# DELEGATED REPORT

| | |
|---|---|
| **Application Reference:** | PL/2023/08491 |
| **Application Type:** | Planning permission |
| **Site Address:** | Field Near Goodleys Hill Farm |
| **Proposal:** | Proposed engineering operations to change the profile of land, the erection of a livestock building, and the erection of a hardstanding (part-retrospective) |
| **Recommendation:** | Planning Permission be GRANTED |

**PROPOSAL/SITE DESCRIPTION**

The application relates to proposed engineering operations to change the profile of land, the erection of a livestock building, and the erection of a hardstanding (part-retrospective) within a field near Goodleys Hill Farm, Wick Lane, Gastard/Lacock. The application site is situated within Flood Zone 1, with a medium risk of ground water flooding and low risk of surface water flooding. There is a public right of way to the south-west, within the blue land reference: LACO4; and another to the north of the site LACO3.

**PLANNING HISTORY**

20/05080/APD - Clear Span Agricultural Building – Prior Approval Not Required

**POLICIES**

National Planning Policy Framework (NPPF) 2023

Wiltshire Core Strategy (WCS) 2015

CP1 Settlement Strategy

CP2 Delivery Strategy

CP11 Corsham Community Area

CP34 Additional Employment Land

CP51 Landscape

CP57 Ensuring High Quality Design and Place Shaping

CP60 Sustainable Transport

CP61 Transport and New Development

CP67 Flood Risk

North Wiltshire Local Plan 2011

No relevant policies

**ISSUES**

The principal considerations in the determination of this application are the principle of development; impact on the character and appearance of the area, neighbour amenity, highways, public protection and drainage.

**CONSULTATION**

Lacock Parish Council: No objection

Public Protection: "I have no adverse comments regarding the proposals"

Highways Engineer: "The proposal may result in a significant number of large vehicles travelling along Wick Lane and Folly Lane West from the A350. Applicant should be aware of the low bridge on Wick Lane near to the proposal site.

I raise no highway objection subject to the following.

The development hereby permitted shall not be first brought into use/occupied until the first 5m of the access, measured from the edge of the carriageway has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.
REASON: In the interests of highway safety

No development shall commence on site (including any works of demolition), until a Construction MANAGEMENT Statement, together with a site plan, which shall include the following:
• the parking of vehicles of site operatives and visitors;
• loading and unloading of plant and materials;
• storage of plant and materials used in constructing the development;
• wheel washing facilities;
• measures to control the emission of dust and dirt during construction;
• a scheme for recycling/disposing of waste resulting from demolition and construction works; and
• measures for the protection of the natural environment.
• hours of construction, including deliveries;
• pre-condition photo survey
has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be

carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.
REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

A photographic pre-condition highway survey to be carried out between the junction of Wick Lane and the C155 and the site access and copies of pre and post condition survey to be supplied to WC.

The applicant should be informed that the Highway Authority will pursue rectification of any defects identified by the highway condition survey which can be attributed to the site construction traffic under the provision of S59 of the Highways Act."

Drainage Engineer: No objection "*The site is in Flood Zone 1 and there is a low risk of surface water flooding and a medium risk of ground water flooding. Given the nature of the development, we believe that the requirements of sequential test in relation to flood risk has been met.*

*The proposed works are minor in nature and will not result in a significant increase in impermeable area or corresponding flood risk when compared to the existing baseline scenario. As such, we have no objections to this application.*

*We would encourage the applicant to utilise rainwater harvesting as part of the building proposal, in order to sustainably manage rainwater and reduce water demand where possible."*

**REPRESENTATIONS**
None received

**ASSESSMENT**
Principle of development

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. In this case, the Wiltshire Core Strategy (WCS), including those saved policies of the North Wiltshire Local Plan, form the relevant development plan. The NPPF is a relevant material consideration.

The proposal is for a new livestock building, ground works and new hard standing, which is part-retrospective. The only works undertaken are some ground works to reprofile the land and hardcore laid, as observed at a site visit 2 April 2024. It is understood the applicant's agricultural partnership is based at two other locations: Court Farm, Gastard and Common Farm, Broughton Gifford. Court Farm is the main location with over 400 cows. The business has 5 full-time employees and farms 200 ha of land - some owned, some rented. Godleys Hill Farm is 12ha and is owned by the partnership. It was purchased as an opportunity to grow the business. It it close to Court Farm which is 40 ha.

The applicants wish to erect a livestock building at Goodleys Hill Farm to accommodate young stock as the dairy herd continues to grow. There are currently 1000 head of cattle on the farm. The buildings at Court Farm have reached capacity. In the past cattle have been moved to Common Farm, Broughton Gifford, but with biodsecurity requirements in relation to TB, and requirements of needing to isolate groups of cattle, this cannot be accommodated with the existing facilities.

The purpose of the proposed building is to provide an isolation facility to which youngstock could be moved from Court Farm or Common Farm. From Goodleys they would either move to Court Farm to calve in to the herd, or be sold depending on farm requirements and the TB situation at the time.

The applicant states that there are no other alternative sites on Court Farm where this building could be erected. The application site appears to be around 800m from Court Farm by road. Whilst the building would be erected in a different location to existing agricultural operations, it is considered reasonable justification has been given for the need for a new location for the agricultural enterprise due to TB restrictions.

CP34 of the WCS states that proposals that support sustainable farming and food production through allowing development required to adapt to modern agricultural practices and diversification will be supported. The proposal is considered acceptable in principle in accordance with this policy.

It is noted that a prior approval application was applied for an agricultural building (ref: 20/05080/APD), but the wrong drawings were submitted, and this APD did not include ground profiling works. As such, the current application is part-retrospective and follows enforcement proceedings.

Lacock Parish Council have raised no objection to the proposals.

Impact on the character and appearance of the area

The application site is situated within the open countryside, within the Avon Vale Countryside Character Area. There is a public right of way to the south-west, within the blue land reference: LACO4; and another to the north of the site LACO3. Core Policy 51 of the Wiltshire Core Strategy (2015) states that development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character. Core Policy 57 requires a high standard of design in all new developments and that development respond positively to the existing landscape.

The proposal is for a new agricultural building within the open countryside (and associated ground levelling works and addition of hardcore). The building would relate to an existing agricultural operation on existing farms within the local area, but this application would create a wholly new site for the agricultural enterprise. The application site is part of a long rectangular field, most of which is laid to pasture, aside from the unauthorised ground works and installation of hardcore (proposed to be regularised by this application). The field itself is open, and the PROW LACO4 cuts across this to the south, from which there would be views of the agricultural building. There is mature hedgerow along field boundaries providing screening. The proposed building would be situated within the north of the field, close to the road. Surrounding landscape comprises agricultural land and there are some agricultural buildings to the north east.

The proposed building is a steel portal frame building. It measures 5.5m to eaves and 8.2m to ridge. It is to be finished in concrete panels and boarding to south east and north west elevations, whilst south west and north east elevations would be part open fronted with boarding above eaves level. The building would be set beneath a grey corrugated fibre cement roofing sheet. 10& of the roof will have translucent GRP rooflights. The building would be agricultural in appearance and an agricultural operation is compatible within the countryside.

The proposal also comprises retrospective site levelling works and the addition of hardcore. These works do not have a significant impact on the landscape or character and appearance of the area.

The proposals would not compromise the rural character of the area and is appropriate in design terms in accordance with Policies CP51 and CP57 of the WCS.

Neighbour amenity

Given the scale of the proposals and distance from neighbouring residential properties; the proposal would not cause any neighbouring properties to suffer loss of daylight, sunlight or privacy. There would be no adverse effects on neighbour amenity as a result of the proposals. The proposal conforms with CP57 of the WCS.

Highways

The Council's Highway Engineer identifies that the proposal may lead to large vehicles on surrounding roads, but has no objection subject to conditions relating to the access being consolidated and surfaced, a construction management statement, and a highway survey to be submitted. No highway safety issue is identified and there is sufficient land for parking. There is no conflict with CP60 and CP61. The wording of the Construction Method Statement condition will be tweaked to account for the proposal being part-retrospective.

Drainage

The site is in flood zone 1, in an area of low flood risk with low surface water flood risk and medium ground water drainage constraints. The Council's Drainage Engineer has been consulted due to the ground water constraint. However, it is considered that given the nature of the development, they consider the requirements of the sequential test in relation to flood risk to have been met. "The proposed works are minor in nature and will not result in a significant increase in impermeable area or corresponding flood risk when compared to the existing baseline scenario." As such, they have no objections to this application. The proposal is considered to comply with CP67 of the WCS.

**CONCLUSION**

The principle of a new agricultural building (and associated works) serving an existing agricultural enterprise is acceptable. The proposals are not considered to be harmful to the character and appearance of the area. There are no concerns in respect of the amenity of nearby properties, or drainage. Highway safety is considered acceptable subject to conditions. With no other material considerations indicating otherwise, the application is recommended for approval in accordance with Policies CP1, CP2, CP11, CP34, CP51, CP57, CP60, CP61 and CP67 of the WCS and the National Planning Policy Framework.

Given the application is part-retrospective and has been implemented, a condition relating to the time limit is not required.

**RECOMMENDATION: APPROVE WITH CONDITIONS**

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

Plan received by the LPA 21/11/23:
Block & Location Plans 23/0102/1 Rev A

Plans received by the LPA 03/10/23:
Proposed Elevations 23/0102/2
Proposed Floor Plan 23/0102/3

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

2 The development hereby permitted shall not be first brought into use/occupied until the first 5m of the access, measured from the edge of the carriageway has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety

3 No development relating to the erection of the building shall commence on site, until a Construction MANAGEMENT Statement, together with a site plan, which shall include the following:

• the parking of vehicles of site operatives and visitors;
• loading and unloading of plant and materials;
• storage of plant and materials used in constructing the development;
• wheel washing facilities;
• measures to control the emission of dust and dirt during construction;
• a scheme for recycling/disposing of waste resulting from demolition and construction works; and
• measures for the protection of the natural environment.
• hours of construction, including deliveries;
• pre-condition photo survey

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction

phase.

- INFORMATIVE TO APPLICANT:
  A photographic pre-condition highway survey to be carried out between the junction of Wick Lane and the C155 and the site access and copies of pre and post condition survey to be supplied to WC. The applicant should be informed that the Highway Authority will pursue rectification of any defects identified by the highway condition survey which can be attributed to the site construction traffic under the provision of S59 of the Highways Act.

- INFORMATIVE TO APPLICANT:
  The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

  If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

- INFORMATIVE TO APPLICANT:
  The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

- INFORMATIVE TO APPLICANT:
  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.