DELEGATED REPORT

Application Reference:	PL/2023/06354
Application Type:	Planning Permission

Site Address:	Ridgefield Farm, Green Road, The Ridge, Neston, Wiltshire, SN13 9PW
Proposal:	Retrospective planning application for the proposed change of use of agricultural land to residential and above ground fish tank
Recommendation:	Planning Permission be GRANTED subject to Conditions

PROPOSAL

The proposal is retrospective in nature and relates to the formal Change of Use of a parcel of land from agricultural use to residential use, as well as the erection of an above ground fish tank within that parcel of land. The fish tank is of brick construction, measures approximately 6.6m by 6.2m and is to an indicated height of some 0.8m / 1.0m (two sections).

Clarification was sought during the application process regarding the building to the immediate north of the application site. This has been the subject of discussions with the Local Authority's Enforcement team and does not form part of this application submission. Issues relating the use of this application site as residential land, and its relationship with that building, are addressed in this report where necessary.

SITE DESCRIPTION

Green Road is a rural road which runs due south from the junction of Monks Lane / Brockleaze for some 200m before reaching the site entrance. At this point Green Road itself becomes gated and runs on to the south-east to serve as an access to a warehouse facility some 0.5km further before reaching Goodes Hill after approximately 1km. A separate gate at this point serves as an access to both a barn, as well as running on due south for some 60m as the driveway to serve the collection of land and buildings of Ridgefield Farm.

The site is situated outside of any settlement boundary, is not within any designated area and there are no listed buildings within close proximity of the site; the site is not at risk of flooding. Public Right of Way (PRoW) CORM27 runs north-south through the site, leaving the public highway at the site entrance to run adjacent to the driveway, past the immediate east of the collection of buildings on the wider site and through to cross the agricultural land to the south of the site. The site itself has a very open aspect and relationship with this PRoW, with no particular screening at the interface, and the buildings on the site all being clearly visible from the PRoW.

POLICIES

Corsham Neighbourhood Plan ('CNP' made Nov.2019)
Policy CNP ED1 – Ecology and Design
Policy CNP E1 – Conserve and Enhance Biodiversity
Policy CNP E2 – Achieving Sustainable Development
Policy CNP E3 – Landscape
Policy CNP HW1 – Green Infrastructure Network
Policy CNP HE1 – Design Quality

Wiltshire Core Strategy ('WCS', Jan.2015)
Core Policy 1 – Settlement Strategy
Core Policy 2 – Delivery Strategy
Core Policy 11 – Spatial Strategy for the Corsham Community Area
Core Policy 50 – Biodiversity and Geodiversity
Core Policy 51 – Landscape
Core Policy 57 – Ensuring high quality design and place shaping

National Planning Policy Framework ('NPPF', Sept.2023)
Section 2 – Achieving sustainable development
Section 4 – Decision making
Section 12 – Achieving well designed places
Section 15 – Conserving and enhancing the natural environment

ISSUES

The issues arising for consideration from this application proposal are as follows:

- the principle of the development
- agricultural land
- residential amenity
- landscape impacts

PLANNING HISTORY

The site, along with the wider site and associated land, has been subject to the following applications previously:

- 17/04190/FUL: Retrospective application for the erection of two agricultural buildings – Approved with Conditions – 21/06/2017
- 16/05796/FUL: Two storey side extension to existing dwelling – Withdrawn – 17/11/2016
- N/11/03489/FUL: Erection of One 2 Bedroom Holiday Cabin (Resubmission of 11/02343/FUL) – Refused – 26/04/2012
- N/11/02343/FUL: Erection of One 2 Bedroom Holiday Cabin – Withdrawn – 28/09/2011
- N/08/02265/S73A: Removal of Agricultural Occupancy Condition – Refused – 13/11/2008

- N/96/1850/OL: Erection of Agricultural Dwelling – Approved with Conditions – 04/11/1996
- N/93/01393/FUL: Erection of 2 No mushroom growing rooms – Approved with Conditions – 14/10/1993
- N/93/00729/FUL: Erection of 2 No mushroom growing rooms – Approved with Conditions – 07/07/1993
- N/89/02919/FUL: Proposed Erection of 3 No Polytunnels for Mushroom Farming – Approved with Conditions – 11/12/1989

CONSULTATIONS

Corsham Town Council – No objection

Highways Officer – No objection

REPRESENTATIONS

None received.

ASSESSMENT

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, and the provisions of the Framework (para. 2), applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The statutory development plan in respect of this application consists of the Wiltshire Core Strategy ('WCS', adopted January 2015), the 'saved' policies of the North Wiltshire Local Plan 2011 ('NWLP', adopted June 2006) and the Corsham Neighbourhood Plan ('CNP' made November 2019).

Principle of development

There is no specific policy within the Core Strategy which relates to the change of use of agricultural land to residential use (essentially an extension to the domestic curtilage area) and the principle of such a change of use thus rests on acceptability in terms of impacts and technical matters, as considered below.

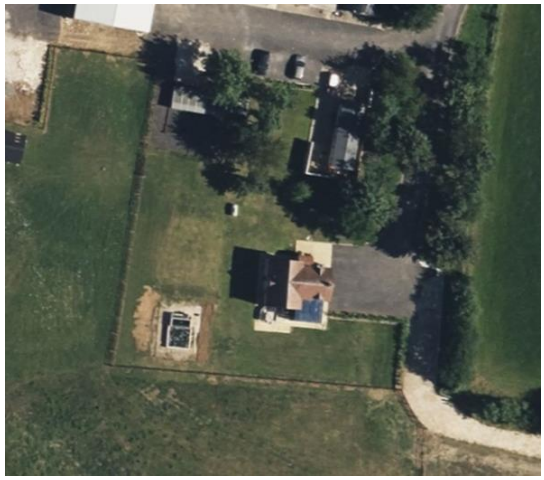
However, analysis of available aerial imagery is relevant as contextual information to the consideration of this application. Aerial imagery submitted with the application [extract below] shows the application site as being delineated as a *separate* parcel of land to the lawful land and curtilage. However, more recent evidence (as below) shows the site as being an integral part of the established residential curtilage area, reflecting the statement in the submitted Planning Statement that: *"The only change from the photograph below will be the removal of the dividing section of fencing"* (5.2).

This is relevant insofar as any possibility that the parcel of land could be used to support the provision of a separate unit of accommodation (noting the building which has been recently

erected to the immediate north of the site, as shown on the latest aerial imagery below and as has been the subject of separate correspondence with the Council's enforcement officer) would be strongly resisted given the countryside location of the site. To this end, a Condition which requires the site to be used in association with the existing residential dwelling only is considered warranted.



Extract from submitted Planning Statement


Latest available aerial imagery

Based on the above, the application proposal is considered to not give rise to any conflict with Core Policy 57 of the WCS and policies CNPE2 and CNPHE1 of the CNP.

Agricultural land

The Natural England records show the land in question as falling within Grade 2: 'Very Good'. The NPPF, at paragraph 174 states that: *"Planning policies and decisions should contribute to and enhance the natural and local environment by: … (b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;…"*

As such, the general thrust of national policy is against the loss of such land to other uses. However, in this instance, consideration has been given to the productive capacity of the site, the size of the existing residential curtilage, as well as the maintenance of access from the agricultural land to the barns. Based on the size of dwelling it would seem reasonable to allow for a proportional enlargement of the associated garden, and the application site is considered to represent such a proportional size. Any further extension would restrict access and movement between the agricultural land and the barns and as such would be resisted. However, the scale of this site and proposal is such that, on balance, the loss of agricultural land is considered justified when weighed against these other considerations and, as such and in this instance, would not warrant refusal of the application in the context of Core Policy 51.

Landscape impacts

The site, which does not fall within any landscape designation, is immediately adjacent to the existing residential land and set within the context of the relatively large barns on the wider site to the north. The site is visible from the Public Right of Way CORM27 across the agricultural land,

with the southern boundary of this site and the adjacent existing residential land being relatively open. However, the addition of this parcel of land to the existing residential curtilage is not considered to give rise to any specific landscape harm and would not read as being excessive in terms of the setting of the site and surrounding buildings. The proposal is therefore considered to be acceptable and comply with Core Policy 51 of the WCS and policy CNP E3 of the CNP.

Residential amenity

Given the distance of the site from any neighbouring properties – with the nearest neighbour at Pond Close Farm being located some 150m to the west of the site, the change of use of this parcel of land will not give rise to any specific amenity impacts. As such, the application would accord with Core Policy 57 of the Wiltshire Core Strategy.

Other matters

Matters relating to the agricultural tie on the main dwelling are not part of the scope of this planning application. It is also to be noted that the hardsurfacing around the commercial buildings would constitute 'development' and planning permission has not at this stage been sought for these works.

CONCLUSION

Based on the above considerations, and when assessed against advice set out in the National Planning Policy Framework, the relevant legislation and the considerations of Core Policies 51 and 57 of the Wiltshire Core Strategy and CNPE2 and CNPHE1 of the Corsham Neighbourhood Plan, the proposed change of use of the land is considered to be acceptable, subject to appropriate Conditions.

On this basis this application is recommended for approval in accordance with Core Policies 51 and CP57 of the Wiltshire Core Strategy, policies E2, E3 and HE1 of the Corsham Neighbourhood Plan, and relevant sections of the National Planning Policy Framework.

RECOMMENDATION: That Planning Permission be GRANTED subject to the following conditions:

1 The development hereby permitted shall be carried out in accordance with the following approved plans:
LPC 5462 EX 201 Location Plan
LPC 5462 EX 202 Site Plan
Photographs with dimensions

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

2 The land subject of the material change of use hereby permitted shall not be used at any time other than for purposes ancillary to the dwellinghouse or incidental to the enjoyment of the dwellinghouse; that dwellinghouse being the existing Ridgefield Farmhouse.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.

3 INFORMATIVE TO APPLICANT:
The applicant is advised that this permission authorises a change of use and the specified development only and does not authorise any further works or development that may require planning permission.

4 INFORMATIVE TO APPLICANT:
The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England’s website for further information on protected species.