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Planning Statement in relation to the erection of high welfare cattle housing with robot milking facilities

Norrington Gate Farm, Broughton Gifford, Melksham, Wiltshire

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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 Norrington Gate Farm is a 300 acre dairy unit operated by the applicant. The farmyard sits within a rural area approximately two kilometres west of the town of Melksham.

2.2 Surrounding land uses include agricultural land to the north-west south-east, the applicant's farmyard, a farmworkers dwelling and a haulage yard to the south-west and agricultural land and a solar farm to the north-east.

2.3 The nearest dwelling not associated with the agricultural unit lies over 200 metres away.

2.4 The site is relatively flat, with only a very slight fall from east to west. It sits within a wider landscape context of relatively flat countryside interspersed with hedgerows

and trees.

2.5 The application site is accessed through the farmyard via a field gate. The farmyard is accessed via a surfaced entrance onto Norrington Lane.

2.6 Planning permission for battery energy storage between the application site and the solar farm to the north was granted by the local planning authority in January 2023 LPA reference PL/2022/03914.

2.7 The applicants have previously submitted a planning application for similar high welfare cattle housing with robot milking facilities on the site (LPA reference P/2022/07068). The application was subsequently withdrawn due to potential technical conflicts with the battery storage application which was being considered at that time.

2.8 The site and surroundings are shown on the aerial image below.



Figure 1 - Aerial Image of Site

3 The Proposed Development

3.1 The adjacent battery storage scheme has now been granted planning permission by the local planning authority, and as such the technical conflict between the two concurrent applications no longer exists. The applicant now wishes to revisit the high welfare cattle housing and robot milking facilities.

3.2 The applicant milks approximately 200 dairy cows at the farm, and rears approximately 100 youngstock. The agricultural buildings in the farmyard were constructed prior to 1980 and facilities are now somewhat dated.

3.3 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. The existing dated facilities at the farmyard are compromising the applicant's ability to meet these objectives.

3.4 It is therefore proposed to erect high welfare cow housing with robot milking facilities to the north-east of the existing farmyard.

3.5 The proposed building measures 26.7 metres wide by 72.2 metres long. It has a ridge height of 10.9 metres. In addition there is a 6.6 metre wide by 23.2 metre long lean-to on the south-west elevation. The building is to be finished in a mixture of concrete panels and buff brickwork with ventilation sheets and a fibre cement roof. The building has been designed to ensure spacious bedded yard area and excellent ventilation, together with an efficient robot milking system.

3.6 The Dairy Group has secured similar high welfare cow housing and milking systems for other clients, which has delivered significant benefits both in terms of the welfare

of their herds and the efficient operation of their holdings.

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'.

Wiltshire Core Strategy (2015)

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

4.6 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."

4.7 *"**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."

4.8 "***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, the applicant is currently reliant upon older buildings with outdated design and poor ventilation. These buildings are not conducive to high standards of animal welfare and they are compromising 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 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 of the amenities enjoyed by neighbours.

5.9 The landscape context of the application site is a rural one, characterised by relatively flat 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 proposals are sited between the farmyard and a haulage yard to the south-west, and a solar farm and forthcoming battery storage facility to the north-east. The building would be viewed in the context of this built development and would not appear isolated or unduly prominent.

5.13 Public views of the proposed building would be largely screened by the existing farmyard and haulage yard to the south-west. A public footpath runs across the field boundary to the south-west, but is on the opposite side of the hedgerow which will filter views of the proposed building. The forthcoming battery storage facility will screen views from the north-east. The building would be visible from Norrington Lane to the north-west, where a section of hedgerow was removed at the Highway Authority's request to improve visibility. However, the building would be viewed in the context of existing built development, and from this vantage point the narrower gable end as opposed to the length of the building would be seen.

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 nearest dwelling not associated with the holding is 191 Norrington Lane, which lies over 200 metres from any proposed plant. This is further than the plant associated with the existing parlour (existing compressors and vacuum pump for

parlour and milk tank), which is approximately 40 metres away, and is also further than most of the existing farm yard and parts of the neighbouring haulage yard. The existing vacuum pump is relatively noisy as traditionally they did not tend to be fitted with very good exhaust silencers. This pump will become redundant when the robot milking system is operational. On the new setup, the vacuum pumps will be a lot smaller and running on variable speed, which means they run a lot slower and quieter than traditional vacuum pumps and there is no exhaust venting to the outside of the building, as they are rotary lobe and don't require oil to lubricate them (unlike traditional vein vacuum pumps). They are also much lower in energy consumption and do not vent oil into the atmosphere. The vacuum pumps and compressors will be within the building and with very low noise levels, that are barely audible, even when standing next to the building.

5.16 The proposals would therefore result in betterment in terms of noise and disturbance when fully up and running rather than a harmful effect.

5.17 The proposals are sufficiently distant from residential properties to avoid any unacceptable impacts in terms of loss of daylight, overbearing or odour.

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

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

5.20 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.

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

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

5.23 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.

5.24 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 significant intensification of agricultural use.

5.25 At present the farm generates the following vehicle movements:-

- Milk tanker every other day
- 2 feed lorries per month
- Herdsman in car 2 x day
- Farmer in car 2 x day
- AI van once/day
- Vet car 2x/month

- Tractor and trailer movements – over 90% of the silage trailers travel internally across farm fields and tracks. A small number of movements travel along the Melksham Lane.

5.26 It is anticipated that the construction period will take approximately six months. Construction traffic will be scheduled to avoid peak morning and evening times, and will consist of the following movements:-

- 6 construction workers daily. One works van
- 100 concrete loads over the construction phase.
- 50 loads of scalpings delivered during the construction phase.
- 20 loads of building materials, steel work, timber, roof materials etc
- Electrician and sub contractors – 2 vans a day for the last 6 weeks of the project.

5.27 In terms of HGV movements therefore, on average there will be less than one additional movement per day. These should not include any abnormal loads.

5.28 Once operational, the unit will generate the following movements:-

- Herdsman in car 2 x day (no change)
- AI van once/day (no change)
- Vet car 2x/month (no change)
- Milk tanker every other day (no change)
- 3 feed lorries per month (one more per month than at present)

- Tractor and trailer movements – over 90% of the silage trailers travel internally across farm fields and tracks. A small number of movements travel along the Melksham Lane (no change in the traffic along Melksham Lane, a small increase in the silage traffic across farm tracks and fields, for the extra feed required)

5.29 The proposals will therefore have a small (and temporary) impact during the construction phase, and a negligible impact on vehicle movements once operational.

5.30 The existing dairy buildings will continue to be part of the farm, housing youngstock and dry cows. Part of the justification for building the new housing and robotic milking unit is to improve cattle welfare. By moving the main herd into the new facilities, the existing buildings can be stocked at more appropriate stocking levels for modern dairy cattle. It will also provide the extra cattle accommodation required to be able to house the cattle that can't be sold, when the farm is shut down with Bovine TB (as it is currently). No additional movements will be necessary to operate the existing farm site.

5.31 The existing is more than adequate for both HGV's and the milk tanker, which currently use the entrance to Norrington Lane and the existing farm site, with no difficulties and are able to turn within the existing farm yard. Whilst it is appreciated that HGVs manoeuvre more slowly than cars, visibility pulling out of junctions is better due to the driver's elevated position and the lack of a bonnet. A search of Crashmap reveals only one minor incident on Norrington Lane and two minor incidents on Melksham Lane in the vicinity of the junction in the past 23 years. Only the former involved a goods vehicle.

5.32 There is adequate space on site for parking and turning such that vehicles can enter and leave the site in forward gear.

5.33 In summary, the proposals will not result in a material increase in traffic, especially once operational. The proposals will not prejudice the safe or efficient use of the highway network and will not have a sufficiently significant impact to warrant a detailed Transport Statement. In accordance with Paragraph 111 of the NPPF refusal on highway grounds is unwarranted.

5.34 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

5.35 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.

5.36 A comprehensive suite of third party reports prepared in association with the neighbouring scheme for battery storage identify no insurmountable constraints in terms of ecology or heritage.

6 Conclusions

6.1 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.

6.2 The form of the building reflects its agricultural function and it would be viewed in the context of the existing farmyard and haulage depot to the south-west, as well as

a solar farm and forthcoming battery storage facility to the north-east. The building is sensitively sited and relatively well screened and would not appear unduly prominent. The proposals would not therefore harm the character or appearance of the countryside.

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

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

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