PLANNING STATEMENT



December 2023

Botany Farm, Bradley Road, Warminster BA12 7JY

The erection of 3 glamping pods at land at Botany Farm, Bradley Road, Warminster

TABLE OF CONTENTS

1. INTRODUCTION 3
2. RELEVANT PLANNING HISTORY 5
3. RELEVANT POLICY AND LEGISLATION 6
   The Wiltshire Core Strategy *6*
   National Planning Policy Framework (NPPF, December 2023) *7*
4. PLANNING ASSESSMENT 9
   Principle of Development *9*
   Character and Appearance *14*
   Ecological Implications *16*
   Access and Highways Safety *18*
   Residential Amenity *18*
5. CONCLUSION 19

1. INTRODUCTION

1.1. Context Planning Ltd have been instructed to assist in the preparation of a supporting statement for the construction of 3 glamping pods on land at Botany Farm, which is located between the village of Crockerton and Warminster.

1.2. The application site is located within the extensive 68.5 acres land parcel of Botany Farm, outside the Area of Outstanding Natural Beauty or Green Belt land. Immediately to the north of the site runs a public footpath (PROW ref. LDEV17).

1.3. Botany Farm has recently been taken over by new owners. Alongside farming the wider farm holding, they run an equestrian business. The owners now wish to diversify their rural business and as such are seeking planning permission to erect 3 small glamping pods at Botany Farm.

1.4. The pods will be advertised for use in association with the existing equestrian business. The host has an Olympic Training background, with the site already housing stables as well as accommodating all weather 60mx40m ménage. The site is located adjacent to a bridle path and close to the Longleat forest which benefits from hacking opportunities on all the trails.

1.5. As well as being attractive for equestrian holidays, the site is also located close to popular tourist destinations, such as Longleat and Centre Parks. The application site is in easy walking distance to Warminster which has a plethora of local services and facilities. It is also well related to more rural facilities such as the Bath Arms pub near Shearwater.

1.6. The application seeks planning permission for the erection of 3 holiday glamping pods which will be located to the northeast of the recently permitted equestrian and agricultural buildings. The pods will be in the next field, behind an existing well established hedge row. The siting is illustrated in Figure 1 below.

1.7. The pods will offer independent temporary accommodation but will be moveable structures, modest in size. External finishes are cedar cladding under slate roof with grey doors and windows. An example of the pod is illustrated at Figure 2 below.

1.8. This Planning Statement assesses the proposed development against the Development Plan policies of Wiltshire Council, the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG).

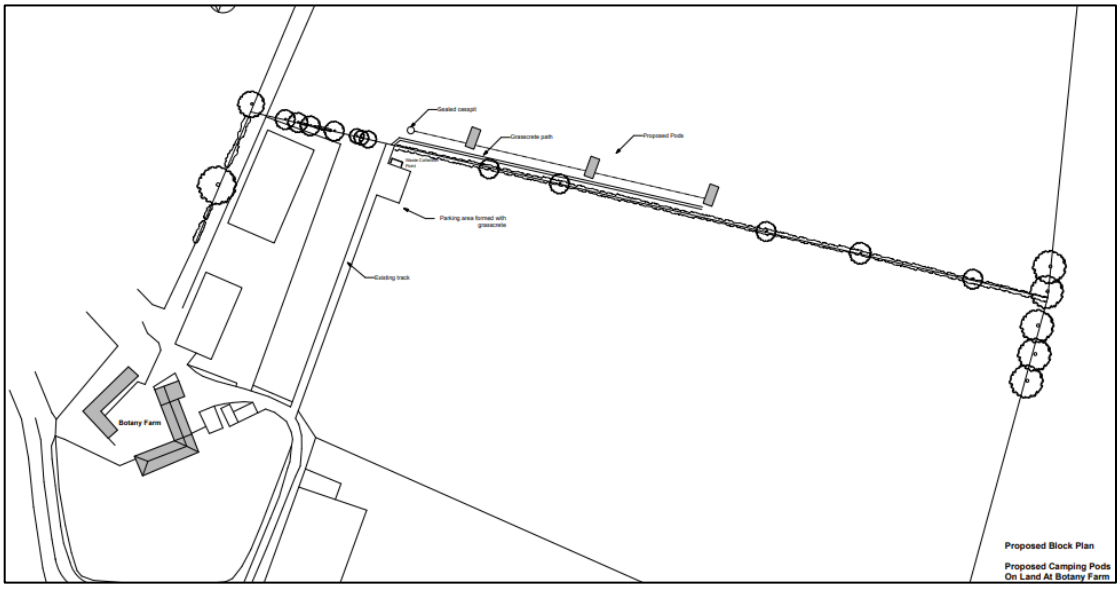


Figure 1 – Siting of glamping pods.

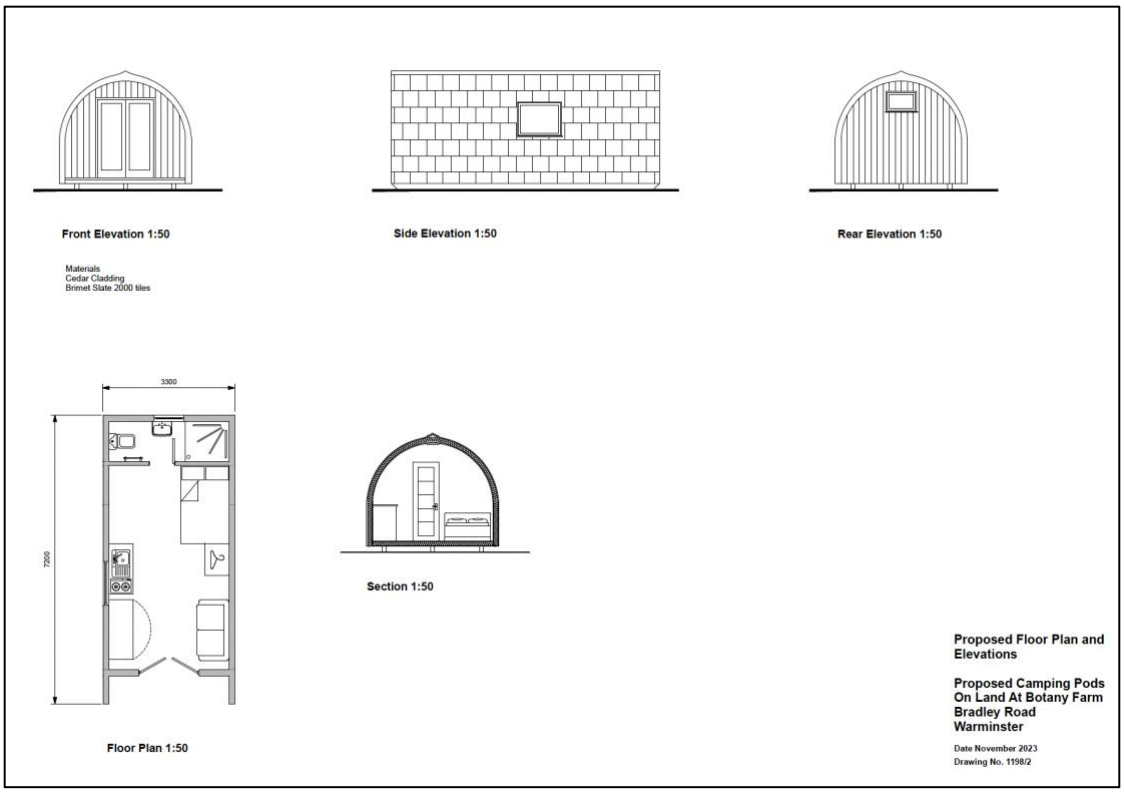


Fig.2 – Proposed glamping pods

2. RELEVANT PLANNING HISTORY

2.1. The wider farm has an extensive planning history, including previous permissions for a holiday camping site Botany Camping that was located to the north-east of Botany Farm House and was split from the main farm complex when it was purchased by the applicant. The campsite has now been closed for over a year and it is understood that at the moment there are no plans for its re-opening.

2.2. The most relevant to the current proposal is the implemented planning permission ref. 2022/01924 which granted permission for a mixed-use proposal

for construction of agricultural and equestrian buildings on land to the east of Botany Farm House and was approved on 23/06/2022.

3. RELEVANT POLICY AND LEGISLATION

3.1. Wiltshire Council formally adopted the Wiltshire Core Strategy Development Plan Document in January 2015 which has a number of relevant policies to this proposal. National policy in the form of the NPPF and PPG is also relevant and referenced accordingly.

The Wiltshire Core Strategy

3.2. Core Policy 34 (Additional employment land) aims to support the rural way of life through the promotion of modern agricultural practices, appropriate diversification of the rural economy. It overtly supports sustainable farming and food production through allowing development required to adapt to modern agricultural practices and diversification.

3.3. Core Policy 39 seeks to support the diversion of the rural economy and sets out criteria as to when tourist accommodation can be supported.

3.4. Core Policy 48 (Supporting Rural Life) seeks to protect the countryside and maintain its local distinctiveness.

3.5. Core Policy 51 (Landscape) seeks to protect, conserve and enhance Wiltshire's distinctive landscape character. It 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.

3.6. Core Policy 57 (Ensuring High Quality Design and Place Shaping) relates to design and advises that new development should be sympathetic to the historic and natural environment. It should enhance local distinctiveness and relate positively to its setting. Green infrastructure should be safeguarded and development should make an efficient use of land. Development should have regard to its impact on adjoining uses and buildings ensuring an appropriate level of amenity. Buildings should take account of diversity and adaptability, considering how buildings and space will be used in the immediate and long-term future.

3.7. Policy CP61 (Transport and new development) requires transport assessment to demonstrate that consideration has been given to the needs of all transport users, where relevant; that the scheme can be served by safe access to highway network; and that fit for purpose and safe loading/unloading facilities can be provided where these are required as part of the normal functioning of the development. CP64 (Demand management) states that the provision of parking associated with new private non-residential development will be limited to maximum parking standards.

National Planning Policy Framework (NPPF, December 2023)

3.8. Paragraph 38 of the NPPF advises that 'Local Planning Authorities (LPA) should approach decision-making on proposed development in a positive and creative way…and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision makers at every level should seek to approve applications for sustainable development where possible'.

3.9. Paragraph 85 explains that decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

3.10. Paragraph 88 focuses in particular on the rural economy, explaining that decisions should enable: a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings; b) the development and diversification of agricultural and other land-based rural businesses; 25 c) sustainable rural tourism and leisure developments which respect the character of the countryside

3.11. In respect of transport, paragraph 115 advises that it should be ensured that 'safe and suitable access to the site can be achieved for all users'. Paragraph 115 advises that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

3.12. Paragraph 135 guides that planning decisions should ensure that developments will 'function well and add to the overall quality of the area'; 'are visually attractive as a result of good architecture, layout and appropriate and effective landscaping'.

3.13. Paragraphs 180-172 seek to protect and enhance values landscapes and require that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty (AONB), which have the highest status protection in relation to these issues.

4. PLANNING ASSESSMENT

Principle of Development

4.1. Planning permission was recently granted at Botany Farm for large stables, and the construction of these are near completion. The existing site also accommodates a range of existing stables and a large menage. These uses are concentrated mainly to the south of the main house and benefit from an established separate access off Bradley Road to the west.

4.2. The current application seeks planning permission to erect 3 glamping pods that will provide a complementary facility to the equestrian use on site, as well as provide accommodation for tourist visiting local attractions in Wiltshire. The development would benefit the rural economy and is supported by both local and national policy.

4.3. Wiltshire Core Strategy recognises the importance of tourism development in Wiltshire and the associated positive impact this has upon the economy. It also recognises the significance of renowned attractions such as Longleat Safari and Adventure Park which is located a short distance from the application site.

4.4. The above echoes the advice of the National Planning Policy Framework which recognises the crucial role development plays in building a strong competitive economy. Paragraph 85 explains that decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The development as proposed is related directly to an existing agricultural/equestrian business, and this development will support its growth

and survival going forward.

4.5. Paragraph 88 of the Framework in particular focuses on the rural economy, explaining that decisions should enable: a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings; b) the development and diversification of agricultural and other land-based rural businesses; c) sustainable rural tourism and leisure developments which respect the character of the countryside. The development as proposed achieves all the above objectives, with the scheme relating to farm diversification, as well as providing high quality tourist accommodation in a sustainable location.

4.6. As will be demonstrated within this Planning Statement, the development represents the sustainable growth of a rural business, will allow for the development and expansion of an agricultural and equestrian business, and will provide a sustainable tourist facility that respects the character of the Countryside.

4.7. Wiltshire Core Policy 39 is the most relevant local policy when considering the principle of development. This policy explains that within Principal Settlements and Market Towns, proposals for tourist development of an appropriate scale (including attractions and tourist accommodation) will be supported subject to a sequential assessment. The site is located just outside of the Market Town (Warminster) but is located in close proximity to this settlement, within easy walking distance to the facilities and services within the town. It would not be practicable or necessary to undertake a sequential test to demonstrate there were no more central locations for this use. The use is not a town centre use as defined by the NPPF and is specifically associated with the existing equestrian use of the site.

4.8. Policy CP39 also explains that in exceptional cases development may be supported away from the Principal Settlements, Market Towns, Local Service Centres and Large and Small Villages where it can be demonstrated that the criteria as set out within the policy are met. It also explains that proposals for camping and touring caravan sites (including extensions) will be supported where they can be accommodated without adverse impact on the character and appearance of the landscape and meet criteria iii to v of the policy. The development therefore most closely reflects a camping and caravan site and should be assessed under criteria iii to v of this policy. However, for the avoidance of doubt, an assessment will be made against each criterion.

4.9. Criterion i) requires that the facilities are in conjunction with a particular countryside attraction. It has been explained above that the development is uniquely related to the existing expanding equestrian facilities on site. The applicant is a four-star event rider with involvement in two Olympic games but also an Olympic riding coach for thirteen years. The farmyard is still a working yard but also contains an all-weather 60x40 metre riding school where visitors can have lessons either over the fences or on the flat, there is also an undercover horse walker. Longleat forest has excellent hacking trails including hacking to Shearwater lake. The farm produces own hay and haylage which is supplied to William Fox-Pitt MBE and many competition yards. The West Wilts Equestrian competition complex at Holt is only a 40 minute drive so the visitors could enter a dressage or jumping competition and receive help and tuition. The development will therefore be attractive to equestrian users and will provide a unique holiday opportunity for visitors that cannot be replicated elsewhere. Alongside this, the site will be attractive to those visiting Longleat Safari Park, which is recognised in the Core Strategy as a key tourist destination in Wiltshire.

4.10. Criterion ii) is in place to ensure that suitable alternative existing buildings which are available for reuse have been considered. There are no existing buildings

on site that could be utilised for the tourist accommodation. All buildings on site have a function and are required either for the agricultural or equestrian business.

4.11. Criterion iii) explains that the scale, design and use of the proposal is compatible with its wider landscape setting and would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas. The three modest size units are proposed in part of the field currently used for storage of farming and equestrian equipment. They will be sensitively placed adjacent to the hedgerow and will be seen in the context of the existing large utilitarian buildings on site. Due to their scale, and the use of recessive materials, the impact upon the wider landscape will be minimal.

4.12. Criterion iv) is in place to ensure that the development is served by adequate access and infrastructure. The development already benefits from a suitable and safe access which has previously been deemed acceptable by the Council's Highway Officers. Whilst the use of this access will marginally increase, any limited intensification of this access is deemed acceptable. The opportunity for visitors to stay on site will ultimately reduce the number of comings and goings associated with the stables and the manege. Associated infrastructure including toilet and waste disposal will be provided.

4.13. Criterion v) explains that the site should have reasonable access to local services and a local employment base. The units would be primarily managed by those already on site. Any additional employment could be served by a local employment base, as the site is in close proximity to Warminster. Similarly, Warminster, hosts a plethora of services and facilities which would be easily accessible to visitors to the site. The development site is well located to rural facilities such as the local pub at Shearwater which can be reached on foot.

4.14. Based on the above, it is evident that the development complies with the aims of the NPPF and Wiltshire CP39. However, whilst the principle of development is policy compliant, it is also material to note, that camping/caravan facilities could be implemented under permitted development rights. The Government has recently introduced new rights to allow land to be used as a campsite for up to 60 days per calendar year, subject to limitations (e.g. no more than 50 pitches), and the provision of toilet and waste disposal facilities.

4.15. It is recognised that the above does not represent a like for like fall-back position, as the proposal is for glamping pods. It does however demonstrate the Government's ambitions to boost the rural economy through tourist facilities. This is in line with the advice of the Framework which directs significant weight on the need to support economic growth and productivity.

4.16. Whilst the accommodation as proposed is described as 'glamping pods', they fall within the definition of a caravan under the Caravan Sites and Control of Development Act 1960. A '"caravan" means any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted, but does not include...any tent'

4.17. The permitted development by virtue of Schedule 2, Part 5, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO) is therefore highly material. This allows for the use of land as a caravan site where the land is operating under the exemptions from a caravan site licence. The opportunity for the use of the land for up to 5 caravans under permitted development, would be available to the applicant and could be pursued if planning permission is not granted. This represents a realistic fall-back option for applicant.

4.18. The Court of Appeal in *Mansell v Tonbridge And Malling Borough Council [2017] EWCA Civ 1314* has recently clarified when a 'fallback' development may be a material planning consideration for an alternative development scheme. The basic principle is that for a prospect to be a "real prospect", it does not have to be probable or likely: a possibility will suffice. For the above reasons, this fall-back position should be given significant weight in the assessment of this application.

4.19. For the reasons outlined above, the principle of development should be supported.

Character and Appearance

4.20. Core Policy 57 requires new development to make: "…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".

4.21. The surrounding landscape setting of the development is characterised by relatively flat and open countryside with mature planting along the roads and occasional rural buildings clustered in open agricultural fields. No specific landscape designations cover the site.

4.22. Large agricultural and equestrian buildings have recently been erected on site which, due to their function, are large in scale and will remain the dominant buildings on the site. These larger buildings are illustrated in Figure 3 below



Figure 3 – Existing Buildings under construction in October 2023

4.23. The proposed glamping pods are discretely located behind the existing mature hedgerow. This will ensure that visibility of these pods is limited. This area is currently used for storage of farm equipment and the development provides the opportunity to tidy up this area of the site. The impact of the pods is further reduced due to the small scale, and use of natural recessive materials. Further, the openings on the pods are limited and sensitively placed, to ensure that any light spill is minimal. Any lighting will be seen in the context of the existing lighting on the site.



Figure 4 – Location of pods

4.24. The development will utilise the existing access, and a small parking area will be created on the working yard side of the hedge. This has been sensitively located to ensure that its impact is minimal, and it will not be visible from wider views.

4.25. Overall, the development will integrate successfully into the wider landscape and will comply with the requirements of policies CP51 and CP57 that seek to secure development that takes account of the characteristics of the site.

Ecological Implications

4.26. CP50 of the WCS states that development proposals must demonstrate how they protect features of nature conservation and there is an expectation that

such features shall be retained, buffered and managed favourably in order to maintain their ecological value.

4.27. The development is located adjacent to an existing hedgerow, but due to its construction method and distance from the hedgerow, will not have a negative impact upon this feature. Further, no openings face this feature and no permanent lighting fixtures apart from small solar powered low level pathway lights are proposed. As such there will be no light spill towards the hedgerow.

4.28. The development allows for opportunities for biodiversity net gain, including bird/bat boxes on the glamping pods, and additional planting if necessary. Any biodiversity enhancements can be secured via condition.

4.29. The site falls within the Hampshire River Avon Catchment area, and as such nutrient neutrality is a material consideration. Wiltshire Council have confirmed that tourism accommodation (glamping, camping, B&Bs, hotel bedrooms) is generally not included in the strategic appropriate assessment for the River Avon SAC. However, this approach can make exceptions for policy compliant, small scale tourism applications - provided there is evidence to show that phosphorus burdens have been avoided and mitigated on-site as far as reasonably practical.

4.30. The development is a small-scale policy compliant tourist use and can therefore be considered as an exception. The waste from the pods will be kept in sealed tanks. The sewerage waste will then be taken off site and all waste will be disposed of through Wessex Waters designated tankered waste disposal sites through Somerset and Wiltshire.

4.31. The applicant has secured the above service from a registered waste carrier (Reg No CBDU111548), who has provided a list of disposal sites outside of the

catchment area. Waste transfer notes will be issued with each collection and a record of this will be kept by the applicant. The removal of waste in this way can therefore be secured via a condition on any planning permission. As such there is no additional impact on the protected site (either alone or in combination with other plans or projects) pursuant to Regulation 63(1) of the Habitats Regulations 2017.

4.32. In addition to this, the fallback position identified above must be considered. Whilst planning applications for such proposals may be subject to an HRA under the Habitat Regulations, the applicant has a legitimate fallback position by virtue the permitted development rights. For this reason, it is also considered that a Habitats Regulations Assessment is not required in this instance.

Access and Highways Safety

4.33. The glamping pods will be accessed via the existing dedicated vehicular entrance off Bradley Road to the west of the menage. This already serves the wider site and has been deemed acceptable in the assessment of previous applications including planning reference 2022/01924. Any intensification of this access would be minimal, and given the suitability of this access, would not result in any highway safety issues.

4.34. A small new parking area is to be provided which delivers the necessary parking and turning areas to ensure that all vehicles can enter and exist in forward gear. The scheme is therefore in accordance with the relevant transport, highways safety and parking policies of the local plan.

Residential Amenity

4.35. CP57 of the adopted WCS requires in part vii for development proposals to have

"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)".

4.36. The application site is clustered with the existing farmstead surrounded by approximately 4 acres of equestrian land and buildings. The development would not increase any levels of noise and disturbance over and above that already experienced within the existing working farm/equestrian setting.

4.37. The nearest neighbouring dwelling is Bradley Cottage, but this is set a sufficient distance away from the development site, to ensure that there is no harm to their residential amenity. Further, the glamping pods will be managed by the existing occupiers of the site which would ensure that, in the unlikely event that any issues are experienced, these can be swifty and appropriately dealt with.

4.38. Overall, it is considered that a good level of amenity would be secured for the surrounding residential uses. The development therefore complies with CP57 and the NPPF.

5. CONCLUSION

5.1. Section 70(2) of the Town and Country Planning Act 1990 provides that, in dealing with proposals for planning permission, regard must be had to the provisions of the development plan, so far as material to the application, and to any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that if regard is to be had to the

development plan for any determination, then that determination must be made in accordance with the plan unless material considerations indicate otherwise.

5.2. This Planning Statement demonstrates that the proposals are in full accordance with the Development Plan and the National Planning Policy Framework. The tourist accommodation is sustainably located, and will support the existing land-based rural business on site as well as the wider rural economy. The development is sensitively sited and designed to ensure there will be no harm to landscape character.

5.3. No harm has been identified to neighbouring residential amenity or highway safety, or with regards to any other matter. Overall, there is nothing to demonstrate that the proposal would amount to unsustainable development and therefore this application should be approved.

5.4. The Council is therefore respectfully urged to approve this application which is compliant with the terms of the development plan and the national planning guidance.

Sasha Berezina BA (Hons) MA IHBC MRTPI (Chartered Town Planner)

Director | Context Planning Ltd