Energy)

vi. making efficient use of land whilst taking account of the characteristics of the site and the local context to deliver an appropriate development which relates effectively to the immediate setting and to the wider character of the area

vii. having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter)

viii. incorporating measures to reduce any actual or perceived opportunities for crime or antisocial behaviour on the site and in the surrounding area through the creation of visually attractive frontages that have windows and doors located to assist in the informal surveillance of public and shared areas by occupants of the site

ix. ensuring that the public realm, including new roads and other rights of way, are designed to create places of character which are legible, safe and accessible in accordance with Core Policy 66 (Strategic Transport Network)

x. the sensitive design of advertisements and signage, which are appropriate and sympathetic to their local setting by means of scale, design, lighting and materials

xi. taking account of the needs of potential occupants, through planning for diversity and adaptability, and considering how buildings and space will be used in the immediate and long term future

xii. the use of high standards of building materials, finishes and landscaping, including the provision of street furniture and the integration of art and design in the public realm

xiii. the case of major developments, ensuring they are accompanied by a detailed design statement and masterplan, which is based on an analysis of the local context and assessment of constraints and opportunities of the site and is informed by a development concept, including clearly stated design principles, which will underpin the character of the new place

xiv. meeting the requirements of Core Policy 61 (Transport and New Development).”

5 Planning Considerations

Principle of Development

5.1 The proposals involve development in a rural area outside of any settlement boundary. Core Policy 2 of the Core Strategy restricts development in such locations to that specifically allowed for by other development plan policies.

5.2 Core Policy 34 of the Core Strategy sets out a number of categories of development supported outside of the county’s principal settlements, market towns and local service centres. One such category is “*sustainable farming and food production*” including “*development required to adapt to modern agricultural practices and diversification*”.

5.3 The proposals relate to the provision of an agricultural building on an established agricultural holding. The accompanying agricultural appraisal sets out a justification for the proposed development based upon the operational needs of the holding. In summary, this is clearly a substantial enterprise and stocking levels on the unit are such that the applicant is forced to press older buildings with outdated design and poor ventilation into use. These buildings are not conducive to high standards of animal welfare and their enforced use compromises the efficient working of the holding. It is therefore clear that the proposed building is reasonably necessary for the purposes of agriculture on the holding.

5.4 There are no other buildings on the holding with sufficient floorspace or of a suitably high standard that could be re-used to meet the essential functional need which the proposals seek to address.

5.5 The broad principle of the proposed development is therefore compliant with Policy CP34, and by association Policy CP2, of the Wiltshire Core Strategy.

5.6 Having passed the first test of Core Policy 34, the proposals fall to be considered against five criteria set out within the second part of the policy. Compliance with these five criteria is considered in the following paragraphs.

5.7 Criterion (a) of Core Policy 34 requires that development proposals are sustainable. The NPPF identifies three components to sustainable development: environmental; economic and social. The building is sustainably sited adjacent to the existing farmyard where the applicant's dairy herd is based. The development will ensure the ongoing viability of the agricultural enterprise and ensure that the farm can continue contributing to the food supply chain. The proposed development is therefore sustainable in environmental, social and economic terms and complies with Criterion (a) of Core Policy 34 of the Wiltshire Core Strategy.

5.8 Criterion (b) of Policy CP34 requires that new development does not detrimentally affect the character or appearance of its surroundings or the amenities enjoyed by neighbours.

5.9 The landscape context of the application site is a rural one, characterised by rolling countryside interspersed with farmsteads and small settlements.

5.10 The proposals involve the erection a modern agricultural building, the form of which reflects its function. These are prevalent within the wider landscape setting of the application site. The proposals will not therefore introduce an alien feature into their landscape context.

5.11 The scale of the proposed development is commensurate with the operational needs of the holding and the applicant's business model of achieving the highest standard of animal welfare.

5.12 The siting of the proposed cattle housing has been carefully chosen to minimise its visual impact. The building adjoins the forthcoming cow housing granted prior approval in April 2023 and is in close proximity to existing agricultural buildings of similar character and appearance within the farmyard to the west. The proposed building would therefore be viewed in the context of similar development and would not appear alien, isolated or unduly prominent.

5.13 The site is well screened from public vantage points within the village to the south, but is visible from rising ground on the opposite side of the valley towards the Cherhill White Horse and the Lansdowne Monument. From these vantage points the impact of the proposals is diminished by range. They would be seen in the context of the existing farmyard and would be viewed as a logical extension of it. It is also pertinent that they would be viewed against the backdrop of rising ground and woodland and would not therefore punctuate the horizon. The proposed building would therefore be well screened from more distant vantage points and would not appear unduly prominent within the landscape.

5.14 The proposals would not therefore appear out of keeping with their rural surroundings and would not harm the character or appearance of this rural landscape. The proposals therefore comply with Core Policies 51 and 77 of the Wiltshire Core Strategy.

5.15 The proposed building lies approximately 500 metres from the nearest dwelling not associated with the agricultural unit. It is therefore sufficiently distant from

residential properties to avoid increased disturbance through noise or odour, and will not have any unacceptable impacts in terms of loss of daylight or overbearing.

5.16 The proposals will not therefore compromise the amenities enjoyed by the occupiers of nearby residential properties.

5.17 The proposals therefore accord with Criterion (b) of Core Policy 34 of the Wiltshire Core Strategy.

5.18 Criterion (c) of Core Policy 34 requires evidence that proposals will meet local economic and social needs. The accompanying agricultural justification sets out a clear and convincing economic case for the proposals. The social benefits of the proposal arise from maximising the efficiency of the food supply chain. The proposals therefore comply with Criterion (c) of Core Policy 34.

5.19 The proposals do not affect any allocated sites and as such comply with Criterion (d) of Core Policy 34.

5.20 Criterion (e) requires that existing infrastructure can meet the needs of the proposed development.

5.21 Paragraph 111 of the NPPF states that "*development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*". In this particular instance the most relevant infrastructure is the highway network.

5.22 The proposals do not affect access arrangements. The main driver for the proposed building is to improve the welfare of the existing herd rather than expand it and as such the proposals will not result in intensification of agricultural use. The proposals will not therefore result in a material increase in trip generation, and will not therefore compromise the safe or efficient use of the highway network. The proposals therefore comply with Criterion (e) of Core Policy 34.

5.23 The proposals therefore comply with all five criteria set out within Core Policy 34, as well as Core Policies 51 and 57 of the Wiltshire Core Strategy.

Other Material Considerations

5.24 The proposals do not constitute major development for the purposes of Paragraph 174 of the National Planning Policy Framework. There is therefore no requirement to demonstrate overriding public interest to justify the proposed building. Nonetheless, the proposals would deliver significant benefits in terms of animal welfare and would bring about economic benefits associated with bolstering the food production industry. Paragraph 81 of the NPPF assigns significant weight to the latter in the overall planning balance.

5.25 The application site lies within Flood Zone 1 where there is a less than 1 in 1000 annual probability of fluvial flooding. Flood risk is not therefore a constraint to development in this instance.

6 Heritage Statement

6.1 The Lansdowne Monument on the opposite side of the valley is a Grade II* listed building. The application site and the Lansdowne Monument are separated by

almost two kilometres. However, because of the elevated position of the application site and the monument they are intervisible.

Statement of Significance

6.2 Paragraph 194 of the NPPF requires that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

6.3 The list entry for the Lansdowne Monument reads as follows: -

"*SU 06 NW CALNE WITHOUT CHERHILL DOWN*

6/39 The Lansdowne Monument

*II**

Obelisk, 1845 by Sir Charles Barry for 3rd Marquess of Lansdowne in memory of Sir William Petty (1623-87), statistician and economist, ancestor of the Petty-Fitzmaurice family. Rubble stone with ashlar dressings, monumental scale. Three high steps, mostly collapsed, plinth, pedestal and main shaft with moulded base splayed in from

pedestal. 125' over-all, erected at a cost of £1,359. No inscription. A landmark for miles around."

6.4 The Wiltshire and Swindon Historic Environment Record does not offer any additional information.

6.5 The significance of the Lansdown Monument is considered to derive from its architectural and historic value.

Assessment of Impact

6.6 Paragraph 197 of the NPPF advises that in the determination of planning applications local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

6.7 Paragraph 199 advises that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.

6.8 The proposed building does not directly affect any of the historic fabric of the monument, and its impact is therefore limited to its setting.

6.9 The setting of the monument is influenced to a large extent by agricultural use and associated built development. There are numerous farmsteads dotted across the landscape and buildings similar to the proposals are already part of the backcloth that makes up the setting of the monument. Views of the proposed building from the monument would be seen in the context of the neighbouring farmyard and the forthcoming cow housing benefitting from prior approval, and as such the proposals will not introduce a competing character element into the monument's setting. It is also pertinent that the proposals would not significantly block views of the monument.

6.10 The proposed cattle shed would not therefore affect the setting of the Lansdowne Monument.

6.11 The proposals would not impact upon the historical value of the monument.

6.12 Since in this instance the proposals would not harm heritage assets, there is no requirement to apply the test set out in Paragraph 202 and identify an overriding public benefit. Nonetheless, the scheme would deliver public benefits. The proposed building is vital to the welfare of the herd and the efficient operation of the agricultural holding. The proposals support the food production industry, helping to meet a local and national need for dairy products.

7 Conclusions

7.1 The proposals involve development on an established agricultural holding for purposes essential to the efficient working of the unit. The proposal therefore constitutes development appropriate within the countryside.

7.2 The form of the building reflects its agricultural function and it would be viewed in the context of existing buildings within the farmyard. The building is sensitively sited on the edge existing farmyard, and adjoins cow housing approved in April 2023. The building constitutes a logical extension of the existing farmyard complex. The proposals would not therefore harm the character or appearance of the countryside.

7.3 The proposals do not harm the significance of the Lansdowne Monument.

7.4 The building is distant from residential properties. The proposals therefore safeguard the amenities enjoyed by the occupiers of nearby dwellings.

7.5 The proposals therefore satisfy all the relevant criteria set out within Paragraph 174 and Section 16 of the NPPF, together with Core Policies 2, 34, 51 and 57 of the Wiltshire Core Strategy.

7.6 It is therefore respectfully requested that this application be approved.