DELEGATED REPORT

Application references: PL/2023/05016
Application type: full planning permission
Site address: Kington Farm, Kington St Michael, Chippenham, SN14 6DH
Proposal: Replacement office building
Recommendation: approve with conditions

SITE AND PROPOSAL

The site comprises a complex of relatively modern farm buildings situated between Chippenham and the M4 in the open countryside. Public Right of Way (PRoW) ref. KLAN38 appears to pass through the northern end of the site, including existing buildings.

Adjacent to the existing weighbridge near the centre of the site are double-stacked storage containers that function as office space. This application seeks consent to remove the top one and erect a new office to the northeast of the site, attached to an existing building. It would be single storey and with a sloped roof, constructed of blockwork and a powder-coated metal roof. A proposed site plan excerpt is provided in figure 1 below.

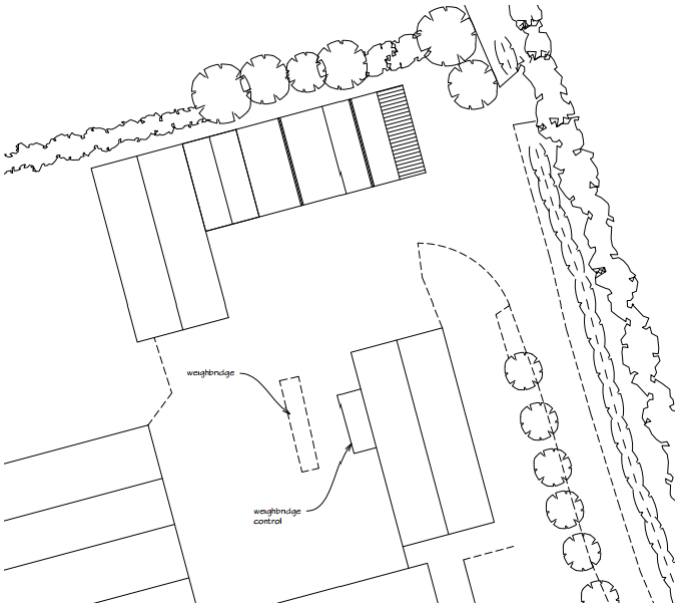


Figure 1: proposed site plan excerpt

RELEVANT PLANNING HISTORY

It appears that the building to which the proposal would attach was approved in 1994 under ref. N/94/01411/FUL. An application submitted under the prior approval process ref. PL/2022/05246 was subsequently approved to allow for it to be used as flexible Class B8, C1 or E use under Class R of the General Permitted Development Order.

Elsewhere, there have been several applications across the site for agricultural buildings, but none relevant to this application.

POLICIES

Under the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. At the current time, the relevant statutory Development Plan Documents in respect of this application consist of the Wiltshire Core Strategy (WCS) (adopted January 2015); and 'saved' policies of the North Wiltshire Local Plan (adopted 2006).

Though the Development Plan is considered as a whole, those parts deemed to be particularly relevant to this application are listed below:

Wiltshire Core Strategy (2015):

- Core Policy 1: Settlement Strategy
- Core Policy 2: Delivery Strategy
- Core Policy 48: Supporting Rural Life
- Core Policy 50: Biodiversity and Geodiversity
- Core Policy 51: Landscape
- Core Policy 57: Ensuring High Quality Design and Place Shaping

Saved policies of the North Wiltshire Local Plan: none.

Material considerations

National Planning Policy Framework (2021):

- Paragraphs 8, 111, 130 and 134.

ISSUES

The main issues in the consideration of this application are:

- Principle of development;
- Design and the impacts on local character;
- Impact on the living conditions of adjacent occupiers;
- Ecology; and
- Drainage.

CONSULTATION

Kington Langley Parish Council: support.

Rights of Way officer: no objections raised. Comments made in terms of needing to keep the footpath open, details of which could be added as an informative note.

REPRESENTATIONS

None received.

ASSESSMENT

Principle of development

This is an established agricultural enterprise, where the principle of other agricultural-related development has been accepted in recent years. The supporting letter sets out that the development

would provide office space, as well as a meeting room, storage and welfare facilities to aid the running of the agricultural enterprise. It is therefore acceptable in principle.

Design and the impacts on local character

The new lean-to would appear subservient in scale to the existing building, while its materials would match to allow it to assimilate positively. It would replace existing storage tanks and would lead to the loss of an existing storage container, which is not very attractive. The development would therefore lead to minor betterments in visual amenity terms.

The colours of the proposed finish are not specified on the application form or plans, but a planning condition would be a reasonable way to ensure that they match.

Impact on the living conditions of adjacent occupiers

The site is an appreciable distance from the nearest residential property, plus the nature of the use of the building would not give rise to any disturbance. As such, no material harm to amenity would arise.

Ecology

The development would tie into an existing wall, rather than a roof, while the existing storage container has a flat roof and is therefore highly unlikely to harbour bats. It was therefore concluded that reference of the application to the Council's Ecologist was not necessary since the likelihood of the development affecting biodiversity is very slim.

Furthermore, the siting of the proposal on existing hard surfacing and in lieu of existing storage tanks makes it highly unlikely that the development would result in any net loss of biodiversity or habitat.

Drainage

The Council's drainage consultation matrix says that minor non-residential developments such as this that are not in areas susceptible to flooding do not need to be referred to the drainage team for comment. Drainage can therefore be addressed separately to the planning application stage.

CONCLUSION

The development is appropriate additions for the site and surroundings. Accordingly, it complies with the provisions of the Development Plan and relevant material considerations.

RECOMMENDATION: that planning permission be GRANTED subject to the following conditions:

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:

- Location plan received 22/06/23.
- Existing site plan ref. LPC 2811 EX 301.
- Proposed site plan ref. LPC 2811 PR 301.
- Proposed plans ref. LPC 2811 PR 302.

- Existing plans ref. LPC 2811 PR 202.

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture to those detailed on the application form and approved plans.

REASON: in the interests of visual amenity and the character and appearance of the area.

4. Notwithstanding the approved plans and details, the external colour of the walls and roof of the development hereby approved shall match those of the building to which the development will be attached.

REASON: in the interests of visual amenity and the character and appearance of the area.

INFORMATIVE TO APPLICANT:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required, it will be necessary for the applicant to obtain the landowner's consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

INFORMATIVE TO APPLICANT:

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

INFORMATIVE TO APPLICANT:

Public footpath KLAN38 runs adjacent to the existing building. The footpath should remain open and be available on its legal line at all times. If a temporary closure of the path is required during construction, this should be applied for at least three months in advance of the development commencing. Further details can be obtained by emailing rightsofway@wiltshire.gov.uk.