CASE OFFICER'S REPORT

PL/2023/08092

Permanent planning permission for a single storey educational building to be used for school visits to the farm, alternative provision for Wiltshire Council, a Home Educational group, Holiday clubs, Fundraisers, evening Yoga classes and talks for the community.

Tokes Farm, Education Centre, Tokes Lane, Semley, SP7 9BP

Date of Inspection:	**N/A**
Date site notice posted:	**N/A Neighbour notification only**
	Neighbour Expiry 22/11/23

POLICIES

National Planning Policy Framework (NPPF 2023) and NPPG

West Tisbury Neighbourhood Plan - made

Wiltshire Core Strategy 2015

Core Policy 1: Settlement Strategy
Core Policy 2: Delivery Strategy
Core Policy 34: Additional Employment Land (farm diversitficatio)
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
Core Policy 60: Sustainable Transport
Core Policy 69: Protection of the River Avon catchment

Other:

- National Design Guide
- Cranborne Chase AONB Management Plan
- Level 1 Strategic Flood Risk Assessment

SITE AND CONSTRAINTS

- River Avon catchment SAC and SPA
- Cranborne Chase and West Wiltshire Downs AONB
- Tokes Lane is an adopted Class C highway
- Agricultural Land Classification Grade 3
- Flood Zone 1, no groundwater flood risk, no surface water flood risk
- Semley Common County Wildlife Site at site entrance boundary Tokes Lane



PROPOSAL

The application seeks to secure permanent planning consent for an education building previously approved on a temporary basis in 2019. The building provides an education use including:

● School visits - Each visit is tailored to the needs of the students but the building is available from 10am-3pm.
● Alternative Provision - Students need extra provision outside of school or they may have been asked to leave for various reasons but are still on roll. We are working with Wiltshire County Council.
● Home Ed - Young people are here from 10am-3pm and are working on various land based projects. They are not enrolled in a particular school.
● Multi use - These times the building is used for various events or gatherings. We have a baby group that comes once a month, fundraisers, community evenings such as star gazing. Each event runs for different times:

Weekly School House Use

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Am	School visits	A . P	School visits	A . P/Home Ed	Multi use	Multi use	
Pm	School visits		School visits	A . P Home/Ed	Multi use	Multi use	
Evening		Yoga 5.30-6.30	Yoga 6-7.30	Yoga 5.30-6.30	Multi use	Multi use	

The applicant states that The School House is used for hosting school visits to the farm, as a classroom for students attending alternative provision here, a home education hub, evening yoga classes for the local community, fundraisers and talks. *"Having gained temporary planning permission for a single story educational building and compost loos on the farm, we are now applying for full planning permission. The 'School House' is used for school visits to the farm, alternative provision for Wiltshire County Council, a Home Educational group, Holiday clubs, Fundraisers, evening Yoga classes and talks for the community."*

The existing building is in situ on the site and constructed corrugated polyester paint coated sheets in slate blue to match other farm buildings. One front wall has wavey edged larch boarding. The roof is also corrugated blue sheets and translucent roofing sheets. The enclosure is stock fencing to match the rest of the farm. There are 8 vehicle parking spaces. Surface water goes to an existing SUDs system and foul water goes to the existing septic tank.

MAIN PLANNING ISSUES

1. Principle of development
2. Scale, design, impact on amenities and landscape character
3. Neighbouring amenity
4. Highway safety
5. River Avon SAC

RELEVANT HISTORY:

19/07526/FUL Erection of a new temporary low level, single story building that will be used for educational purposes. AC

1 The building hereby permitted shall be removed and the land restored to its former condition on or before three calendar years from the date of this decision notice in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of amenity and in order to secure the restoration of the land upon removal of a building for which permission can be justified only on the basis of a special temporary need.

REPRESENTATIONS

Public Protection – no objection subject to hours condition
Highways – no objection

West Tisbury Parish Council – support (site visit undertaken)
AONB Partnership – no objection subject to lighting condition

Third parties – none received.

ASSESSMENT

The application must be determined in accordance with the development plan unless material considerations indicate otherwise. (Section 70(2) of the Town and Country planning Act and Section 38(6) of the Planning and Compensation Act 2004). The NPPF is also a significant material consideration and due weight should be given to the relevant policies in existing plans according to their degree of consistency of the framework.

1. Principle of Development

The application site relates to Tokes Farm, Semley which is accessed on Tokes Lane and lies within the open countryside of the Cranborne Chase AONB. The site consists of several farm buildings and a farm house associated with the agricultural business. Planning permission was granted on a temporary basis in 2019 for the erection of a low level, single storey building to be used for educational purposes.

The enterprise was set up as a Community Interest Company (CIC) and the educational building provides classroom facilities and offers a variety of classes, courses and school visits.

Core Policy 48 states - *Proposals which will focus on improving accessibility between towns and villages, helping to reduce social exclusion, isolation and rural deprivation, such as transport and infrastructure improvements, will be supported where the development will not be to the detriment of the local environment or local residents.*

The adopted Wiltshire Core Strategy generally supports farm diversification (Core Policy 34 refers) and the provision of a permanent educational facility at the site is considered acceptable in principle, provided the development is still appropriate in terms of its scale, siting and design within the context of the AONB, and provided other interests including residential amenity and highway safety/parking continue to have an acceptable impact.

The proposal therefore continues to be acceptable *in principle* under CP48 subject to details.

2. Scale, design, impact on amenities and landscape character

Core Policy 51 states 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.

Core Policy 57 states 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 complimentary to the locality.

There are no proposed physical changes to the existing scheme and no objections have been raised to the retention on the building on the site. The original scheme proposal included sensitive materials and colours for the single storey timber framed building, which has been placed on concrete pad stones at a distance of 7m north of the machine store building. The entrance to the

building is on the west elevation and includes a veranda with a roof overhang. The overall height of the building is approx. 4.7m to the roof ridge. The proposal also included a scheme of landscaping to provide screening and enclose the building and adjacent parking area for 8 cars.

Great weight is given to landscape considerations for the AONB under para 176 of the NPPF and CP51. The AONB Partnership supports the scheme:

Our Farming in Protected Landscapes Officer understands the farm has been providing regular school visits for a range of schools, and I am not aware of any concerns arising from the temporary use. In this International Dark Sky Reserve the AONB would, please, appreciate the standard condition on no external lighting unless it is approved by the LPA in compliance with our Position Statement on Light Pollution etc. In this location the lighting criteria would be for Environmental Lighting Zone E0.

The scale, siting and design of the development proposal continue to be acceptable. Due to the limited scale of the development in addition to the acceptable scheme of landscaping the proposal does not have any harmful impact on the special character of the AONB, and the condition requiring any external lighting to be subsequently approved by the planning authority should be retained on any permanent consent.

The development would comply with CP51, CP57 and the NPPF.

3. Neighbouring amenity

Core Policy 57 requires that development should ensure the impact on the amenities of existing occupants is acceptable and that appropriate levels of amenity are achievable within the development itself. The NPPF states that planning decisions should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.' The public protection officer stated:

I write regarding the application for permanent planning permission for a single storey educational building to be used for school visits to the farm, alternative provision for Wiltshire Council, a Home Educational group, Holiday clubs, Fundraisers, evening Yoga classes and talks for the community.

The nearest noise sensitive property is approximately 200m east of the application site. Background sound levels at this location, particularly during the evening and late are night are likely to be very low, therefore, you may wish to consider applying a condition to restrict hours of use of the building in order to avoid loss of amenity at the nearest property as the result of people noise/ vehicles entering or leaving the site late at night.

The applicant duly submitted their hours of use and these seem reasonable:

Mon- Fri: 9am-7.30 pm Sat: 10am - 5pm Sunday and Bank holidays closed.

We have infrequent use on Saturdays and not every evening has events or classes going on.

The site is considered to be adequately separated from existing neighbouring properties not to affect the amenities of neighbouring occupiers and the hours of use are acceptable. There would be no additional car parking provision above the existing 8 spaces. It is therefore considered that appropriate levels of amenity are achievable, in accordance with CP57.

4. Highway Safety

CP57, CP60 and CP61 are applicable to the proposal. The highways officer considered the retention of the educational use of the building and stated:

I note that the permanent permission will replace the temporary permission granted in 2019 ref: 19/07526 and at that time no highway objection was raised. Whilst the limitations of Tokes Lane in terms of width and alignment are acknowledged, I have not been made aware of any highway related

issues from the classroom in this location which presumably has been functioning since permission was granted 4 years ago. I am happy for the use to continue and do not wish to raise a highway objection.

Therefore, the development is considered acceptable at the current levels of usage and capacity.

5. River Avon SAC

The foul drainage for the existing building drains to an existing septic tank. The proposal was originally considered to be acceptable under CP48 and includes no overnight accommodation.

A test of likely significance has been carried out by the relevant Competent Authority (Wiltshire Council) as required by Regulation 63 Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. This concluded that given nature of the development (retention of an existing education building with no overnight accommodation) there is no mechanism for adverse effect. The HRA has concluded that the application is not likely to have significant impacts on the River Avon SAC and Appropriate Assessment is not required.

Conclusion

The proposal seeks to retain an education facility provided on an existing farm. There are no local objections to the facility and the hours of use are reasonable and unlikely to result in disturbance to local residents. Existing parking facilities are adequate, and no objection is raised to the building on the grounds of landscape impact on the AONB. No objection is raised subject to conditions on the original consent being carried forward to the permanent use. The proposed development conforms to the objectives of Core Policies 48, 51, 57 and 69 of the Wiltshire Core Strategy and the aims of the NPPF.

RECOMMENDATION: Approve subject to conditions

The development hereby permitted shall be carried out in accordance with the following approved plans listed in schedule.

Drg. no. LS-003-001 Location Plan & Site Plan Date rec. 14/08/19
Drg. no. LS-003-100 Landscape General Arrangement Plan Date rec. 14/08/19
Drg. no. LS-003-110 Boundary Treatment Plan Date rec. 14/10/19
Drg. no. #Pln Floor plans and elevations Date rec. 14/08/19

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

Any new artificial, external light fixture within the site and on the building shall be installed in accordance with the appropriate Environmental Zone standards (E0 for the AONB) set out by the Institute of Lighting Engineers in their publication “Guidance Notes for the Reduction of Obtrusive Light” (ILE, 2005)” and shall be maintained thereafter.

REASON: To exercise control over the lighting design and level of luminance in order to protect the amenities of the locality and the landscape character of the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or reenacting or amending that Order with or without modification), the site shall be used solely for purposes within Use Class F1 (Learning and non-residential institutions) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended)(or in any provisions equivalent to that class in any statutory instrument revoking or reenacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use, other than a use within the same class(es), having regard to the circumstances of the case.

The use of the building hereby approved shall not take place outside the following hours: Mondays to Fridays: 09:00 hours - 19.30 hours, Saturdays: 10:00 hours – 17:00 hours and no use on Sundays and Bank holidays.

Reason: In the interests of neighbouring amenities.