# DELEGATED REPORT

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| **Application Reference:** | PL/2023/05997 |
| **Application Type:** | Planning Permission |

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| **Site Address:** | Dairy Buildings near Upper Lodge, Park Lane, Cherhill, Calne, Wilts, SN11 8XW |
| **Proposal:** | Erection of high welfare cow housing (Phase 3 of 3) |
| **Recommendation:** | Planning Permission be GRANTED |

**PROPOSAL**

This is one of three very closely related planning applications which seek permission for a substantial new building to house cattle in a 'high welfare' environment. These three applications follow an application made under the Prior Approval process which essentially sought confirmation that a part of the building now being applied for fell within 'permitted development' thresholds (this being the maximum size allowable under the Prior Approval process). That application was considered under application ref. no. PL/2023/02411 and was approved on 13 April 2023.

The building approved under the above Prior Approval process would measure 30.17m by 32.41m and have a maximum height to the ridge of 7.64m, and to the eaves of 3.91m. Together with the other two closely related applications, these would collectively increase the length of the building by some 48.2m (an increase for each phase / application in a northerly direction by some 16.05m) to a total of 78.3m. For each phase / application, the width of the building would align with that approved through the Prior Approval process, i.e. remain at 32.41m.

The ridge and eaves levels would initially tie into those as previously approved, but during the related 'Phase 1 application' would step up by some 0.8m to 7.88m given the rising level of the land to the north; this will remain the ridge and heaves height through phase 2 and also this phase 3 works, requiring some cut into the landscape given the levels of rising land.

In terms of appearance, this would align with that approved through the previous Prior Approval application – it would be of concrete panels and timber spaceboard / rail elevation, set beneath a fibre cement sheet roof.

**SITE DESCRIPTION**

The application site is immediately adjacent to the western boundary of the complex of existing farm buildings and a slurry lagoon located to the immediate south of Upper Lodge, Cherhill. The mix of existing agricultural barns and buildings and the lagoon is set to the immediate south of the access drive which joins Park Lane / The Street some 0.8km to the south-east; the residential property of Upper Lodge is set somewhat apart from the agricultural buildings on the northern side of this access

drive. The site is otherwise surrounded by agricultural land which is confirmed as being farmed by the Applicant.

The site is within the North Wessex Downs National Landscape (formerly North Wessex Downs AONB) and falls within the wider settings of the designated assets of the Cherhill Conservation Area including numerous listed buildings and Cherhill St James Church (grade II*) and Lansdown Monument (grade II*) on the hillside to the south side of the village. To the immediate west of the site is the Public Right of Way CHER8 and CHER32 runs from Park Lane along the access drive towards the site; there are a number of private tracks surrounding the site which also have PROW Bridleways (CBAS1 and CHER6A), Footpaths (CHER32, CHER8 and CBAS10) and Restricted Byways (CBAS1 and CHER6A). The site is within flood zone 1, is not within a groundwater flood risk area and is not subject to any specific ecological constraints.

**POLICIES**

Wiltshire Core Strategy ('WCS', Jan.2015)
Core Policy 34: Additional Employment Land
Core Policy 50: Biodiversity and Geodiversity
Core Policy 51: Landscape
Core Policy 57: Ensuring high quality design and place shaping
Core Policy 58: Ensuring the conservation of the historic environment
Core Policy 61: Transport and development

National Planning Policy Framework ('NPPF', Sept.2023)
Sections 2, 6, 12, 15 and 16

Material considerations include the North Wessex Downs Area of Outstanding Natural Beauty Management Plan (2019-2024).

**ISSUES**

The issues arising for consideration from this application proposal are as follows:

- EIA consideration (immediately below)
- the principle of the development
- landscape impact
- scale, design and appearance
- access and highways
- conservation and archaeology
- residential amenity

**CONSIDERATION AGAINTS EIA (2017) REGULATIONS**

The proposal falls within Schedule 2, Category 1(c) 'Intensive livestock installations (unless included in Schedule 1)' of the EIA Regulations[1]. It is an established principle that, in terms of consideration under the EIA regulations: *"An application should not be considered in isolation if, in reality, it is an integral*

[1] The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

*part of a more substantial development,"*[2] and in this context the totality of the proposed barn has been considered for this purpose. Totalling some 2,538sq.m. in floorspace, the combined extent of the building significantly exceeds the floorspace threshold of 500sqm and an EIA Screening is therefore necessary.

Each of the sites fall within the North Wessex Downs National Landscape (formerly 'Area of Outstanding Natural Beauty'), which is classified as a 'sensitive area' within the 2017 Regulations; it is not within close proximity of any other designated area, including: Special Landscape Area (SLA), Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC). There are no listed buildings or other designated heritage assets within close proximity of the site, although the site does fall within the longer distance setting of the Lansdowne monument and the Cherhill Conservation Area. The site is within flood zone 1.

In terms of the criteria for consideration set out at Schedule 3 of the EIA, the proposed development does not give rise any particularly complex or transboundary effects. Although not forming part of the original application submission, following the initial comments of the Landscape Officer a Landscape and Visual Appraisal was submitted to support the application, with associated consideration of appropriate landscaping. The heritage and landscape issues and impacts have been considered in the application submission and these details, along with amenity and traffic impacts, have been considered by the relevant technical consultees, as set out in this report below.

Although relatively substantial in size, when assessed against Schedule 2 and Schedule 3 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, as well as the guidance within the PPG, it is concluded that Environmental Impact Assessment is not required for this development, either on its own or in cumulation with associated other two application proposals, and the relevant technical considerations and constraints can be appropriately dealt with by way of supporting technical information.

**PLANNING HISTORY**

The site, along with the wider site and associated land, has been subject to the following applications previously:

- PL/2023/02411: – Prior Approval for Proposed cow housing building – Approved – 13/04/2023
- N/09/02199/FUL – Construction of Pump House & Water Main from New Bore Hole to Farm & Erection of Steel Framed Livestock Building – Refused – 01/03/2010
- N/07/00344/FUL – Steel Framed Cattle Building – Approved with Conditions – 24/04/2007
- N/05/01452/FUL – Engineering Works to Provide New Silage Clamp Storage – Approved with Conditions – 15/08/2005
- N/03/02102/FUL – Construction of steel framed loose housing extension to dairy building – Approved with Conditions – 19/09/2003
- N/95/00500/FUL – Agricultural building – Approved – 18/04/1995
- N/94/00275/FUL – Silage clamp and agricultural building silage clamp / agricultural bldg – Approved – 17/03/1994

[2] Paragraph 025 of the PPG refers [025 Reference ID: 4-025-20170728]

**CONSULTATIONS**

Cherhill & Yatesbury Parish Council – No objection

Highways Officer – No objection, stating the following:

> *The site is located on Park Lane, which for the initial section is an unclassified section of public highway leading to a private road and PROW Footpath CHER32. There are a number of private tracks surrounding the site which also have PROW Bridleways (CBAS1 and CHER6A), Footpaths (CHER32, CHER8 and CBAS10) and Restricted Byways (CBAS1 and CHER6A). The PROW team have been consulted separately in this regard.*
>
> *The proposals seek to update the current cow housing by extending a permitted development for cow housing. There are no plans to alter the existing access with the public highway. There are no plans to increase operations related to the cattle size through this application.*
>
> *Therefore I would not wish to raise an objection in relation to highways."*

Conservation Officer – No objection, stating the following:

> ***"Issues:** Does the development have any impact on the significance of the setting of the Cherhill Conservation Area including numerous listed buildings and Cherhill St James Church grade II* and Lansdown Monument to the hillside to the south side of the village grade II* …*
>
> ***…Assessment:** The applicant has provided a heritage assessment of the setting impact of the proposed new cow shed on the setting of the Lansdowne Monument on the hillside opposite side of the valley. The consider the numerous agricultural associated development dotted across the landscape form the backdrop to the Monument its views and setting and the view is that the additional Cow Shed to the existing established farmyard group would not compete with the monument in long wide landscape views across the valley from vantage particular around the M4 to the east. I would generally concur that the impact on the setting of te Lansdown Monument was neutral.*
>
> *The application has not picked up on the more immediate setting impact of the village of Cherhill in the valley about 0.5 km to the south of the site and the setting of the Conservation Area.*
>
> *The village sits in the lower fold of the undulating landscape and has well established tree belts that surround particularly the north and east. The tree belts allow glimpses of the village roof scape and roofscape materials.*
>
> *While the farmstead is a prominent feature toward the brow of the hillside to the north of the village the new cow shed is not considered to create a harmful impact in respect the general views and the setting of the Conservation Area. The impact would be considered neutral.*
>
> *As described by the applicant as there is no discernible harm to the setting of these designated heritage assets and there is no justification required under Paragraph 202 of the National Planning Policy Framework 2021.*
>
> *The applicant has provided some minor public benefits from the improvement to the agricultural holding and food production but on this basis, these are not required to support the proposal on heritage benefit.*
>
> ***Summary:** The NPPF confirms that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's*

*conservation (and the more important the asset, the greater the weight should be). It makes clear that any harm to a designated heritage asset requires clear and convincing justification.*

*While the farmstead is a prominent feature toward the brow of the hillside to the north of the village the proposed cow shed is not considered to create a harmful impact in respect the general views and the setting of the Cherhill village Conservation Area or the Lansdowne Monument grade II* on the hillside opposite to the south. The impact would be considered neutral, and no justification is necessary."*

Landscape Officer – No objection, following submission of further detail and information, previously commenting as follows:

Revised comments:

*Holding Objection - I note my colleague Mark Goodwin's previous comments on this scheme as noted in his written response dated 11/12/2023 in which he objected to the scheme in principle on Landscape grounds due to it compounding the landscape harm that was allowed under permitted development PL/2023/02411. Notwithstanding this I note that an LVA has now been provided to support the proposed '3 phase scheme' for this application as well as PL/2023/05996 (phase 2) and PL/2023/05997 (Phase 3). The LVA notes that it has taken into account the National Landscape Management Plan yet no mention is made about the National Landscapes Dark Skies Policy either in the LVA or the Planning Statement and the need to prevent light spill from internal and external lighting impacting on the wider landscape.*

*I would also note the importance of colour choice for cladding and roofing in reducing the impact of the mass and scale of the building within the landscape. The North Wessex Downs National Landscape provide excellent colour guidance for the design of large agricultural buildings in the designated landscape yet no mention of this is made in either the LVA or planning statement. I would expect any agricultural development to be in accordance with the North Wessex Downs Colour Guidance.*

*I note from my colleagues previous comments the need for tree planting to help screen the development from local PRoW in order to meet our 'Duty of Regard' under Section 85 of the CRoW Act 2000. Whilst I agree with the LVA's statement regarding the copse planting providing suitable screening from views to the south when the planting matures the hedgerow planting to the west is much less substantial and is much less likely to screen views and break up the built form of this development from views to the west, as well as immediate views from PRoW CHER6A / 8. I would therefore ask that the hedgerow has Quercus robur 12-14cm girth standards planted within it at 15-20m centres to be managed as hedgerow trees as part of the management of the hedgeline.*

*In conclusion*

*I would be happy to review my landscape holding objection for the above scheme provided the following is reviewed:*
*- A statement is included within the LVA / planning statement on dark skies and how the scheme will meet this*
*- A statement is included in the LVA / planning statement on how the scheme complies with the National Landscape Colour Guidance*
*- that additional hedgerow trees are planted in the western boundary hedgerow to break up the scale and form of the building."*

The Landscape Officer initially objected to the application proposal(s), stating:

***"Matters Considered:***
*Landscape & Visual Matters. Landscape Designations; Landscape Character; public visual amenity.*

***Background:***
*This consultation response considers three separately submitted concurrent planning applications, submitted for the same site address. These three applications are described to constitute 3 separate phases of a larger development that seeks to modernise existing dairy farming operations at an existing farmstead base.*

*I note that the applicant has already secured planning consent for a large new steel portal framed building on the adjoining land to the south via the 'prior notification' route (LPA reference PL/2023/02411) which was granted prior approval April 2023. It is clear from looking at the information submitted in support of that application that this extant consent was in fact the first phase of the planned expansion/modernisation of this farming operation (housing 100 cattle), with these 3 current applications forming the subsequent phases (housing the remaining 200 head of cattle).*

*The LPA's agreed siting of this building, (via prior approval) is harmful in landscape and visual terms in my opinion, as the footprint of this building is located on/over an established field boundary (whether currently vegetated or not, established/historic field boundaries are identified as important landscape features to 'conserve and enhance' within landscape character assessments), which extends the established building line and visual influence of the existing farmsteads bulk and massing further south than is reasonable or necessary. The already consented prior approval application building will be viewed as a detached urbanising outcrop in views from the south and west, which could and should have been avoided by pulling this building footprint slightly further north, back in line with the exiting southern building line and edge of existing farmstead buildings and which would have conserved the historic field pattern.*

***Policy & Guidance:***
*National Planning Policy Framework (2021) & Planning Practice Guidance*
- *NPPF, Para. 8, Achieving sustainable development.*
- *NPPF, Section 12, Achieving well-designed places.*
- *NPPF Section 15, Conserving and enhancing the natural environment.*
- *PPG, Paragraph: 036 Reference ID: 8-036-20190721 - Revision date: 21 07 2019. 'The National Planning Policy Framework is clear that plans should recognise the intrinsic character and beauty of the countryside, and that strategic policies should provide for the conservation and enhancement of landscapes. This can include nationally and locally designated landscapes but also the wider countryside.'*

  *'Where landscapes have a particular local value, it is important for policies to identify their special characteristics and be supported by proportionate evidence. Policies may set out criteria against which proposals for development affecting these areas will be assessed. Plans can also include policies to avoid adverse impacts on landscapes and to set out necessary mitigation measures, such as appropriate design principles and visual screening, where necessary. The cumulative impacts of development on the landscape need to be considered carefully.'*

*Wiltshire Core Strategy (2015)*
- *Core Policy 34: Additional employment land*
- *Core Policy 51: Landscape*
- *Core Policy 52: Green Infrastructure*
- *Core Policy 57: Ensuring high quality design and place shaping.*

*North Wiltshire District Plan (2011) – (saved policies)*

- *Core Policy NE14: Trees Site Features and Control of new development*

*Countryside & Rights of Way Act 2000 (CRoW Act 2000) – Section 85, Duty of Regard.*

- *'in exercising or performing any functions in relation to, or so as to affect, land' in National Parks and Areas of Outstanding Natural Beauty, relevant authorities 'shall have regard' to their purposes for which these areas are designated.*
- *This duty is particularly important to the delivery of the statutory purposes of protected areas. It applies to all local planning authorities, not just National Park authorities, and is relevant in considering development proposals that are situated outside National Park or Area of Outstanding Natural Beauty boundaries, but which might have an impact on their setting or protection. (Planning Practice Guidance - Paragraph: 039 Reference ID: 8-039-20190721 – Revision date: 21 07 2019)*

***Designations***

*The site lies wholly within the North Wessex Downs National Landscape (Formerly AONB).*

***Landscape Character***

*The proposed development site is located within the North Wessex Downs National Landscape (formerly North Wessex Downs AONB). The farmstead and application site fall within landscape character area* ***16: Liddington Scarp*** *(North Wiltshire Landscape Character Assessment) which is a narrow area consisting of a steep scarp slope which extends from the east of Cherhill in the south, extending up to Liddington, south east of Swindon, generally rising up from the mixed farming lowland landscape at around 100m AOD to the higher arable chalk landscape of Avebury Plain at around 200m AOD. The underlying geology is lower chalk overlaying Gualt Clay. The steeper topography tends to dictate the land use. For much of the scarp, woodland cover is located on the higher and steeper ground, with grassland on lower slopes. To the south, above Cherhill, the scarp becomes gentler, and the pastoral and wooded landscape gives way to increasingly arable land use. Fields are generally small scale, with intact mature hedges with boundary trees on lower ground, gradually becoming patchier with elevation. The most important field boundaries run directly up the slope connecting to field boundaries on adjacent higher and lower ground.*

*The scarp is a significant landscape feature predominantly viewed from the west, and also viewed from the south as it wraps around the higher Avebury Plain extending east to encompass Cherhill. Cherhill is the only settlement of any size and the only settlement with any significant C20th development which lies partly on the A4.*

*From within the area there are significant views out from the scarp, but often the woodland cover reduces these views out. The scarp provides a strong character and backdrop in views from the settled lower Clay Vales. The south facing scarp slopes above Cherhill are also visible from the higher Open Chalk Downland which overlooks Cherhill from the south. The higher land at Cherhill Down includes some important elevated areas of 'Open Access land', and includes the 'Cherhill White Horse' chalk hill figure, and the Lansdowne Monument both local landmarks and popular destinations linked by the 'White Horse Trail', and 'Wessex Ridgeway', promoted recreational routes.*

*The landscape character assessment highlights this area is sensitive to new development.*

> *"The whole area has a rural character and has very little settlement. The exposed nature of the scarp means that virtually no development would be acceptable on this steeply rising land apart from that essential to agricultural use. This would need to be sited in discreet areas well screened from view."*

*"Views out are important and should be retained where possible. Views of the scarp are critical from the surrounding area including from the A4, Calne and villages within the Hillmarton Character Area.''*

*Comments on the application information*
*The application is not supported by any form of Landscape and Visual Appraisal (LVA) or Landscape and Visual Impact Assessment (LVIA). Given that the new development is proposed in an elevated prominent location within a nationally valued landscape, I believe that these applications should have been accompanied by a proportionate landscape and visual appraisal to inform considerations of detailed siting, cumulative effects, and appropriate landscape and visual mitigation strategy.*

*I note that the author of the planning statement has briefly commented on landscape and visual matters as follows…*

5.12 The siting of the proposed cattle housing has been carefully chosen to minimise its visual impact. The building adjoins the forthcoming cow housing granted prior approval in April 2023 and is in close proximity to existing agricultural buildings of similar character and appearance within the farmyard to the west. The proposed building would therefore be viewed in the context of similar development and would not appear alien, isolated or unduly prominent.

5.13 The site is well screened from public vantage points within the village to the south, but is visible from rising ground on the opposite side of the valley towards the Cherhill White Horse and the Lansdowne Monument. From these vantage points the impact of the proposals is diminished by range. They would be seen in the context of the existing farmyard and would be viewed as a logical extension of it. It is also pertinent that they would be viewed against the backdrop of rising ground and woodland and would not therefore punctuate the horizon. The proposed building would therefore be well screened from more distant vantage points and would not appear unduly prominent within the landscape.

5.14 The proposals would not therefore appear out of keeping with their rural surroundings and would not harm the character or appearance of this rural landscape. The proposals therefore comply with Core Policies 51 and 77 of the Wiltshire Core Strategy.

*I disagree with these above assertions and conclusions. The site is not well screened it is particularly exposed from the south and west, and from local public rights of way, from the A4 (east and west), and from more distant receptors from the south and west. The scale of development is only considered in relation to operational needs of the farming operation, which I accept is fundamentally important, but not the only material planning consideration here.*

*The submitted planning statement/s that accompany these 3 planning applications fails to identify that the proposed development site lies wholly within the North Wessex Downs National Landscape (formerly North Wessex Downs AONB), nor give any consideration to the statutory purpose, function, and value of this national landscape designation, neither does it ascribe any planning weight whatsoever, within its consideration of planning matters at section 5 to the national landscape designation.*

*The application gives no regard or any consideration to the 'special qualities' of the National Landscape designation as required by WCS, CP51 (x), and fails to discuss how development 'conserves and enhances' natural beauty or describe how the proposals will result in visual change effects for the users of the rural public rights of way network / or how these change effects might be mitigated to any extent by landscaping measures.*

*None of these separate applications considers the potential for cumulative effects of these combined developments (including with the prior notification application) with the existing farmstead, in terms of the cumulative change of built form and massing of large scale modern agricultural building massing on this hillside, i.e. effectively doubling the size of the farmsteads built form.*

*In my opinion the LPA's determination of application PL/2023/02411 (prior approval, granted April 2023) should have better considered issues of detailed siting. The agreed siting of that building was located too far south, jutting out in isolation from the existing established built mass and volume of existing farmstead buildings. The siting of that building should have retained the existing field pattern and required any new buildings to be contained within it. The existing field boundary should have been enhanced and reinforced with hedge planting and occasional hedgerow trees, or a shelter belt of native tree planting, to help partially screen and break up the combined massing effects of the existing farmstead viewed in combination with the proposed new development.*

*In my opinion appropriate consideration of the sensitivity and value of the countryside, public rights of way, existing landscape features was not afforded within the decision making process for the prior notification application, and the LPA has fallen short of its own statutory requirement as a 'responsible authority' under Section 85 of the Countryside and Rights of Way Act (2000) in relation to its 'duty of regard' to the statutory purpose and function of the AONB (now National Landscape) while acting in its capacity as LPA for that application.*

*I am unable to support these current applications as they compound and consolidate this identified harm. I suggest the LPA could further establish the current and future uses of all the existing large modern agricultural buildings at this farmstead prior to consenting further greenfield development, as the agricultural report submitted in support of these applications doesn't include this level of detail, and I don't consider it reasonable to simply accept that the existing cattle buildings originally housing 300 head of cattle would simply continue ''to be used for housing youngstock, dry cows, and improving cow collection facilities for the milking parlour'' as currently stated. The re-use of existing farm buildings or replacement new buildings on previously developed land, following the phased demolition of redundant buildings (stated to be unfit for purpose) is a reasonable expectation from the LPA in this Nationally Protected Landscape in order to avoid unnecessary greenfield land take to achieve sustainable development, prevent decline and dereliction of existing farm buildings in the National Landscape and reduce potential future applications for unsuitable / unsustainable new use/s of abandoned or underutilised farm buildings in the future along these visually sensitive scarp slopes.*

*As a result of the first prior notification application granted prior approval April 2023, the landscape and visual baseline has changed. The applicant has since submitted these three further separate planning applications, which are described as forming 3 separate phases of the same development. However, the first phase of this larger development as it now transpires was clearly the prior notification application (to house the first 100 head of cattle) which itself gave no indication of the following planned phases of development. With the 3 subsequent phases planned to house the remaining 200 head of cattle, None of these applications considers the collective cumulative effects from all 4 applications combined. Indeed, the planning consultant uses the prior approval for the southernmost building, to justify the location of the additional current 3 live separate planning applications. At no point do any of these applications consider the combined effects of all 4 proposed new buildings in combination with each other or the existing farmstead buildings.*

***Conclusion***

*These three current live planning applications do not demonstrate that the resulting landscape and visual effects of the currently proposed development have been appropriately considered, either*

*individually, collectively, or cumulatively with the already consented building (application PL/2023/02411) or the existing farmstead.*

*The location of all 4 proposed new buildings (including application PL/2023/02411) effectively doubles the farmstead building footprint along the scarp slope. These new buildings could and should be better sited at this sensitive location, which I suggest could all be pulled back slightly further north (including the consented building) in order to minimise the resulting urbanising outcrop and farmstead creep south of the existing farmstead built form / building lines and retaining and working with the historic field pattern, with the field boundary reinforced with new native planting to help break up the combined massing of new and existing built form on this hillside.*

*The 3 current live applications compound and consolidate the harm caused by the siting of the first prior approval building consent (PL/2023/02411), which I consider to be particularly insensitive in landscape and visual terms within this National Landscape Designation.*

*The applications fail to consider or incorporate any landscaping measures to help reduce the identified harmful impacts, accordingly the 3 current live applications and the extant building consent are all considered unacceptably (and avoidably) harmful, contrary to WCS, CP51 and CP34 (vi). The proposals fail to demonstrate that the resulting landscape and visual harm have been reduced as far as possible through sensitive design (including considerations of siting) and landscape measures, resulting in unacceptable harm to landscape character, important views, and visual amenity within a nationally protected and valued landscape.*

Public Protection Officer – No objection

Archaeological Officer – No objection

Rights of Way Officer – No objection

*"The line of the path is now correct on the digital mapping so all is fine. No objections."*

**REPRESENTATIONS**

No representations have been received.

**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 Framework (para. 2), applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. 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 2011 ('NWLP', adopted June 2006).

Principle of development

Core Policy 34 provides clear support for: *"sustainable farming and food production through allowing development required to adapt to modern agricultural practices and diversification"* (limb ii), which is relevant to this application proposal. This is based on the requirement that the proposal meets five specific criteria (a to e). In the context of this application, criterion (b) is particularly relevant and

requires that the proposal is: *"… consistent in scale with [its] location, [does] not adversely affect nearby buildings and the surrounding area or detract from residential amenity."* Accordingly, this is considered in more detail in the following sub-sections. In terms of criterion (c) which requires that applications are: *"… supported by evidence that they are required to benefit the local economic and social needs,"* the application is accompanied by an Agricultural Justification report which sets out in full the rationale for the proposed development and the economic and social benefits arising.

On this basis the application is acceptable in principle, subject to consideration of impacts and technical details, as follows.

Landscape impact

The site lies wholly within the North Wessex Downs National Landscape (formerly 'AONB'), within which decision makers must have regard to: *"…the purpose of conserving and enhancing the natural beauty of any AONB within its area when carrying out their functions in relation to that area."* This is reflected in Core Policy 51, which requires that development: *"…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 …"*

Within National Landscapes development proposals must: *"…demonstrate that they have taken account of the objectives, policies and actions set out in the relevant Management Plans for these areas."* The North Wessex Downs AONB Management Plan provides a generally supportive context for investment in new agricultural infrastructure (Theme 2: Rural Land Management), where this aligns with 'AONB' purposes.

Whilst the starting point for consideration is the previous grant of Prior Approval for an element of the much larger building now being proposed, the Landscape Officer's view was that that decision was deficient in terms of giving due consideration to the above statutory requirements and would lead to a proposal which would 'be viewed as: '… *a detached urbanising outcrop in views from the south and west.'*

However, it should be emphasised that the weight given to the 'fallback' of the previous grant of Prior Approval is relatively limited given that it would manifestly not appear to substantially meet the needs of the farming operation, leading to these subsequent planning applications.

In this context, the Landscape Officer requested much greater analysis of visual impacts arising and more detailed consideration of any necessary mitigation measures, given that the new development is proposed in an elevated and prominent location within a nationally valued landscape. This was provided in the form of a detailed Landscape and Visual Appraisal which included a landscape and visual mitigation strategy, which considered the cumulative landscape visual impact.

As a result of this further analysis, a planting mitigation has been proposed which includes a copse planting to the south of the proposed building, as well as a mixed hedgerow and tree belt planted along the entire length of the western elevation such as to visually separate the building from the (diverted) Public Right of Way (CHER8).

Following this detail, the Landscape Officer then requested further detail regarding: (i) how light spill from internal and external lighting would be mitigated; (ii) what colour choices are proposed to accord with the North Wessex Downs Colour Guidance, and (iii) more detail regarding the planting mix in the proposed mitigation planting.

In response, an Addendum document to the submitted LVA was provided. Regarding the first of these points, this Addendum confirmed that the lighting will include luminaires provided with cowls in order to eradicate upward glare, and with the lights angled downwards in order to mitigate light spill/light intrusion, with the use of narrower beam floodlights. It has also been confirmed that the lighting will be switched off no later than 10.30pm each evening and remain off until resumption morning operations. The Addendum also clarified that the colour choice and detail of external materials has been considered in the context of the receiving landscape. In particular, the pre-stressed concrete panels will be of natural finish and colour and the northern gable will be partially clad with timber space-boards; the roof will be of grey fibre-cement sheeting. Finally, included within the Addendum is an amended Landscape Mitigation and Enhancement Strategy which shows a mix of 'native heavy standard' trees interspersed along the hedgerow on the western boundary.

Following submission and consideration of this additional information and detail, the Landscape Officer confirmed no further comment. On balance, whilst it may still be the case the building inevitably represents somewhat of an 'urbanising outcrop' from the farmstead, with the proposed and relatively extensive mitigation planting – which can be secured by way of Condition – the landscape impact is not considered to be of an extent which would warrant refusal of the application(s) in the context of Core Policy 51 (WCS).

Scale, design and appearance

Core Policy 57 requires that development be of a suitable design and quality for the site and immediate area. In terms of appearance, this would be of concrete panels and timber spaceboard / rail elevation, set beneath a fibre cement sheet roof; this being appropriate for, and in keeping with, its agricultural use, as considered above.

In its cumulative form the proposed building has a significant mass, and indeed each element individually has a notably large scale and massing of itself. The building will be set within a wider landscaped setting of rising land and will be somewhat read in conjunction with the existing farm buildings. The need and justification for the scale of building has been set out in the application submission.

It is acknowledged that the levels at the northern end of the cumulative building cut into the rising land thus reducing the massing to some degree (although the ridge level does rise for this application(s) from the previously approved element) and the mix of ridges and gables on the north and south elevations acts to reduce the massing.

Based on the information submitted with the application(s), and in particular the additional detail provided by way of Landscape and Visual Appraisal and related Addendum document, the building is considered to be acceptable in terms of scale, design and appearance on the siting as proposed.

Access and highways

The access and highways impacts arising once operational will be minimal. A new tractor access track is proposed to serve the facility as part of the phase 3 works, this will branch from the existing access serving the agricultural buildings with no direct impact on the access drive or any of the Public Rights of Way. Whilst there will be some construction phase impacts, based on the scale of these the Highways Officer has confirmed no objection.

In terms of Public Rights of Way, there are a number of Rights of Way in the immediate vicinity (as referenced above). However, whilst CHER8 runs close to the western boundary of the site, it is not directly impacted and the route runs outside of the red-line boundary of this (and the related) application and the Rights of Way Officer has confirmed no objection.

Conservation and archaeology

The proposed building falls within the setting of designated heritage assets of the Cherhill Conservation Area, which includes a number of listed buildings including Cherhill St James Church (grade II*) and Lansdown Monument (grade II*). However, those designated heritage are some considerable distance away and the proposed building is an addition to the existing collection of agricultural buildings and barns in the immediate farmstead locality and as such is not considered to be in any way visually incongruous.

The Council's Conservation and Archaeological Officers have both confirmed they have no objection on these matters, with the heritage impact being 'neutral,' and stating that: *"As described by the applicant as there is no discernible harm to the setting of these designated heritage assets."* As such the application does not give rise to any conflict with Core Policy 58 or Section 16 of the NPPF.

Residential amenity

Taking the three related planning applications together, the closest the proposed new high-welfare barn will come to the only dwelling within the vicinity of the site (Upper Lodge to the north) will be approximately 80m. Based on the fact that existing farm buildings are within much closer proximity to the dwelling, the proposal is not considered to give rise to any specific amenity issues or impacts which would be materially worse than the existing situation and the Public Protection Officer has raised no objection. As such the application does not give rise to any conflict with Core Policy 57 in terms of amenity impacts.

Other planning considerations

The application proposal is not considered to give rise to any further technical and / or planning considerations; in particular, there are no issues of ecology or drainage arising from this, and the related, application(s).

**CONCLUSION**

The development plan, in particular Core Policy 34, sets a positive policy context for the application proposal in seeking to support farming enterprises to adapt to 'modern agricultural practices'; section 6

of the NPPF provides similar policy support. Support from CP34 is subject to a number of criteria, including the appropriateness of scale and any relevant impacts arising.

In terms of heritage and conservation impacts, both the Conservation and Archaeological Officers have confirmed no objection based on the 'neutral' impact of the proposal and 'no discernible harm' to the designated heritage assets, thus complying with Core Policy 58. Similarly, the Highways, Rights of Way and Public Protection Officers have confirmed no objection on highways, access and amenity matters.

The initial objection from the Landscape Officer has been addressed through submission of additional detail, including a Landscape Mitigation and Enhancement Strategy which shows a native copse planted to the south of the proposed building, and a hedgerow interspersed with large native trees along the full extent of the western side of the building.

With this additional detail, and in the context of general policy support by way of Core Policy 34, the application (along with related applications) is recommended for approval, subject to Conditions to ensure impacts are appropriately mitigated.

**RECOMMENDATION: That Planning Permission be GRANTED subject to the following Conditions:**

1. The works for which Planning Permission is hereby granted shall be begun before the expiration of three years from the date of this consent.

   REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, 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:

   Pickford_PLAN_3_23_001: Location Plan – Phase 3
   Pickford_PLAN_3_23_002: Site Plan – Phase 3
   Pickford_PLAN_3_23_003: Proposed Floor Plan – Phase 3
   Pickford_PLAN_3_23_004: Proposed Elevations – Phase 3
   (received 18/07/2023)

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

3. All soft landscaping comprised in the approved Landscape Mitigation and Enhancement Strategy (forming part of the Addendum to the Landscape and Visual Appraisal, and submitted 12/10/2024) shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others

of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

4. 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 Institute of Lighting Engineers in their publication “Guidance Notes for the Reduction of Obtrusive Light” (ILE, 2005)”, have been submitted to and approved in writing by the Local Planning Authority. Any proposed light appliance shall be shown include luminaires provided with cowls and shall be shown angled downwards with the use of narrower beam floodlights. 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 to minimise unnecessary light spillage above and outside the development site.

*5.* All external lighting shall be switched off no later than 22:30 on each day, and shall remain switched off until commencement of morning operations.

   REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

6. In the event that contamination is encountered at any time when carrying out the approved development, the Local Planning Authority must be advised of the steps that will be taken by an appropriate contractor; to deal with contamination and provide a written remedial statement to be followed be a written verification report that confirms what works that have been undertaken to render the development suitable for use.

   REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

7. If within a period of 10 years from the date of this permission, the agricultural use of the building hereby permitted permanently ceases, the building/structure and resulting demolition materials shall be removed and the site shall, within a period of three months from the date of the substantial demolition of the said building/structure, be restored to its condition before the

development took place or to such other condition as may be agreed in writing by the Local Planning Authority.

REASON: To ensure that the agricultural buildings/structures are removed on cessation of their agricultural purposes, in the interests of protecting the rural character of the area.

**INFORMATIVES**

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.

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.

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.