CASE OFFICER'S REPORT

Application Number: PL/2024/00268

Address: GREENACRES, STOCK LANE, LANDFORD, SALISBURY, SP5 2EW

Proposal: Erection of an agricultural building for storage of hay, tractors and live stock.

Date of Inspection:
N/A
Consultation Expiry:
14/04/24
Press Advert: N/A

POLICIES
National Planning Policy Framework and the NPPG

Wiltshire Core Strategy
Core Policy 1: Settlement Strategy
Core Policy 2: Delivery Strategy
Core Policy 24: Spatial Strategy: Southern Wiltshire Community Area
Core Policy 57: Ensuring high quality design and place shaping
Core Policy 61: Transport and development

Wiltshire Design Guide Supplementary Planning Document ('the WDG SPD') adopted by Wiltshire Council on 25th March 2024.

REPRESENTATIONS :

Landford Parish Council – Support but requested the site plan illustrate the position of the proposed doors to show whether they are to open onto the field or the private right of way – *A plan was submitted and demonstrates that the doors would not affect the ROW.*

Highways – No objection

Rights of Way – No objection, subject to informatives

Environmental Health – No objection

Third Party Comments **–** None received

Assessment

- Principle
- Scale, design and impact on the character and appearance of the area
- Rights of Way
- Impact on neighbouring amenity
- Highways

Scale, design and impact on the character and appearance of the area.

Wiltshire Core Strategy Core Policy 57 states:

A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality. Applications for new development must be accompanied by appropriate information to demonstrate how the

proposal will make a positive contribution to the character of Wiltshire….

The application site forms part of the land within the ownership of Greenacres with an existing agricultural use, accessed via Stock Lane.

The proposal seeks approval to erect a single storey outbuilding within the agricultural land to the South of Greenaces along the Eastern boundary for the storage of a tractor, hay and livestock.

The proposed scale and design of the outbuilding is considered acceptable for such a use and is of a modest scale. The proposed materials are considered sympathetic to the setting and is not considered to pose any visual harm upon the wider character and appearance of the area.

No new access's or hardstanding is proposed and therefore the outbuilding is considered a common feature within such an agricultural setting and the site does not fall within a Conservation Area.

A condition can be placed upon any approval ensuring the outbuilding remains part of the agricultural use of the land of Greenacres only.

A public footpath (land1) runs along the entire Eastern Boundary of the site. A revised site plan was submitted by the applicant which confirmed the orientation of the outbuilding and illustrated that the doors would open out into the field and not facing the public footpath.

Due to the modest scale and design, and the outbuilding being stepped in from the boundary, it is not considered to pose any detrimental affects upon the use of the public footpath. In addition, The Councils ROW officer was consulted and raised no objection, subject to the informatives relating to any necessary private right of vehicle access. Comments received by the officer are below:

The site is accessed via a public footpath (LAND1). This is not recorded as a public vehicular highway. The only recorded public rights along it are on foot. In order to drive a vehicle along here, the applicant would require a demonstrable private right of vehicular access. Without this private right they would be committing an offence under Section 34 of the Road Traffic Act 1988. The granting of planning permission does not give the applicant a vehicular right of access over the footpath. The applicant is advised to take private legal advice to ensure they have a right of access.

I have no objection subject to informatives.

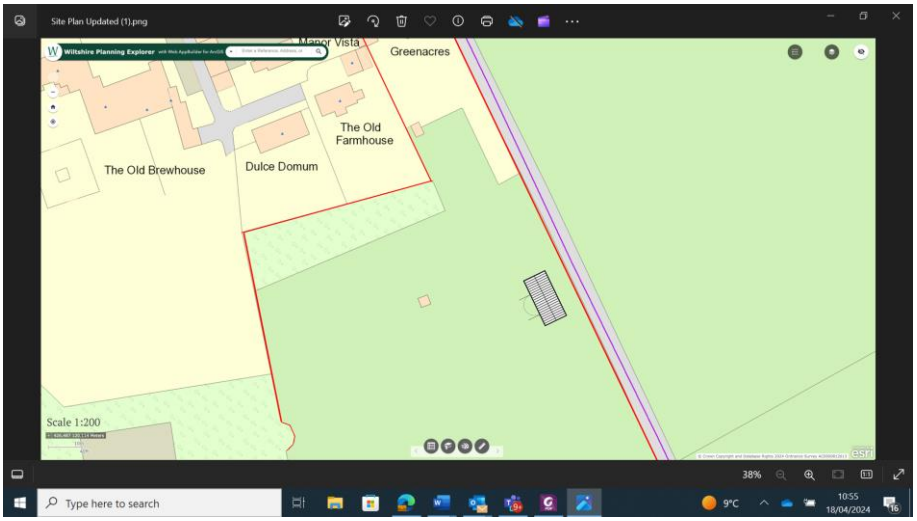
Therefore, the proposal is acceptable in accordance with Core Policy 57 and would ensure the current character and appearance of the area is upheld.

Impact upon Residential Amenities

Policy CP57 also states:

vii. Having 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 (such as light intrusion, noise, smoke, fumes, effluent, waste or litter)

Greenacres itself has an immediate neighbouring property to the West. The position of the outbuilding, being located within the agricultural land to the rear of Greenacres, would be a significant distance away from this neighbouring property. In addition, as the building is to be located along the Eastern Boundary and views from the neighbouring property would be oblique. The position and separation distances allow for the proposed outbuilding ensures its presence would not be overbearing or dominant upon any occupants.



Given the nature of the proposal, the outbuilding would not result in any harm upon any overlooking or loss of privacy concerns. However, due to the outbuilding potentially housing livestock, the Councils Environmental Officer was consulted on the proposal and provided the following comments:

Giving the existing agricultural use of the land, distance to nearest dwelling and the limited size of this proposed building it is unlikely there will be significant adverse comments on noise, odour and pests. Therefore, the Environmental Control and Protection Team have No Adverse Comments.

Highways:

The councils Highways Officer was consulted on the proposal and provided the following comments:

I am aware of the recent appeal decision for the application locally at Nursery Farm and wish to say that this application is for an agricultural building which is very different to 5 new residential dwellings which was the subject of the appeal.

I have no highway objection to this proposal

With regards the above, there have been two recent appeal decisions in relation to Stock Lane, both of which have highlighted the traffic issues related to the lane, and its physical condition/width etc. Both those appeals were in relation to the use of a site at Nursery Farm for a non-agricultural commercial operation that utilizes large HGV vehicles, and an application for the conversion of a barn to multiple dwellings. This proposal is considered to be quite different to that particular situation in that the farming operation on this site already exists and has existed for many years. It does not appear that there have been any issues with the use of Stock Lane by this farming operation, and it is noted there are no third party comments on this matter. It is considered that the erection of the barn would be very much ancillary to the farming enterprise, and would not lead to a significant increase in large vehicles using Stock Lane.

Thus, on that basis, the proposal is considered acceptable from a highways points of view, and accords with policy CP60/61 of the WCS. The comments of the rights of way officer are however noted, and a suitable informative should be placed on any decision notice.

CONCLUSION:

On balance, the proposal is not considered to pose any harm which could warrant a refusal. The Rights of Way Officer has highlighted requirements for any private rights of vehicle access, which would be a separate requirement of any permission gained. The proposal is therefore considered to comply Core Policy 57 and 61, the NPPF and the Wiltshire Design Guide Supplementary Planning.

RECOMMENDATION: Approve, with conditions.