Planning Statement

Prior Notification for the Erection of an Agricultural Storage Tank

Land East of Watermeadow Lane, Bapton, Warminster

Introduction

This Planning Statement has been prepared to accompany a prior notification application submitted pursuant to Schedule 2, Part 6 Class A of the General Permitted Development Order 2015 (as amended) and seeks confirmation that the prior approval of the LPA is not required for the erection of an agricultural store at Land East of Watermeadow Lane, Bapton, Warminster.

Site Location & Agricultural Requirements

The land in question forms part of an agricultural holding comprising of 683ha of agricultural land which is farmed by our client in the local area.

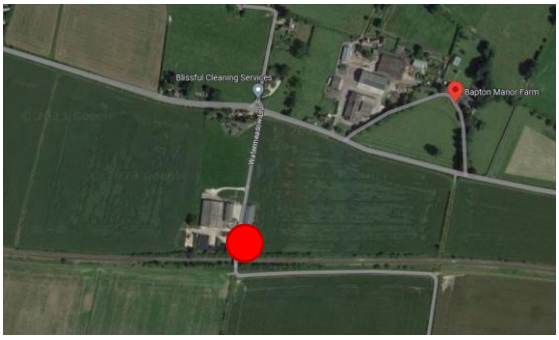

Figure 1: Aerial View (Google Earth) – Red Circle shows approxmate location of store

The tank comprises of a galvanised steel mesh construction with a Nicroflex 800 HSPO lining. The store measures approximately 3.0 metres (m) in height, albeit 0.3m is contained below ground

level (i.e. therefore a maximum of 2.7m above ground level). The store has a footprint of approximately 556 sqm.

The proposed store is necessary for the storage of fertiliser to be applied to aid crop growth, which is undertaken by our client as required in accordance with EA land spreading regulations. The current proposal will provide dedicated storage facilities for fertiliser for spreading on the fields that are part of our client's agricultural operation.

There are currently no dedicated fertiliser storage facilities in close proximity to the fields in question to meet the land spreading requirements for this part of the holding. The current lack of sufficient fertiliser storage capacity raises logistical issues for the agricultural enterprise as additional fertiliser needs to be imported in from elsewhere and there is no guarantee that the requisite volume of material will be available to be imported at the optimal times of year when the uptake of nitrogen within the crops is at its greatest. The current arrangement also leads to unnecessary additional vehicle miles and journey lengths involved in the spreading of fields in the immediate vicinity of the proposed storage tank given the need to import fertiliser from further afield. The proposed store would therefore offer a practical cost-effective solution and will provide substantial benefits for the existing agricultural enterprise through the provision of an increased supply of readily accessible fertiliser at the holding which can be applied to the land when required during optimal weather and soil conditions.

The material to be stored within the structures will be limited to organic fertiliser (excluding slurry) imported to the land in a form which can be applied to land to confer agricultural benefit under Environment Agency land spreading regulations. The use of such organic fertilisers provides a source of organic material to the soil, thereby improving its health and capturing carbon.

The proposed structure will therefore meet a clear need to store material that can be applied to land to aid crop growth at this large agricultural holding and is therefore reasonably necessary for the purposes of agriculture and is clearly designed for such purposes.

Compliance with Paragraph A.1 of Part 6 Class A of the GPDO

The proposals do not conflict with any of the circumstances outlined at Paragraph A.1 of Part 6 Class A of the GPDO whereby development is not permitted, as follows:

The development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area

The parcel of land where the development is to be carried out exceeds 1 hectare.

It would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins

There has been no development carried out pursuant of Class Q or Class S on the agricultural unit within the last 10 years.

It would consist of, or include, the erection, extension or alteration of a dwelling;

The proposals do not involve works to a dwelling.

It would involve the provision of a building, structure or works not designed for agricultural purposes;

The proposed structure is clearly designed for agricultural purposes, as outlined above.

The ground area which would be covered would exceed 1,000 square metres;

The ground area covered by the proposed development is less than 1,000 sq.m.

The height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;

The structure is 2.7m in height.

The height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres;

The structure is 2.7m in height.

Any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;

The proposed development does not lie within 25m of a trunk road or classified road.

It would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building;

The structure will not be used to accommodate livestock or for the storage of slurry or sewage sludge.

It would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming;

The proposals are not connected to fish farming.

Any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit or is or would be within 400 metres of the curtilage of a protected building

The structure will not be used for the storage of fuels or waste products.

Impact of Proposed Development on its Surroundings

Having clearly established that the proposed store is necessary for the purposes of agriculture and meets the relevant conditions and limitations of Part 6 Class A of the GPDO, it is now relevant to assess whether the proposed structure will have a significant impact on its surroundings by virtue of its siting, design and external appearance. Whilst PPG7 was replaced by PPS7, which, in turn,

has been replaced by the NPPF, Annex E of PPG7 remains relevant to the consideration of the current proposal insofar as it sets out general guidance on the application of permitted development rights for agricultural buildings. Paragraph E15 of Annex E of PPG7 states:

> *'Provided all the General Permitted Development Order requirements are met, the principle of whether the development should be permitted is not for consideration, and only in cases where the local planning authority considers that a specific proposal is likely to have a significant impact on its surroundings would the Secretary of State consider it necessary for the authority to require the formal submission of details for approval. By no means all the development proposals notified under the Order will have such an impact.'*

Paragraph E22 of the guidance goes on to confirm *'the arrangements do not impose full planning controls over the development to which they apply – the development remains "permitted development" under the General Permitted Development Order. The principle of development will not be relevant providing the Order conditions are satisfied, nor will other planning issues.'* The GPDO conditions have been satisfied and it is therefore evident that the principle of development and other planning matters are not relevant to the consideration of the application. The siting, design and external appearance of the structures and their relationship with the surroundings are the only matters to be taken into consideration.

The location of the proposed store has been determined having regard to the operational needs of the applicant and the spreading requirements for this part of the holding, as well as ensuring that the visual impact of the proposed development is minimised as far as possible.

The proposed location of the store lies to the south eastern edge of the existing farmstead, which is occupied by a range of large scale agricultural buildings and structures, including an existing open

sided storage building lying to the direct north of the site. The proposed structure will therefore be well-related to the existing farm buildings and its overall scale, massing and design will ensure that the proposed store does not appear as a visually intrusive feature within the wider landscape setting, particularly as any views will be set against the backdrop of the existing farm buildings. Moreover, the proposed store comprises an agricultural structure clearly designed for such purposes that would not therefore appear as an alien or incongruant feature within farmyard and the prevailing rural setting.

It is therefore clear that the proposed structure will not appear as a visually intrusive or incongruent feature within this rural setting and, on this basis, it is wholly evident that the proposed structure, by virtue of its siting, design and external appearance, will not have a significant impact on its surroundings.

Conclusions

It has been clearly demonstrated that the development proposed is reasonably necessary for the purposes of agriculture and, taking into consideration the siting, design and external appearance of the structure as originally advocated by Annex E of PPG7, it is evident that the proposed agricultural stores will have no significant impact on its surroundings. We therefore trust that the LPA will be able to confirm that prior approval is not required for the proposed development at the earliest convenience to enable the applicant to proceed with the proposed works.