CASE OFFICER'S REPORT

Application Reference:	PL/2023/09584
Application Type:	Full planning permission
Consultation ends:	06 February 2024
Case officer:	Verity Giles-Franklin
Site Address:	Willow Cottage, Leigh Road, Bradford On Avon, BA15 2RQ
Proposal:	Erection of agricultural storage building to service agricultural holding.
Recommendation:	Approve with Conditions

Proposal and Site Description: This application is seeking planning permission for the construction of an agricultural storage building relating to the applicant's farm holding. The proposed building would be constructed from natural coloured pre-cast concrete panels with olive green steel box cladding above under a natural coloured fibre cement roof. With reference to the submitted Design and Access Statement, the proposed agricultural building would be used during the lambing season and for the storage of agricultural machinery, straw and fodder to support the applicants flock of ewes. The proposed building would occupy a gross internal floor area of 167m2 and would be sited within an existing field in open countryside in Bradford-on-Avon.

It is important to mention that as the application site measures less than 5 hectares in size, and as such, the applicant does not benefit from permitted development rights under Schedule 2, Part 6 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as Class B of the aforementioned Order to construct new agricultural buildings as PD, hence why a planning application is required.

The application site is located within the West Wiltshire Green Belt and within the consultation zones associated with both Greater and Lesser horseshoe bats.

Following officers review of the submitted drawings, a negotiated revision was secured reducing the height of the proposed structure to 4m on 19 January 2024, and a fresh consultation exercise was carried out on these revisions.

Policies

National Context: National Planning Policy Framework (NPPF); Planning Practice Guidance (PPG)

Local Context: The adopted Wiltshire Core Strategy (WCS) 2015, namely core policies (CP): CP1 - Settlement Strategy; CP2 - Delivery Strategy; CP7 - Spatial Strategy: Bradford on Avon Community Area; CP48 - Supporting Rural Life; CP50 - Biodiversity and Geodiversity; CP51 - Landscape; CP57 - Ensuring High Quality Design and Place Shaping; CP61 - Transport and Development

The Bradford on Avon Neighbourhood Plan 2013-2026, 'made' in October 2017

Key Issues: Principle of the development; principle of the development in the Green Belt; visual and landscape impacts; impact on neighbouring amenity; ecology; highway matters

Relevant Planning History

There is previous planning history relating to Willow Cottage but no relevant planning history associated with the application site.

Consultation Responses

Bradford on Avon Town Council: No objections and supports the proposal

Wiltshire Council Highways Department: No objection

Representations

Third-party Representations: One representation was received from the Bradford on Avon Preservation Trust (pursuant to the initial proposals) raising an objection "*to the location of this large agricultural building in a prominent location in open countryside so close to one of the main highways leading into the town. The building should be re-sited in a less conspicuous area elsewhere on the holding. The proposals would have a harmful impact on the character and appearance of the countryside and have an urbanising impact in this rural location*". No comments were received on the revised drawings which show a reduction to the height of the proposed dwelling.

Planning Considerations and Assessment

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 the Development: This application seeks planning permission for the construction of an agricultural building to be used in relation to the applicants small holding comprising a flock of sheep and the production of hay during the summer months. With reference to the submitted Design and Access Statement the applicant wishes to farm the holding and therefore requires an agricultural building on-site to support this venture. Therefore, there is no in-principle objection to the proposal which seeks to support agricultural use in the open countryside.

Principle of the Development in the Green Belt: The adopted WCS does not contain a specific policy relating to development within the Green Belt and therefore officers must assess each

application against the policy direction provided within the Framework. Paragraph 142 is clear that the government attaches great importance to Green Belts with 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*".

When assessing applications on designed Green Belt land, paragraph 152 directs that "i*nappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances*" and continues in paragraph 153 stating that "*local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations*".

There are certain circumstances where local planning authorities can regard the construction of new buildings as inappropriate, as set out in paragraph 154. This lists 7 exceptions with 154a) stating that "buildings for agriculture and forestry" are exceptions in the Green Belt.

In this instance the proposed erection of an agricultural building would support the applicants small holding; and, through negotiation, the height has been reduced that is considered proportionate and acceptable, and on this basis the proposed building would satisfy NPPF para 154a) and would constitute as an appropriate form of development in the Green Belt.

Visual and Landscape Impacts: It is appreciated that the exception listed in paragraph 154a) does not require a full assessment of the proposals impact on the openness of the Green Belt, however the visual impact of the proposals must still be assessed and appraised against CP51 of the adopted WCS.

This policy requires development to "*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*".

It is noted that the application site does not fall within any national or local landscape designations, however the character of the area is rural with the immediate area being characterised by a mixture of agricultural and residential use. The application site forms part of a parcel of land comprising two dwellings accessed off Leigh Road surrounded by agricultural land.

The proposed building would be positioned close to a well established hedgerow to the north, which would provide some screening of the proposed building. However, the screening ability of this hedge would only principally be achieved when the hedge is in leaf, being deciduous, its screening and filtering of views screening ability would be limited especially in the winter.

In recognition of the above and the proximity to the public domain and highway, revised plans were negotiated and submitted to reduce the overall height of the building by 1m, to a 4m ground to ridge height, which officers consider far more acceptable.

The comments submitted by the Bradford on Avon Preservation Trust are duly noted, however officers do not agree that re-siting the building would be appropriate as it would necessitate tracks

being created across the field and/or result in the farm building appearing isolated in the field or closer to nearby residential dwellings.

The proposed siting is accepted as the hedge would provide natural filtering/screening of views and the building position would be more consistent with the established rural pattern of development fronting the highway and avoiding isolated forms of development set back from the main access. Although Willow Cottage is set back, it forms a clear part of the cluster of buildings and does not appear isolated. Re-siting the proposed agricultural building from the location shown below would appear inappropriate



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Neighbour Amenity: With reference to the submitted Design and Access Statement, it is noted that the agricultural building would be used to house ewes and lambs during lambing season and as such this use would likely generate some noise and odour. The closest residential dwelling to the application site is Willow Cottage, which is the applicant's property and is located 51m from the proposed agricultural building as measured from the submitted block plan drawing. Beyond this to the north is Leigh Farmhouse, which is located approximately 63m from the proposed building. Criterion vii of CP57 of the adopted WCS requires all applications for new developments 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)*".

The Design and Access Statement states in paragraph 3.7 that the proposed building would be used to house sheep during the lambing season, as providing a "*safe warm birthing area*" and keeping lambs inside for a few days after birth results in higher mortality rates. Whilst it is appreciated that the proposed agricultural building would be located in relatively close proximity to residential dwellings, given that the lambing season would only take place a few weeks each year,

it is considered that any nuisance that would arise from sheep using the building would be for a limited period only. With due regard to the limited use of the agricultural building for housing livestock over the course of a year, it is not considered that the proposed building would give rise to an unacceptable impact on the amenity of neighbouring occupiers.

Highways Safety: This application does not propose any alterations to the existing vehicular access which serves Willow Cottage and this site, therefore the proposal is not considered to create any highway harm.

Ecology: The application site is located within a number of consultation zones associated with bat species and this application seeks the construction of a new agricultural building sited near an existing established hedgerow.

Policy CP50 of the adopted WCS requires proposals to incorporate "*appropriate measures to avoid and reduce disturbance of sensitive wildlife species and habitats throughout the lifetime of the development*". In addition to the above, Paragraph 180d of the Framework requires planning policies and decisions to contribute to and enhance the natural and local environment through "*minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*".

As the application site is located in open countryside, it is considered necessary to impose a planning condition on any planning permission granted restricting the use of external lighting on the site to protect species which are sensitive to light receptors.

Conclusion: Approve subject to conditions

Conditions: (3)

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Dwg CC/01/EDW - Location Plan;
Dwg CC/02/EDW - Block plan;
Dwg 01 - Proposed Floor Plan; all received on 6 November 2023
Dwg VIVE-01 Rev A, Proposed Elevation Drawings received on 19 January 2024

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

3 No external lighting shall be installed on-site 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 ecology interests and to minimise unnecessary light spillage above and outside the development site.

Informatives:

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.