CASE OFFICER'S REPORT

Application Reference:	PL/2023/04195
Application Type:	Removal/variation of conditions
Site Inspection:	
Consultation ends:	09 October 2023
Case officer:	Selina (Nina) Parker-Miles

Site Address:	Land to the South East of Forewoods Common, Holt, Trowbridge, Wilts, BA14 6PJ
Proposal:	Variation of Condition 2 of 19/09952/FUL to allow for approved agricultural building to be repositioned from location previously permitted (Retrospective)
Recommendation:	Approve with Conditions

This application relates to an existing agricultural site located in open countryside, at land southeast of Forewoods Common near Holt. The application site is situated within the designated West Wiltshire Green Belt and lies within the Bath and Bradford on Avon Special Area of Conservation for bats.

Approval was granted in 2021(19/09952/FUL) for the erection of an agricultural building for storage of hay and straw and the building has been constructed on site. However it was noted on the case officer's site visit for a subsequent application (PL/2022/09469) for a steel portal framed agricultural building) that the agricultural building previously granted had been erected in a different position than previously approved.

This variation of condition application seeks to regularise the built development on site and the agent states that all other approved plans have been adhered to. An updated block plan was received 13.12.2023 illustrating the surrounding built environment in more detail. The updated plan satisfies the Parish Council concerns.

Policies

National Context:

National Planning Policy Framework 19 Dec 2023 (NPPF)
Planning Practice Guidance (PPG)

Local Context:

CP1 Settlement Strategy
CP2 Development Strategy
CP7 Bradford on Avon Community Area
CP50 Biodiversity and Geodiversity
CP51 Landscape
CP57 Ensuring High Quality Design and Place Shaping
CP60 - Sustainable Transport
CP61 Transport and Development
CP64 - Demand Management

The ’made’ Holt Neighbourhood Plan 2016 to 2026

Key Issues
Principle of Development
Development within the West Wiltshire Green Belt
Design and Visual Impact
Neighbouring Amenity
Highways Impact
Ecology

17/11890/FUL Erection of agricultural building, associated hardstanding and access track from existing access - Approve with conditions
19/09952/FUL Erection of agricultural building for storage of hay and straw - Approve with conditions
PL/2022/09469 Proposed steel portal framed agricultural building - Approve with conditions

Wiltshire Council Highways - No objection
Holt Parish Council - '*Holt Parish Council would like to raise the fact that the plans submitted are very vague and it's practically impossible to see where the barn will actually be placed. HPC requests more details plans before Wiltshire Council makes its decision'.*

Third Party representations: The application was advertised by neighbour notification and by the display of a site notice. Two letters of support were received.

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Principle of Development
The principle of development has already been established within the previous approval on site. The proposed development seeks to regularise the repositioning of the existing consented built form within the built envelope of the application site, and as such the principle of development is acceptable subject to the following considerations. Whilst the proposal would have some impact on openness, due to its scale, siting, close relationship with existing development and the local topography, it is considered that this would be minimal.

Development within the West Wiltshire Green Belt
The application site consists of an existing agricultural building that supports the applicant’s livelihood as an agricultural contractor and cattle farmer and as an established agricultural business the principle of development is supported.

The application site is located within the Western Wiltshire Green Belt, the National Planning Policy Framework regards the construction of new buildings in the Green Belt as 'inappropriate development', unless the proposal falls within the criteria set out in paragraph 154, that states that "*A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are;*
a) buildings for agriculture and forestry;" Therefore, as an exception, this proposal is appropriate development within the green belt.

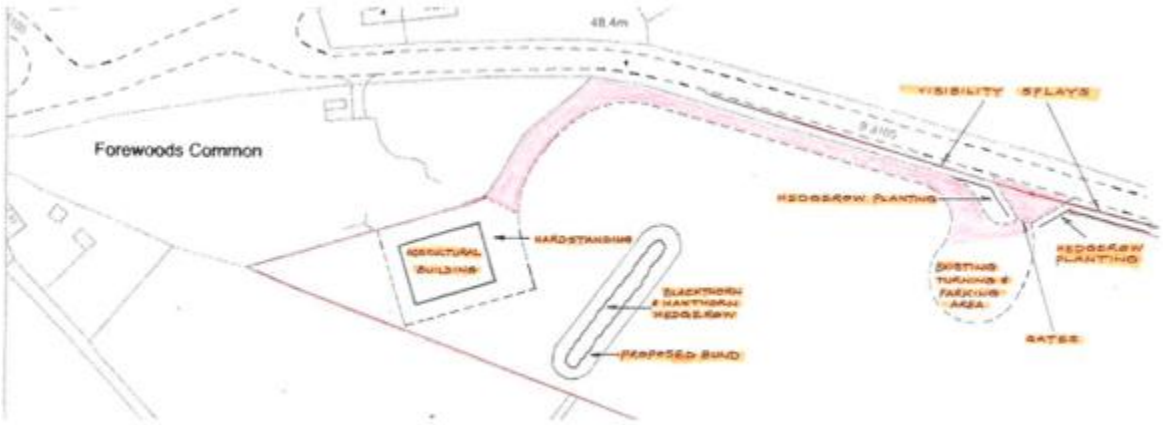
In relation to impact on the openness of the Green Belt, Paragraph 142 of the NPPF states;
"T*he Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence."* Officers conclude that the repositioned barn, which is reoriented from its previously approved position, would not encroach on the openness of the green belt, therefore this development is defined as being appropriate in the green belt.

Design and Visual Impact on Visual Amenity
CP51 of the adopted WCS states that 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".

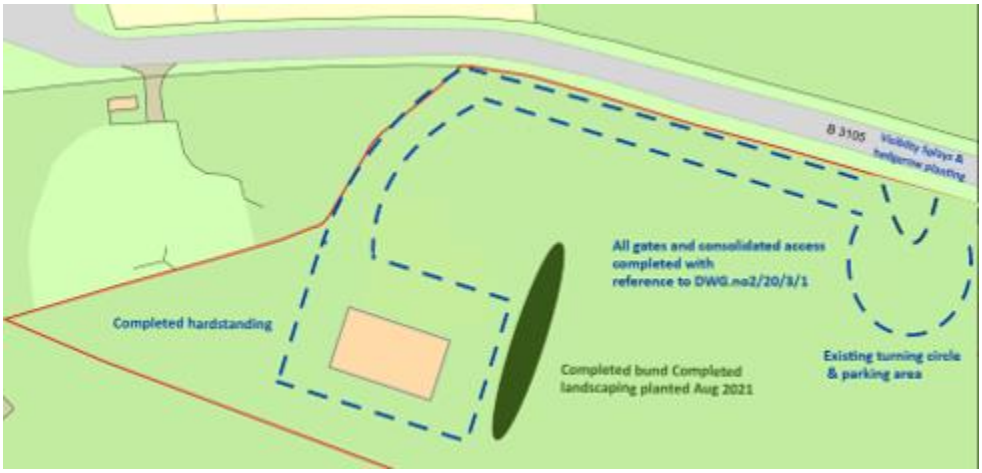
CP57 also requires developments to be of a high standard of design and to create a strong sense of place through drawing on the local context and being complementary to the locality through, amongst a series of criteria, "enhancing local distinctiveness by responding to the value of the natural and historic 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".

The barn has been erected within the north-west corner of the application site, as previously approved, however the orientation of the building has been altered so that the front elevation now faces northwest as opposed to the approved south west. The building has been erected with the same dimensions and materials as consented.

The variance between the location and positioning of the approved building and erected building is considered minimal when considered within the application site as a whole, given the extended area of open fields that are maintained to the southeast of the building. Officers acknowledge a subsequent application for an additional storage building has been approved on site however the design and visual impacts of that scheme were appraised with the acknowledgement of the existing building in situ.



Previously approved position of the agricultural barn (shown with associated and implemented landscaping)



Position of the erected agricultural barn



Google Earth image insert of the agricultural barn in construction in the revised position



Google Earth image of the erected agricultural barn viewed from the north on the B3105

Officers acknowledge that the approved landscaping scheme and bunds subject to the conditions attached to 19/09552FUL have been implemented, and a condition would be added to ensure the retention of these trees and plants. Similarly the access way surface has been implemented in accordance with the previous condition attached to 19/09952/FUL as have the driveway gates, however a condition would be added to ensure that the gates are retained to open inwards in perpetuity, in the interests of highway safety.



Front elevation of the erected agricultural building

The construction of the building on this site for agricultural purposes is supported by the policies of the NPPF and officers consider that the variation to the approved plans does not give rise to unacceptable visual amenity given the agricultural barn is screened by existing mature vegetation along the north-west and south-west boundaries and the additional planting approved along the north-eastern boundary has been implemented. The provision of the bunds towards the north and east of the barn ,planted with native species also reduce the visual impact of the building and its impact on the wider area. Therefore, the impact of the proposed development on the visual amenity of the site and surrounding area is considered acceptable and as such, the proposal is considered to comply with Core Policies 51 and 57.

Neighbouring Amenity

Core Policy 57 of The WCS states that 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 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

The scheme relates to an agricultural barn that has been previously approved and erected, albeit in a different location, located within a generous application site with extended separation distances to any immediate neighbours, therefore no objections are raised in relation to loss of light, overlooking, overshadowing or overbearing impact.

For these reasons, the development proposals would comply with Policy CP57 of the adopted Wiltshire Core Strategy.

Highways Impact
Given this application seeks to regularise previously approved development, that has been built out, the proposal would not require any additional excavation or landscaping to the access or driveway to the yard, The proposal would utilise the previously approved access that has been implemented and a condition would be attached to ensure that the existing accessway gates would be retained as inwards opening only, in perpetuity, in the interests of highway safety.

The proposal would not give rise to significant harm in terms of highway safety and no objections were raised by the Local Authority Highways officer. As such the proposal accords with policies CP60, CP61 and CP64 of the Wiltshire Core Strategy and Paragraph 115 of the NPPF.

Ecology
The application site sits within the Bath and Bradford on Avon Special Area of Conservation for bats therefore due consideration has to be given to the potential disturbance of any bats because of the development. However, given this application submission relates to an implemented development no concerns are raised in relation to any adverse impacts on the protected species.

The previously imposed condition restricting external lighting on site would be retained, given the site's rural location neighbouring the Great Bradford Wood to the south-west, in order to ensure that any lighting does not cause light pollution or adversely impacts ecology interests.

RECOMMENDATION: Approve with conditions

Conditions: (5)

1 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
Location Plan DWG No 2/20/3/2 Received 25.05.2023
Proposed Block Plan Received 13.12.2023
Proposed Elevations, Section and Floor Plan DWG No 9/19/3/1 Received 16.10.2019

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

3 No external lighting shall be installed until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals in their publication “The Reduction of Obtrusive Light” Guidance Note 01/21 (reference GN01/21), have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

5 All soft landscaping previously approved subject to 19/09952/FUL shall be retained and all shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-H [DELETE classes as appropriate] shall take place on the dwellinghouse(s) hereby permitted or within their curtilage.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

7 The erected gates shall remain set back 4.5 metres from the edge of the carriageway and open inwards only, in perpetuity.

REASON: In the interests of highway safety.