CASE OFFICER'S REPORT

Application Reference:	PL/2023/05676
Application Type:	Full planning permission
Site Inspection:	
Consultation ends:	09 August 2023
Case officer:	Peter K-Gyabong

Site Address:	Gorsey Leaze Farm, Honey Lane, Norton, SN16 0JW
Proposal:	Erection of a replacement agricultural building
Recommendation:	Approve with Conditions

Site Description:
The application relates to Gorsey Leaze Farm, situated off Honey Lane in Norton. The site is part of an established agricultural holding which covers approximately 105.2 hectares. There are buildings which are part of a farmyard which consists of a collection of buildings that are in proximity to each other one building used for the housing of livestock.

Proposal:
This application seeks full planning permission for erection of a replacement agricultural building to be used for the storage of straw in connection with the existing agricultural unit. The building will be built on a similar footprint and on the same location of the farm as the building that it would replace. The building would measure 26m in width, 16m in depth and would be 4.6m to the eaves with a roof pitch of 15 degrees, to provide a floor area of 416 square metres.

POLICIES

National Context:
National Planning Policy Framework 2021
National Planning Practice Guidance

Local Context:
Wiltshire Core Strategy (WCS)
Core Policy 1 Settlement Strategy
Core Policy 2 Delivery Strategy
Core Policy 15 Spatial Strategy for the Melksham Community Area
Core Policy 50: Biodiversity and Geodiversity
Core Policy 51: Landscape
Core Policy 57: Ensuring High Quality Design and Place Shaping
Core Policy 61: Transport and new development
Core Policy 62: Development impacts on the transport network
Core Policy 63: Transport strategies
Core Policy 64: Demand management

RELEVANT PLANNING HISTORY

N/89/00651/OUT- Outline - 2 No. agricultural workers dwelling. Withdrawn.
N/89/03227/REM- Erection of agricultural workers dwelling and associated matters. Approved.
N/89/01352/OUT- Agricultural workers dwelling. Approved.
N/95/00179/OUT- Erection of agricultural workers dwelling. Approved.
PL/2022/02769 – Notification for Prior Approval under Class Q for a Proposed Conversion of Agricultural Building to Create One Dwelling. Refused for the following reasons:
"Due to the siting and proximity of the proposed dwelling to the other existing agricultural buildings and associated farming activity it is considered that the proposed dwelling would be subject significant adverse impacts in respect of odour and noise disturbance resulting in an inadequate level of residential amenity for its future occupiers. The proposal would thereby fail to meet criteria Q.2(b) and (e) of Schedule 2, Part 3, Class Q of the Town and Country (Planning General Permitted) Development Order 2015 as amended)."
PL/2022/05817 - Notification for Prior Approval under Class Q for a Proposed Conversion of Agricultural Building to Create One Dwelling. Allowed on appeal.

KEY ISSUES
Principle of development
Design
Amenity
Highways
Ecology

CONSULTATION RESPONSES
Norton and Foxley Parish Council:
No comments received.
Highways:
No objection subject to conditions.
The route is along a PROW and as such there should be management of any impact of construction vehicles, I have included the below conditions to address this.

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.

This is a full application for the erection of a barn to be used for the storage of straw used on the farm. The proposals set out in this application would result in the construction of a replacement agricultural building on established agricultural land to be used for agricultural purposes, which is supported by the policies of the NPPF and the WCS as such the principle of development is acceptable subject to the following considerations.

Impact on the character of the area

Core Policy 51 of the Wiltshire Core Strategy requires development to protect, conserve and where possible enhance landscape character and negative impacts must be mitigated where possible through sensitive design and landscape measures. Core Policy 57 requires a high standard of design in all new developments and that development respond positively to the existing townscape and landscape.

The building which would measure 26m x 16m and be 4.6m to the eaves, similar height as existing, with a pitched roof, would be sited on a similar footprint to the existing building and would provide a floor area of 416 square metres. The building would consist of steel built on concrete foundations, with a typical design expected for an agricultural building built from box profile cladding with a natural grey fibre cement roof.

The area is prominently rural in character, with the application site forming part of a network of fields. The site is well screened by existing tree lined hedgerows. It is not considered the scheme would result in the level of harm to the rural character of the area to warrant a refusal as It would remain well-related to the existing agricultural buildings on the site and be viewed in context to them. Therefore, the impact of the proposed development on the visual amenity of the site and surrounding area is considered acceptable.

Impact on the living conditions of neighbouring residents

Core Policy 57 of the WCS requires development to have regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants including the consideration of noise and light pollution.

The proposed replacement building would be in proximity to an agricultural building recently granted permission for conversion to residential for agricultural workers. In allowing the appeal, the Inspector noted that, with regard to “undesirable living conditions, as a result of the dwelling being in very close proximity to a number of farm buildings with open sides, future occupiers of the dwelling could reasonably anticipate activity from the farm in very close proximity, including noise and odour impacts.”

However, conversely concluded that it is “particularly relevant in this instance that the appellant’s are the owners of and work on the farm and are specifically seeking consent for a dwelling for their own occupation and by people working the farm would provide some control over the noise and odour sources and associated impacts. It is considered the development would cause no harm to the living conditions of adjacent neighbours in terms of loss of light, overlooking, overshadowing, or overbearing impact either. The scheme therefore complies with Core Policy 57 of the Wiltshire Core Strategy.

Highways

Paragraph 110 (b) of the NPPF requires that in assessing... specific applications for development, it should be ensured that...safe and suitable access to the site can be achieved for all users.

Paragraph 111 of the NPPF states 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’.

Paragraph 112 (c) of the NPPF also states that ...applications for development should create places that are safe, secure, and attractive - which minimise the scope for conflicts between pedestrians, cyclists, and vehicles.... and respond to local character and design standards.
CP57 (ix) of the WCS requires new development to ensure "that the public realm including new roads and other rights of way are designed to create places of character which are legible, safe and accessible..." and CP57 (xiv) requires development to meet "the requirements of CP61 (Transport and New Development)".
CP61(ii) of the Wiltshire Core Strategy requires new development to be “capable of being served by safe access to the highway network” and within the supporting text for CP61, the Council recognises that it is critically important for good planning and safe highway interests for new development to benefit from a suitable connection to the highway “that is safe for all road users”.
CP62 of the Wiltshire Core Strategy states that ‘Outside of built-up areas, proposals that involve a new direct access onto the national primary route network will not be permitted in order to assist with traffic flow and reduce risk’.
CP64 requires sufficient parking to be provided in new development in line with residential parking standards and requires a reduction in reliance on the use of the private car where possible.
The highways officer has reviewed the application and raises no objection stating that the proposal is for a replacement agricultural building, and as the information provided does not suggest that the new building will result in any new vehicle moments the proposal would not give rise to significant harm in terms of highway safety. The proposal therefore complies with local and national policy enumerated above.

RECOMMENDATION:
APPROVE subject to conditions.

Conditions: (4)

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:
Location and Block Plans ref: JH-Highman-12
Proposed Layout Plans and Elevations Plans ref: RH-JH - 10
REASON: For the avoidance of doubt and in the interests of proper planning.

3 No construction/demolition vehicle access may be taken along MALW46 without prior consultation with the Wiltshire Council Rights of Way Warden. Where appropriate any safety/mitigation/reinstatement measures must be approved by the Wiltshire Council Rights of Way Warden.
Reason: To ensure the public right of way remains available and convenient for public use.

4 No materials, plant, temporary structures or excavations of any kind should be deposited / undertaken which obstruct or adversely affect the public right of way whilst development takes place.
Reason: To ensure the public right of way remains available and convenient for public use.

Informatives: (1)

5 If bats or evidence of bats are found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact Natural England's Bat Line through the internet.