Planning Statement

Proposal:	Engineering operations to form fishing lake and stock pond; use of land for stationing of fishing lodge as tourist accommodation.
Site:	Gryphon Lodge Farm, Leigh, Swindon, Wiltshire, SN6 6RQ.
Our Reference:	PS_2291E_south lake_v1

Land Development and Planning Consultants Ltd. is a Rural Planning Practice based in Corsham, Wiltshire. The Practice was established in 1989 to provide advice and representation on the range of town and country planning issues relating primarily to the countryside, villages and the market towns of Wessex. Clients include individuals, developers, legal and land agencies, commercial and residential developers, local authorities and amenity groups.

1.0 Introduction

1.1 Land Development and Planning Consultants Ltd. have been instructed by Mr Mark Bryant to prepare and present an application for engineering works to form a fishing lake and siting of fishing lodge.

1.2 The application, subject of this statement should be read in conjunction with the following plans and reports;

1.2.1 LDC2291E_01 Location Plan @ 1:5000;

1.2.2 LDC2291E_02 Location Plan @ 1:2500;

1.2.3 LDC2291E_03 Site Plan as existing;

1.2.4 LDC2291E_04 Proposed Site Plan;

1.2.5 LDC2291E_05 Indicative sections;

1.2.6 LDC2291E_06 Fishing Lodge Details;

1.2.7 LDC2291E_07 Landscaping plan.

1.2.8 Archaeological Desk Based Assessment prepared by Heritage Planning Services LTD;

1.2.9 Preliminary Ecological Appraisal prepared by Smart Ecology Ltd;

2.0 Background

2.1 Gryphon Lodge Farm comprises some 28.2 hectares (69.6 acres) of pasture and woodland to the east of Minety. The farm complex sits centrally within four retained home fields, including the dwelling and purpose-built cattle and calf sheds associated with the dairy enterprise which formerly operated from the site. The scale and range of buildings clearly supported a significant herd as part of a far larger holding in the past.

2.2



2.3 Extract from Google Earth TM.

2.4 Access is via a farm track leading west off B4696 Braydon Road which serves the farm with associated farmhouse and two dwellings outside of the ownership known as Trefoil and Duchy Rag.

2.5 The farm holding is entirely within Flood Zone 1 and does not fall within an area of special landscape protection nor an area identified as ecologically sensitive.

2.6 The holding comprises grass pasture which is let as grazing to a local farmer and a block of woodland, discussed in more detail below. The complex of buildings ranging in age, construction and quality are of brick, concrete, timber and steel frame and originally operated as a dairy business but that activity appears to have largely ceased prior to purchase of the holding by the previous owners in 2007.

2.7 Following completion of the purchase of the holding early in 2020, Mark took occupation of the farmhouse with his young family and quickly started to plan his enterprise.

2.8 Taking advice from his ground worker, Mark began clearance of areas of erstwhile unmanaged woodland with the intention of formalising the natural ponds and marshy zones into ponds. Upon consultation with his agricultural and planning consultants Mark halted works to enable an ecological assessment, and full topographic survey to be made of the holding and to engage with the local planning authority and develop a holistic strategy for the farm, starting with a pre-application submission.

2.9 The pre-application submission was made seeking the Local Planning Authority's opinion on the formation of a commercial fishery producing carp for sale; it was considered under reference 21/01066/PREAPP and a response was returned in May 2021. The scheme anticipated the phased creation of 5no. ponds, the joining of two existing ponds to create a 6th pond and retention of the pond created within the woodland.

2.10 The pre-application response confirmed that the principle of an aquicultural enterprise was acceptable but highlighted a need for an ecologically informed scheme and raised concerns over the intensity of the development which could result in material impacts on the landscape character.

2.11 The LPA's response raised significant concern over the woodland clearance, a matter that the Applicant acknowledges and accepts as an error in following poor advice from his contractor.

2.12 In the absence of a felling licence the Forestry Commission issued a Restocking Notice dated 25th August 2021. The Notice was subject of an appeal which was heard in December 2023 requesting variation of the Notice to replant the requisite and additional trees outside of the woodland, extending the wooded area to link into existing hedgerows and other existing woodland blocks; a copy of the proposed replanting scheme is produces as Appendix 1 of this statement.

2.13 Regularisation of the pond created within the woodland is not requested at this time while the Restocking Notice appeal is under consideration. An application for regularisation of the pond will be made if the Forestry Commission agree to the revised planting scheme.

2.14 Planning History

2.14.1 05/02578/OUT; Erection of 12no. holiday units and leisure barn; REFUSED

2.14.2 06/00298/OUT; Erection of 12no. holiday units; REFUSED

2.14.3 18/11337/CLE; use of an office (formerly an agricultural building); REFUSED

2.14.4 19/03973/PNCOU; Class Q conversion of agricultural building to dwelling; APPROVED

2.14.5 PL/2022/01437; Conversion of agricultural buildings to form a dwelling; UNDER CONSIDERATION (pending Ecology Officer review of UU).

2.15 Since occupation of the Gryphon Lodge Farm, the pasture has been let for sheep grazing to a local farmer who also takes cuts of silage and hay.

3.0 Proposed development

3.1 The planning application subject of this statement requests planning permission for the following elements;

- Engineering works and landscaping to form a single fishing lake of with a surface area of 1.6 hectares (3.95 acres);
  - Maximum water level will be 96.20 AOD
  - Crest height of 96.6 AOD

- Freeboard of 0.2m subsoil and 0.2m of top soil.
- Stationing of fishing lodge as guest accommodation for recreational anglers.

Proposed business management

3.2 Once established, the fishing lake will be stocked with specimen carp produced by the Applicant on the farm. The lake will be offered on exclusive lets for up to a week with guests staying in the proposed lodge which can accommodate up to two adults in one double bedroom. There will be no day ticket sales.

3.3 The growth of specimen carp fishing has led to the development of exclusive fishing lets with premium prices paid for the best locations and fish. While prices fluctuate through the year, average rentals for exclusive fishing in the area are;

- Friday to Monday; including VAT
- Monday to Friday: ncluding VAT
- Full week; including VAT

3.4 Based on a modest occupancy rate of 65% by year three of establishment of the lake and Monday to Friday rentals, figures indicate a return of turnover of . A 65% occupancy of the lodge represents guests staying at the lodge for 34 weeks in a calendar year, costs of management and maintenance have been calculated from this baseline.

3.5 <u>The business plan is presented under separate cover as a confidential Appendix to this statement; the figures indicate that the enterprise will become profitable during Year 2 of the venture.</u>

4.0 Policy Context

4.1 The starting point for the determination of this application is the provisions of the Development Plan. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states determination must be made in accordance with the Plan unless material consideration indicates otherwise. The relevant Development Plan for this form and scale of proposal comprises Wiltshire Core Strategy 2015 (WCS).

4.2 Policies of primary relevance to the determination of this scale and form of development are;

4.2.1 CP39 Tourist development

4.2.2 CP50 Biodiversity

4.2.3 CP51 Landscape

4.2.4 CP57 Ensuring high quality design and place shaping

4.2.5 CP61 Transport and new development

4.3 The National Planning Policy Framework 2021 is a material consideration to development proposals, of particular relevance is para.84 which confirms that both policies and decisions should support a prosperous rural economy.

5.0 Planning Assessment

Principle of development

5.1 The supporting text to Core Policy 39; 'tourism' confirms the importance that the sector has to Wiltshire's economy, the policy is therefore supportive of new tourist development in general. While the application site lies outside of a settlement as defined by CP1 of the WCS, CP39 supports development in such locations where the criteria contained within the policy are met. Support for development in the countryside is also found at para.84(b) and 84(c) of the NPPF.

5.2 Criterion (i) of CP39 requires that the development relates to a particular countryside attraction. The proposed fishing lake will create a new landscape feature in the countryside and the rural location of the fishing lake will be a key attraction to future guests. However, the fishing lake is not an isolated water attraction given the location of the site just 3.0km south of the Cotswold Water Park, where historic (and continuing) gravel extraction has led to the formation of a number of lakes used for a variety of water based recreational activities.

5.3 The water park and it's environs already attract a significant number of visitors to the area. The diversification of the holding from grazed pasture to a mix of grazing and aqui-culture and recreational fishing; the proposals are supported in principle by

para.84(b) of the NPPF which confirms that both planning policies and decisions should enable *'the development and diversification of agricultural and other land-based rural businesses'* in support of a prosperous rural economy.

5.4 Criterion (ii) requires confirmation that there are no suitable existing buildings that could be re-used by the development proposals. The proposed lodge will be sensitively located adjacent to the proposed lake, providing an optimal position from which guests will be able to enjoy the proposed lake and assimilate with the environment which will be created through the scheme.

5.5 Criterion (iii) seeks to ensure that the development is compatible with the wider landscape setting, and the character and appearance of the area. The proposed lake has been designed to accommodate existing landscape features and, through peripheral planting, extend and enhance existing woodland blocks.

5.6 The lake will be constructed by using uprising from digging out the lake to form bunds around the water feature. The scale of the lake ensures that sufficient space beyond the work area is retained to both protect the existing native hedges to the north, east and south boundaries and to enable planting within the field at the northern edge of the lake. The strip woodland proposed as part of this application will extend the replacement woodland planting, subject of the restocking notice (referenced at para 2.12 above), linking with woodland blocks to the east and north of the farm. In addition the hedge line to the south of the application site will be bolstered through the planting of larger, standard trees.

5.7 Overall, the development will be assimilated within the wider landscape through its sensitive landscape planting to the margins of the fishing lake and structural planting to the south of the application site. Views from public right of way LEIG15 and LEIG16, north and east of the proposed lake, will be limited by the retained field hedges which will be protected during the course of the construction phase.

5.8 As such the proposals will accord with the provisions of CP51; 'Landscape' through a material enhancement to the local bucolic landscape character; the development will

provide an increase in existing and new habitat as supported by CP50; Biodiversity; and will meet the policy test of CP39(iii).

5.9 Criterion (iv) requires that the development is served by adequate access and infrastructure. The existing access off the B4696 Braydon Road benefits from excellent visibility both north and south and is of a scale capable of accommodating larger vehicles associated with the former farming activities.

5.10 The access currently serves 3no. dwellings, the scale of traffic generated by the proposed recreational fishing activities will not compromise the continued safe functioning of the access as guests will stay and fish on site. Traffic movements during a booking are likely to be outside of peak hours when guests visit surrounding attractions and facilities.

5.11 Criterion (v) of CP39 requires the site to have reasonable access to local services and employment bases. The closest settlement is Minety, a small village within the Malmesbury community area, while the large village of Ashton Keynes lies some 3.0km to the north. A comprehensive range of services and facilities can be found in Cirencester (10.0km to the north), Swindon (10.0km to the east) and Royal Wootton Bassett (10.0km to the south).

5.12 The policy refers to *reasonable* access to services, which is underlined by para.85 of the NPPF which recognises that access opportunities will vary between urban and rural areas. Equally, that rural tourism development is often located in more remote locations and is sought out by guests seeking tranquillity within the countryside.

5.13 The proposed development represents a land-based recreational tourist enterprise that will be sensitively accommodated on Gryphon Lodge Farm, without impact on the surrounding area and contributing to the visitor offer in North Wiltshire. The proposals therefore accord with the strategic intent of the Wiltshire Core Strategy and the tests of CP39 and the proposed development is acceptable in principle.

Biodiversity

5.14 The Preliminary Ecological Assessment report prepared by Smart Ecology is submitted in support of the development proposals.

5.15 In response to the potential for impact on Great Crested Newts, the Applicant is pleased to confirm his intention to enter into a District Level Licencing Agreement which will remove the need for further directed surveys for either GCN or reptiles.

5.16 Equally, the suggested Biodiversity Enhancements set out in section 6.3 and table 6-1 of the PEA are welcomed, and can be secured through an appropriately worded condition.

Residential amenity

5.17 The proposed use will have no material impact on the nearest residential occupiers by virtue of its scale and location in relation to the closest dwellings outside of the ownership of Gryphon Lodge Farm.

5.18 It is acknowledged that there may be some disturbance during the engineering works necessary to form the fishing lake, however, the site activity can be effectively controlled through a suitably worded 'hours of operation' condition if it is considered necessary.

Drainage

5.19 The fishing lake will be bunded by the removed spoil to a level 0.4m above the water level, giving a freeboard of 0.20m at surrounding subsoil level. The lake will be fed by borehole and captured surface water. In the unlikely event of water over topping the crest of the lake, water will flow overland to existing ditches to the east and southern boundaries of the site and away from the nearest residential property (outside the Applicant's ownership), which lies 330.0m east of the proposed lake.

5.20 The natural topography directs surface water towards ditches that flow to a culvert under the trainline, southeast of the proposed lake. Water from the adjacent

farmland will continue to follow this established route. The lake will have a 300mm overflow pipe with trash screen set at surface water level.

5.21 The proposed lodge will be served by a Package Treatment Plant located adjacent to the accommodation and will discharge to the local ditch system in compliance with the rules for 'small sewage discharge to the ground'. Surface water will be directed toward water butts before overflow to the lake.

Archaeology

5.22 In consideration of the advice received at pre-application stage, the Applicant commissioned an archaeological desk-based assessment. The assessment prepared by Heritage Planning Services Ltd. finds that the potential of archaeology on the application site is low and that pre-determination archaeological investigation is not necessary given the available evidence. The report is commended to the Local Planning Authority.

6.0 The planning balance

6.1 The holding is no longer large enough to maintain a viable agricultural enterprise and therefore diversification of the economic activity into recreational tourism on the site is logical and supported by local and national planning policy.

6.2 The approach to the development is sensitive to its rural location and the wider landscape character with minimal impact on the surrounding views, and once completed the fishing lake and accommodation will function quietly and in harmony with its environs, managed by the Applicant from his home on the holding.

6.3 The proposals meet the economic objective of sustainable development through the contribution that the scheme will make to visitor attractions in Wiltshire and the potential for local employment in servicing and maintaining the site.

6.4 The social objective of sustainable development will be met through the provision of a new recreational attraction for guests to enjoy within a natural environment to the benefit of physical and mental health.

6.5 Clear environmental benefits will flow from the formation of the lake and the associated planting which will contribute to the matrix of habitats and to biodiversity in the area.

7.0 Concluding notes

7.1 It is trusted that the local planning authority will be able to support the application in its submitted form. The Applicant would welcome the opportunity to discuss in detail the proposals and to provide further information as required to enable a comprehensive assessment to be undertaken. Please contact the Agent at the earliest opportunity should such details be necessary.

Appendix 1

Replanting Scheme


LEGEND
EXISTING WOODLAND
Clearing
EXISTING WOODLAND
Clearing
EXISTING WOODLAND
New pond
EXISTING WOODLAND
EXISTING WOODLAND
Existing pond
Existing pond
Existing pond
Proposed areas of replacement woodland planting,
to provide connection between two areas of existing woodland
Total area 1.1985ha.
0.8736ha
Existing hedgerow with trees
Existing woodland (off site)
Existing hedgerow
GRYPHON LODGE FARM
0.3249 ha
Enderby Associates
Project:
Drawing title:
Scale:
Date:
Drawing no.
Rev.

Appendix 2

Business Plan

See separate confidential document