CASE OFFICER'S REPORT

Application Reference:	PL/2023/05280
Application Type:	Full planning permission
Site Inspection:	
Consultation ends:	07 August 2023
Case officer:	Jemma Foster

Site Address:	Land adjoining 185 Chapel Street, Horningsham, BA12 7LU
Proposal:	Erection of a seed shed, horticultural storage, four polytunnels and greenhouses and associated development.
Recommendation:	Approve with Conditions

Policies

National Context:
National Planning Policy Framework (NPPF) Planning – revised July 2021
Practice Guidance (PPG)
Planning (Listed Buildings and Conservation Areas) Act 1990
Circular 06/2005 – Biodiversity and Geological Conservation

Local Context:
Wiltshire Core Strategy (WCS) adopted 2015:
CP1 – Settlement Strategy, CP2 – Delivery Strategy,CP31 Spatial Strategy Warminster Community Area, CP48 – Supporting Rural Life, CP50 – Biodiversity and Geodiversity, CP51 – Landscape, CP57 – Ensuring High Quality Design and Place Shaping, CP58 – Ensuring the Conservation of the Historic Environment, CP60 – Sustainable Transport, CP61 – Transport and New Development, CP64 – Demand Management

Wiltshire Car Parking Strategy

Summary of Officer View
Horningsham Parish Council: Support subject to the following conditions:

1.That the height of the screening comes to two thirds of the height of any of the buildings.
2.That the hedging is a mix of native hedgerow to provide winter and summer coverage.
3. That the double gate way has some sort of screen attached to it and that it is the same height of the hedging.
4. That there is no further development or expansion of the site.
5. That there is considerate screening of the polytunnels whilst the hedgerow is growing.
6. That the retail hours are set as 10.00am to 4.00pm and that deliveries are not outside of those hours to be considerate to the neighbours.
7. Signage used is discrete.

Wiltshire Council Conservation Officer: The proposal would result in less than substantial harm

Wiltshire Council Highways Officer: No objection

The Local Planning Authority has received approximately 29 letters of support making the following comments which have been summarised:

- It is a well established company renowned for its research and development work
- The proposal will be an enhancement of an under developed yard
- It will bring economic sustainability to Horningsham as well as employment opportunities
- It is a good use fo the site, it will revitalise an old business site
- Simpson Seeds are an asset to the village
- As somebody who has visited the company on several occasions I can state that there are minimal visitors to the current premises (whenever we have been there we have been the only visitors) and, as the company's normal trading method is by post, I can see no reason that this would change thus indicating that the current low levels of traffic levels would not increase.
- The removal of the silo will improve the visual appearance of the area

There have also been 2 comments which support the scheme but raise the following objections (summarised):

- The site is visible from many places in the village and when viewed from the South is very prominent – polytunnels are not the most attractive sight
- The plans show 50% of the site being used and this should be restricted
- The elevations show the buildings to be a maximum height of 8ft which would make the site less prominent if adhered to -they should not be allowed to be altered in the future
- The plan shows a new hedge on the northern boundary – the ground drops away by some 5ft so a condition should be made that the hedge has to be planted at the same level as the buildings to provide effective screening
- The site seems overcrowded with 12 parking spaces
- The building materials should be in keeping with the local building – ie: stone for proposed walls
- What is meant by associated development in the description
- What materials are proposed, what will happen to existing hedges
- Where will surface water go, will there be additional water run off due to watering plants
- What is the management of waste going to be, where will foul waste go
- What are the hours of operation
- Is there any additional lighting proposed or heaters that will impact my amenity (noise, light)
- The site is located on a blind bend – how will walkers be protected with increase in traffic, deliveries, collections, visitors
- How will it improve the social and economics and the environment
- Are the buildings temporary – who will be responsible for the maintenance and demolition if the company ceases to exist
- How will security be applied to the site – cameras would be too intrusive

Constraints:
The site is located in a small village and in a conservation area and Area of Outstanding Natural Beauty (AONB).

Relevant History:
Simpson Seeds currently operate from the Walled Garden on the Longleat Estate and have done since 2001 but are having to relocate. The existing business is located in Horningsham.

The site subject of this application was used for pheasant shoot meet ups but in recent years has become disused.

PL/2023/05274 – Lawful Development Certificate for a Proposed Change of use of the land to agricultural – Approved 09/08/23

Assessment
Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.
• Principle of development
• Impact on the scale and character of the area/existing dwelling
• Impact on the significance of heritage assets, such as listed buildings/conservation areas/archaeology
• Impact on neighbour amenity
• Highway matters – including road safety /Parking
• Drainage

Principle of development
The site is located within the small village of Horningsham. Small villages do not have limits of development but CP2 confims that development in small villages will be limited to infill within the existing built up area. It continues to say that proposals for employment will be supported if they meet the following criteria:
i) Respects the existing character and form of the settlement
ii) Does not elongate the village or impose development in sensitive landscape areas
iii) Does not consolidate an existing sporadic loose knit areas of development related to the settlement.

It is considered that the proposal would comply with these elements as detailed in the assessment below.

Impact on the scale and character of the area/existing dwellings
The site is located in the Cranborne Chase & West Wiltshire AONB. CP51 requires development to not have a harmful impact upon landscape character and that any negative impacts should be mitigated as far as possible through sensitive design and landscape measures.

There is existing residential development either side of the site and the proposed site does not extend beyond the rear boundaries of the adjoining residential properties. As such it cannot be considered that the proposal would elongate the village or consolidate an existing sporadic loose knit development.

The lawful use of the site is agricultural and as such no change of use is required.

The proposal includes the erection of four plastic polytunnels, a glass green houses, and a timber shed and storage building all of which are single storey and essential for the business to continue. The materials are considered to be appropriate to their rural setting and are typical of an agricultural use. The proposed buildings would have to accord with the submitted plans and if built bigger/higher would require further planning permission. There is an existing silo on site which is proposed to be removed.

It is considered that the proposed erection of polytunnels and buildings will have some impact upon the wider area. However the buildings are all single storey and would be seen adjacent to the existing built up development. There is an existing hedge that borders the road that runs past the site which is to remain and will shield a lot of the proposed development due to the land levels involved. The applicant has confirmed that no vegetation is to be lost as a result of this application. A hedge is also proposed on the northern boundary which will further reduce the impact upon the wider area. It would therefore be important to ensure that these hedges are planted and remain which can be done through an appropriate landscaping condition. The removal of the silo would also be of benefit to the wider area. As such it is considered that the proposal would comply with CP51 and CP57.

The Parish Council have requested a condition to ensure the hedges reach a maximum height, however this cannot be controlled via a planning condition. However the type of hedge that is planted can be controlled through the landscaping condition to ensure visibility of the site is reduced all year round. The Parish Council have also requested screening of the polytunnels whilst the hedge is planted, however no suggestion of what screening they would like. Any additional screening is considered to likely further impact the wider landscape and as such would not be appropriate, furthermore the visibility of the polytunnel will only be for a temporary period.

The Parish Council have also requested that a screen be added to the gate at the same height as the existing hedge. This is not considered to be reasonable as the gate is existing and no proposed changes are proposed to the access. This application purely assesses the impact of the erection of buildings and not a change of use.

A neighbour has requested that any new walls should be built with stone. No new walls are proposed.

Impact on the significance of heritage assets, such as conservation areas
The site is located in a Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of any functions, with respect to any buildings or other land in a conservation area, under or by virtue of any of the provisions mentioned in this Section, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Core Policy 57 of the Wiltshire Core Strategy states: “A high standard of design is required in all new developments, including extensions… 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… being sympathetic to and conserving historic buildings”

Core Policy 58 of the Wiltshire Core Strategy echoes the above national policy in seeking the protection, conservation and, where possible, enhancement of heritage assets.

The Councils Conservation Officer has confirmed that the proposals which involve new structures and polytunnels would have an adverse impact on the openness of the site. The structures would be utiltarian in appearance and as such, detract from the attractive wider landscape. The current state of the site appears to be laid to tarmac and is somewhat 'scruffy' and commercial in character. As such, I consider the proposals would cause some harm to the Conservation Area, but in view of the existing character of the plot, that harm would be 'less than substantial' (NPPF terminology) and at the lower end of the scale. As such, paragraph 202 would be engaged.

As the proposal would cause less than substantial harm with regards to Paragraph 202 of the NPPF this harm needs to be weighed against the public benefits of the case. It is therefore considered that there is a public benefit in this case which would outweigh this less than substantial harm. This public benefit includes the continuation of a company that brings economic development into the area and employment which is an overarching requirement of the Wiltshire Core Strategy alongside the tidying up of a derelict site in a Conservation Area.
In view of these public benefits the application must be approved in accordance with paragraph 202 of the National Planning Policy Framework. The proposal is therefore considered to comply with CP58.

Impact upon neighbouring amenity
There are existing residential properties immediately adjacent to the site that do overlook the site. The erection of buildings on the site will create some additional noise when compared to a derelict site and therefore it would be important to limit the hours of use that the public can be on site and when the business can operate. The Parish Council have requested opening hours of 10am – 4pm. The Applicant has requested opening hours of 10:00 – 16:00 but have stated that this will not be every day as the majority of the business is carried out over the internet. Public Protection recommend that opening hours that would not impact upon neighbouring amenity are 08:00 – 17:00 Monday to Friday and 08:00 – 13:00 hrs on a Saturday and at no time on a Sunday or Bank Holidays and as such a condition detailing the latter is considered to be reasonable.

The proposed buildings and structures are all single storey and as such are considered not to have an adverse impact upon neighbouring amenity in the form of overlooking, overshadowing or overbearing.

There will be some overlooking of the site from neighbouring properties but due to the use being agricultural, this is not considered to warrant a refusal reason.
The applicant has confirmed that no additional lighting is required on the site and therefore the proposed business would not impact upon the Dark Skies project. They have also confirmed that hot mats would be used on the benches in the polytunnels rather then heating the whole area which is used for germinating seeds and at a lower temperature for growing on seedlings. In cold weather the plants are covered in fleece and in extreme cold weather a portable gas heater may be used. The use of a gas portable heater and heat mats are not considered to warrant any issues with regards to noise when assessing neighbouring amenity.

The proposal is considered to comply with the relevant criteria of CP57.

Highway Matters
The submitted information confirms that Simpson Seeds are a mail order company that sell seeds and plant which have grown from seed in their nursery. In the last 12 months, the business at present received 49 deliveries A few plants are sold on site for customers to collect and this averages approximately 5 visits a day during the peak months of April and May. The proposed change in location is not considered to change this frequency.

There are two existing accesses to the site of which both are gated and open inwards and have good visibility in both directions. There is to be a large area on the existing hardstanding that will serve as a parking and turning area which is considered to be a sufficient space to serve the business. No changes are proposed to the existing accesses to the site or the existing hard surfacing. There are no public rights of way that immediately adjoin the site.

The proposal utilises the existing access and parking arrangements and as such is considered to comply with CP60, CP61 and CP64

Drainage
Concerns have been raised by neighbours regarding surface water from the road and additional water run off. The surface of the yard is porous and the water is currently absorbed. No changes are proposed so the surface water will continue to soak away as is does presently. The plants are watered but are all within pots and therefore are a closed system.

Other
Concerns have been raised regarding waste. The business tries to compost and recycle where possible and waste is currently recycled at Grass Roots near Warminster which will continue.

Concerns have also been raised regarding security of the site. The applicant has confirmed that the gates would be locked at night and the ‘screen’ atop the gates would be a deterrent. A series of CCTV cameras will be installed, and they will operate on infra-red light so not cause a disturbance. In the event of an intruder, the system would alert staff members’ mobiles (There would be no audible alarm to disturb neighbours). Finally, there would be some discreet signs to warn would be intruders.

The Parish Council have requested a condition to restrict further development/expansion of the site. Any additional buildings that were not permitted development would need planning permission which would be assessed at the time of submission and therefore a condition is not considered to be necessary. Any signage could also require additional advertisement consent and therefore it would not be necessary to condition no signage.

The Parish Council and some neighbours requested that this application should be decided by a Planning Committee. Discussions have taken place with Councillor Parks which resulted in the application not being called in and the application is therefore to be decided under delegated powers.

Conditions: (6)

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 the following approved plans and documents:

1179: 1 (proposed site plan), 2 (proposed elevations) received on 12th July 2023 and the Location Plan received on 30th June 2023.

REASON: For the avoidance of doubt and in the interests of proper planning.

3 Prior to occupation/use of any of the buildings hereby approved, a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :-

• location and current canopy spread of all existing trees and hedgerows on the land;
• full details of any to be retained, together with measures for their protection in the course of development;
• a detailed planting specification showing all plant species, supply and planting sizes and planting densities to ensure landscape protection all year round;
• any means of enclosure;
• car park layouts;
• all hard and soft surfacing materials;

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

4 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

5 The buildings hereby approved shall not be put into use until the existing silo building on site has been permanently demolished and all of the demolition materials and debris resulting there from has been removed from the site.

REASON: In the interests of the character and appearance of the Area of Outstanding Natural Beauty and the Conservation Area.

6 Customers/members of the public and deliveries shall on access the site between the hours of 08:00 hrs to 17:00 hrs from Mondays to Fridays and between 08:00 hrs and 13:00 hrs on Saturdays, nor at any time on Sundays and Bank or Public Holidays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.