CASE OFFICER'S REPORT

Application Reference:	PL/2024/00326
Application Type:	Full planning permission
Site Inspection:	
Consultation ends:	08 April 2024
Case officer:	Callan Powers

Site Address:	Union Farm, Dauntsey, Chippenham, SN15 4HW
Proposal:	Erection of steel portal frame to cover an existing concrete pad used as a maize silage store
Recommendation:	Approve with Conditions

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POLICIES
National Planning Policy Framework December 2023 Paras 2, 11, 38, 47, 128, 131. 165 & 167
Wiltshire Core Strategy Jan 2015 CP51 CP57 CP67
ISSUES
Principle of development
Impact on the character and appearance of the area
Impact on residential amenity
Flood risk
REPRESENTATIONS
Neighbour Representations – None received.
Dauntsey Parish Council – No objection.
Environment Agency – None received.
Drainage – Question as to the means of discharge of roof water.

SITE DESCRIPTION
The application site comprises part of a dairy farm within the dispersed settlement of Dauntsey, west of the village core. Situated within low lying land in the open countryside and close to the M4 motorway, the site is distant from any designated heritage assets and is not subject to any ecological designations. The site is affected by flood zone 2, being subject to a degree of risk of flooding from rivers and the sea. South and east of the site lie public rights of way, footpaths DAUN10 and DAUN11, however these do not approach closer than around 250 metres.

Relevant planning history
Planning history associated with dairy farming at Union Farm includes:

N/95/02387/FUL: Erection of 3 No. Loose Boxes for Cattle. Approved 15 January 1996
14/03691/FUL: Erection of roof over existing silage clamp. Approved 24 July 2014
14/03678/FUL: Erection of roof over existing silage clamp. Approved 21 July 2014
16/09587/FUL: Extension to steel framed agricultural buildings. Approved 19 January 2017
20/00062/FUL: Proposed new slurry store. Approved 05 April 2021

PL/2023/06398: Erection of agricultural building over existing cow loafing yard. Approved 22 December 2023
PL/2024/00815: Proposal to roof over existing silage storage area. Under consideration

Also of relevance, and considered later in this report, is the following history pertaining to barns located nearby:
PL/2021/06111: Notification for Prior Approval under Class Q for a change of use of Agricultural Buildings to four dwelling houses and associated operational development. Prior Approval required and refused 12 August 2021
PL/2022/09634: Notification for Prior Approval under Class Q for a change of use of agricultural building to C3 2 dwelling houses (1 large and 1 small) and associated operational development. Prior Approval required and granted 08 February 2023
PL/2022/09635: Notification for Prior Approval under Class Q for a change of use of agricultural building to C3 dwelling house. Prior Approval required and granted 07 February 2023
PL/2022/09636: Notification for Prior Approval under Class Q for a change of use of agricultural building to C3 dwelling house. Prior Approval required and granted 08 February 2023
PL/2023/09594: Change of use and alterations to 3 no. agricultural buildings to form 4 no. dwellings and associated works. Approved 18 March 2024 (This application was an alternative scheme covering the three buildings for which separate Class Q prior approval was granted, detailed above)

THE PROPOSAL
This application seeks full planning permission for the erection of a steel portal frame for the storage of maize silage, to be situated adjacent to the recently approved covered loafing yard. The proposed building would be over an area of existing hardstanding and would result in a new building of around 10.5 metres in height. It would have a steel frame, with low level concrete panel walls and Yorkshire boarding in the gables of the dual pitched, fibre cement sheeting roof.

The building is to be fitted with rainwater harvesting tanks, with collected water then to be used as drinking water for livestock and for cleaning of milking machinery.

PRELIMINARY MATTERS
The application has been submitted alongside a separate application for similar development adjoining the site made under reference PL/2024/00815. It also follows on from the recently decided application, reference PL/2023/09594. As a result, the development taken as a whole reflects major development, being a floorspace greater than 1000 square metres. The application has therefore been treated as a major application, with the impacts considered cumulatively.

ASSESSMENT:
Under the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, and the provisions of the NPPF i.e. para 2, applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015); the ‘saved’ policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006); and the Wiltshire Housing Site Allocations Plan (WHSAP) (adopted February 2020).

Principle of development

The site lies within an existing dairy farm with a substantial inventory of existing development used in association with the established dairy herd numbering 240 head. The proposal seeks to protect silage associated with this enterprise from the elements, potentially improving its quality and longevity. The proposed roofing will also assist with managing the nutrient discharge of the farm as a whole. Whilst Dauntsey Vale is largely unaffected by nitrate vulnerable zones, there are clear benefits associated with appropriate management of contaminants, and the development would assist the applicants with their environmental obligations.

The proposal, while reasonably necessary for the purposes of agriculture, is not development benefitting from general permission by dint of the General Permitted Development Order, for a number of reasons. These include that, taken with other development recently approved or currently proposed, the footprint of the proposal goes beyond the form of development that would be permitted under Schedule 2, Part 6, Class A of that Order (which limits development to below 1000 square metres of ground coverage), and the proposal lies within a short distance of dwellings that may be 'protected buildings' for the purposes of that Class. Furthermore, development has recently been granted prior approval under Schedule 2, Part 3, Class Q of the same Order, agreeing that three existing barns elsewhere on the unit may be converted to residential use; development under the two respective Classes of the Order is mutually disqualifying.

That the proposal would not meet permitted development requirements is not prejudicial to the outcome of this application, which is to be determined in accordance with the development plan unless material considerations indicate otherwise.

The Class Q approvals at the nearby buildings have since been supplanted by the grant of a full planning permission for an alternative scheme. Work pursuant to this permission may therefore avoid disqualifying Part 6 agricultural permitted development automatically. It remains relevant, however, to consider that the building may not be reasonably necessary for the purposes of agriculture.

In fact, the buildings due to be converted are separated from the rest of the farm operation, albeit by only a relatively short distance – as has previously been found in terms of the covered loafing area it is the immediate proximity to the centre of farming on this unit that makes it a particularly appropriate location for the development; it is also clear that the proposals offer opportunities to control the movement of runoff and, by extension, nutrients, in a manner offering overall environmental benefits.

The development would provide a benefit to the operation of the farming enterprise. Whilst the development would entail the creation of a large agricultural building this is a decidedly rural location and is not considered inappropriate. Nor is it considered to be a substantial expansion or intensification of the uses associated with the site, which in any event, being agricultural, do not require specific justification. As a result, the development is supported in principle, subject to site specific considerations.

Impact on the landscape

The proposed development involves a substantial building to be added to the existing dairy complex. At about 10.5 metres in height it will be visible from some distance, including from the

nearby public rights of way. It will also stand around 1 metre proud of the roof ridge of the recently approved building to which it will sit adjacent. The building is nevertheless entirely consistent with the agricultural enterprise being carried on at this location, and with the generally agricultural nature of the landscape within the Dauntsey Vale. The building is also to be well integrated with the existing development at the site and will not increase the general visual spread of development at the wider site. On balance, therefore, and taken cumulatively with other development proposed and recently approved at the site the proposal is not considered to harm the landscape qualities of the area and is not in conflict with Core Policy 51 of the WCS.

Flood risk
The site is within Flood Zone 2, wherein there is a heightened risk of flooding from fluvial sources. There is therefore a technical requirement for flood risk assessment set out in national policy for development in such locations. Nevertheless, the proposed development would be sited on existing surfaced area and would not increase the risk of flooding elsewhere. Indeed, in providing for a more managed approach to collecting and storing potentially contaminant nutrients, it is considered that the proposal represents an opportunity to mitigate the impact of flooding events, should they occur. Furthermore, as this application indicates that steps will be taken to collect rainwater from the roof, there is a modicum of attenuation included within the development.

Although not responding to this particular application, the Environment Agency have previously provided their standing advice in respect of the application made in 2023 and did not object. The standing advice indicates that the relevant items to consider in relation to flood risk would include finished floor levels, the resilience of the building to flooding, and the depositing of any excavated materials. This is to ensure that the building can withstand a flooding event and that there is no loss of floodplain storage capacity. Due to the nature of the development, which is an open sided roof and frame above an existing surfaced area, no concerns arise in any of these respects.

The agricultural is not one of high vulnerability to flooding events. Taking the above into account, it is therefore not considered that refusal on the basis of a lack of detailed site-specific flood risk assessment would be appropriate in this case.

Conclusions
The proposed development is considered reasonably necessary for the purposes of agriculture and would fit appropriately within an agricultural landscape. There are no site specific reasons that this development should be refused and therefore it is recommended that this application be approved and planning permission granted subject to conditions.

RECOMMENDATION:
Permission subject to conditions.

Conditions: (2)

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

approved plans and documents:
Site Plan, dated Jan 4, 2024 and received 12 January 2024;
Drawing No. B-02: Proposed Plan + Elevations, dated 31.05.2023 and received 12 January 2024;
Planning Statement, received 12 January 2024; and
Application Form, dated 11/01/2024 and received 12 January 2024.

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

2 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.

Informatives: (3)

3 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.

4 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.

5 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.