

Agenda Item 73.

ITEM NO: 73

Development Management Ref No	No weeks on day of committee	Parish	Ward	Listed by:
162223	9/13	Swallowfield	Swallowfield	Major

Applicant	Mr Butler	
Location	Hill Farm, Jouldings Lane, Farley Hill	Postcode RG7 1UR
Proposal	Full application for the proposed erection of one cattle shed and construction of associated access track, yard and silage clamp.	
Type	Full	
PS Category	6	
Officer	Graham Vaughan	

FOR CONSIDERATION BY	Planning Committee on 9 th November 2016
REPORT PREPARED BY	Head of Development Management and Regulatory Services

SUMMARY

The application site is in designated countryside and is part of a farm located in Farley Hill. The farm currently operates mainly as a haylage business as well as an agricultural contracting company and therefore the buildings on site are reflective of this. The proposal is for the formation of a cattle yard and erection of a cattle shed to help diversify the farm. Also proposed is the erection of a fence, track around the building and silage clamp.

The proposal would provide further agricultural buildings on a working farm and help to diversify the farm. Supporting information has been submitted to demonstrate this and no objection in principle is raised as a result. Whilst the development is considered to be appropriate in a rural area, a landscaping buffer is also proposed to help filter views towards the development. As a result, although the proposal would introduce built form in the countryside, it is considered a harmful impact on the countryside would not occur. Additionally, subject to conditions, no harmful impacts are identified in other respects and therefore the application is recommended for approval.

PLANNING STATUS

- Countryside
- Farnborough Aerodrome consultation zone
- Archaeological Sites
- Wind turbine safeguarding zone
- Sand and gravel extraction
- Minerals consultation zone
- Special Protection Area – 5 and 7 km

RECOMMENDATION

That the committee authorise the GRANT OF PLANNING PERMISSION subject to the following:

A. Conditions and informatives:

1. The development hereby permitted shall be begun before the expiration of three

years from the date of this permission.

Reason: In pursuance of s.91 of the Town and Country Planning Act 1990 (as amended by s.51 of the Planning and Compulsory Purchase Act 2004).

2. This permission is in respect of the submitted application plans and drawings numbered 'Location Plan', 'BPL-23/01 Rev A', 'BPL-23/02 Rev A' and 'BPL-23/03 Rev A' received by the local planning authority on 22nd May 2015 and the revised plans on 15th August 2016. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details hereby approved.

3. Before the development hereby permitted is commenced, samples and details of the materials to be used in the construction of the external surfaces of the building/s shall have first been submitted to and approved in writing by the local planning authority. Development shall not be carried out other than in accordance with the so-approved details.

*Reason: To ensure that the external appearance of the building is satisfactory.
Relevant policy: Core Strategy policies CP1 and CP3*

4. Prior to the commencement of the development there shall be submitted to and approved in writing by the local planning authority a scheme of landscaping, which shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted, and any existing trees or shrubs to be retained. Planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the occupation of the building(s).

Any trees or plants which, within a period of 5 years from the date of the planting (or within a period of 5 years of the occupation of the buildings in the case of retained trees and shrubs) die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species or otherwise as approved in writing by the local planning authority.

Reason: To ensure adequate planting in the interests of visual amenity. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21

5. No development shall commence until a programme of archaeological work (which may comprise more than one phase of work) has been implemented in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the local planning authority. *Reason: The site is identified as being of archaeological potential. Investigation is required to allow preservation and recording of any archaeological features or artefacts before disturbance by the development. Relevant policy: National Planning Policy Framework Section 12 (Conserving and Enhancing the Historic Environment) and Managing Development Delivery Local Plan policy TB25*

6. No development shall take place until a Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include:

- (i) A plan indicating pipes and SuDS features.

- (ii) Details of attenuation structures sized to cater for events up to and including the 1 in 100 flood event with a 40% allowance for climate change.
- (iii) Demonstration of how the runoff rate will be controlled at Greenfield rates

The submitted details shall be implemented as approved and thereafter maintained unless agreed in writing by the Local Planning Authority.

Reason: To ensure the development would not have an adverse impact on flood risk for the surrounding area.

7. The mitigation measures during construction given in the submitted Reptile Mitigation Strategy (ACD Environmental, Ref: PRI20572MitigationStrategy, October 2016) shall be implemented in accordance with the approved plan unless otherwise approved in writing by the local planning authority.

Reason: To ensure that the risk of injuring or killing any of the widespread reptiles, protected under the Wildlife and Countryside Act 1981 (as amended), during the development is appropriately mitigated.

Reason: To ensure that reptiles, are not adversely impacted upon as a result of the development. Relevant Policy: Core Strategy CP7

8. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted wilfully damaged or destroyed, cut back in any way or removed without previous written consent of the local planning authority; any trees, shrubs or hedges removed without consent or dying or being severely damaged or becoming seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the local planning authority gives written consent to any variation. *To secure the protection throughout the time that development is being carried out, of trees, shrubs and hedges growing within the site which are of amenity value to the area. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21*

Informatives

1. The applicant is reminded that this approval is granted subject to conditions which must be complied with prior to the development starting on site. Commencement of the development without complying with the pre-commencement requirements may be outside the terms of this permission and liable to enforcement action. The information required should be formally submitted to the Council for consideration with the relevant fee. Once the details have been approved in writing the development should be carried out only in accordance with those details. If this is not clear please contact the case officer to discuss.
2. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received. This planning application has been the subject of positive and proactive discussions with the applicant in terms of:
 - planning issues relating to ecology and landscaping;
 The decision to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the NPPF is considered to be a positive outcome of these discussions.

3. This permission relates solely to the creation of the cattle yard, the building labelled cattle shed 1 and the silage clamp as shown on plan number 'BPL-23/01 Rev A'.

PLANNING HISTORY

- **151/71** – outline bungalow **conditionally approved** on 18th March 1971
- **305/71** - Details bungalow **conditionally approved** on 15th April 1971
- **15081** - Addition of living room, shower room and toilet and form granny annexe **conditionally approved** on 12th March 1981
- **SO/2015/0791** – Application for a Screening Opinion for an Environmental Impact Assessment for the proposed development of a Green Bio-gas Anaerobic Digestion Plant – **EIA not required**. 17th April 2015
- **F/2015/0767** – Proposed bio-gas anaerobic digestion power generation facility, to include the erection of three digester tanks, creation of a storage lagoon, together with associated plant and equipment, engineering works and landscaping **conditionally approved** on 16th September 2015
- **152899** – Application for variation of conditions 3, 8 and 17 of planning consent F/2015/0767 for anaerobic digestion power generation facility. Condition 3 relates to the approved plan numbers and the new plans propose changes to bio-digester equipment including reduction in height of digester tanks, new digestate drier and the upgrade of ancillary equipment so they are grouped into one building. Condition 8 relates to the requirement for a scheme in the event of the plant becoming disused to be submitted for approval and the new details propose the scheme should be submitted within three months of the date of the plant being disused. Condition 17 relates to the construction of the storage lagoon prior to operation of the plant and the new details propose the lagoon to be completed within 12 months of the plant being in operation due to the potential storage capacity provided by the changes relating to the variation of condition 3 as above **conditionally approved** on 23rd December 2015
- **153223** - Certificate of existing lawfulness application for the use for storage purposes within Use Class B8 **approved** on 27th January 2016
- **160068** - Certificate of existing lawfulness application for the use of Building H for storage purposes within Use Class B8 **approved** on 23rd February 2016
- **160359** - Application for a certificate of existing use for parking of not more than four non-agricultural lorries **approved** on 16th March 2016
- **162059** - Householder application for the proposed raising of existing roof, insertion of dormer window extension to facilitate first floor accommodation, erection of a two storey front/side extension and demolition of existing garage/store **conditionally approved** on 21st September 2016
- **162224** - Full application for the proposed erection of one cattle shed currently pending

CONSULTATION RESPONSES

Berkshire Archaeology	No objection subject to condition (5)
Natural England	No objection
Royal Berkshire Fire and Rescue	No objection
Thames Water	No comments received
WBC Biodiversity	No objection subject to condition (7)
WBC Tree and Landscape	No objection subject to conditions (4 and 8)
WBC Environmental Health	No objection
WBC Drainage	No objection subject to conditions (6)

WBC Waste Services	No comments received
WBC Highways	No objection

REPRESENTATIONS

Swallowfield Parish Council: Objection received with regards to:

- Anaerobic digester was going to use feedstock grown on the farm locally which seems inconsistent with a cattle rearing operation. Parallel cattle operation would mean more AD feedstock being transported in by road
- AD plant is a significant “industrialisation” on its own in an area designated as an area of special landscape character and the addition of two (or even one) large cattle sheds would add significantly to the number of large and incongruous structures on the site. (see paragraph 19)

Local Members: No comments received

Neighbours: No comments received

APPLICANTS POINTS

- Acceptable use in the countryside
- Accords with relevant criteria for cattle rearing
- Diversification of farm
- Additional landscaping to be planted

PLANNING POLICY

National Policy	NPPF	National Planning Policy Framework
Adopted Core Strategy DPD 2010	CP1	Sustainable Development
	CP3	General Principles for Development
	CP6	Managing Travel Demand
	CP7	Biodiversity
	CP8	Thames Basin Heaths Special Protection Area
	CP11	Proposals outside development limits (including countryside)
Adopted Managing Development Delivery Local Plan 2014	CC01	Presumption in Favour of Sustainable Development
	CC02	Development Limits
	CC03	Green Infrastructure, Trees and Landscaping
	CC04	Sustainable Design and Construction
	CC09	Development and Flood Risk
	CC10	Sustainable Drainage
	TB21	Landscape Character
	TB25	Archaeology
Supplementary Planning Documents (SPD)	BDG	Borough Design Guide

PLANNING ISSUES

Description of Development:

1. The proposal is for the erection of one cattle shed on Hill Farm, Jouldings Lane. The cattle shed would be located in the southern part of the site and would measure 73.1 metres in length and 14.7 metres in width. It would have a dual pitched roof with a ridge height of 5.3 metres and an eaves height of 3.6 metres. Also proposed is a silage clamp adjacent and to the north of the cattle shed as well as a wildlife proof perimeter fence and a track formed around the shed leading to the rest of the farm. There would also be a further cattle shed however this is subject to planning application 162224.

Principle of Development:

2. The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.
3. The site is located outside any defined settlement area and therefore the principle of development is acceptable subject to impact on the countryside. Policy CP11 of the adopted Core Strategy states that proposals outside of development limits will not normally be permitted except where, *inter alia*, it contributes to diverse and sustainable rural enterprises within the borough and does not lead to excessive encroachment or expansion of development away from the original building. With regards to sustainable rural enterprises, the proposal is for the formation of cattle sheds and its associated works and in this respect is considered to come under this exception criterion.
4. An Agricultural Report has been submitted which details the reasoning for the application. Prior to the foot and mouth crisis in 2001, Hill Farm operated as a beef and sheep enterprise however the crisis resulted in all the livestock being sold. Subsequently the farm was restructured with an emphasis on the production of hay and haylage for sale to the equine market and an agricultural contracting company. In addition, land outside of Hill Farm (but within a 15km radius) is owned and used by the applicant. Furthermore, planning permission has recently been granted for an anaerobic digester (AD) plant which is currently being constructed. As such, the reestablishment of the beef fattening enterprise on Hill Farm is a further aspect in diversifying the business to ensure it remains resilient to market fluctuations.
5. The report identifies that the size of the buildings relate to typical agricultural buildings and the requirement to meet statutory regulations for the keeping of cattle. It also notes that the buildings are designed to meet best practice guidelines which are above the statutory level. Similarly, the indicative layout of having the sheds facing each other with the silage clamp nearby allows for greater efficiencies. The report also sets out that there is sufficient land owned by the applicant to maintain forage and the spreading of manure. This also takes into account the requirements of the AD plant. Therefore, the report concludes that the proposal would help diversify the business further, meets and exceeds

statutory requirements in terms of cattle rearing and generates one additional job on the site.

6. Overall, there is considered to be a recognised need for the buildings, particularly as it would help ensure the longevity of Hill Farm as a business which contributes to the local economy. The proposal would also utilise existing processes on the farm taking into account the additional forage that is already grown there. As such, this is considered to comply with policy CP11 as it would contribute to a rural enterprise and is therefore acceptable in principle. However, the impact on the character of the countryside is discussed below.

Character of the Area:

7. The area is rural in character and appearance although it is acknowledged that the main collection of buildings in Farley Hill is located to the north of the site on Church Road. Nonetheless, the site itself and its surroundings to the east, south and west are predominantly rural with further farms located to the south of the site. The application site comprises mainly of agricultural fields arranged around a central group of buildings which have a variety of uses associated with the farm. Beyond this and to the south, further fields are available and this is used in conjunction with the haylage operation of the site.
8. The building proposed would be of a large size and occupy a large footprint. Nonetheless, it would be of an appearance typical of agricultural buildings and it is noted the size relates partly to the requirement of legislation on cattle herding. In addition, agricultural buildings are not uncommon in the area and in this respect an additional building is not considered to have a harmful impact. However, criterion 2 of policy CP11 requires that proposals do not encroach on the countryside and it is acknowledged that due to their size and location, the buildings would create additional built form. Nonetheless, the building would not be sufficiently divorced from existing buildings as to warrant a conflict with the policy and typical farm activities, including the storage of hay bales, already takes place in this area. Also lending weight in support of the application is the submitted Landscaping Visual Impact Assessment. This sets out that out of the 10 viewpoints assessed, only three would be impacted and only one of these would be significant. As such, a suitable landscaping scheme would be sufficient in ensuring this would not be a harmful impact.
9. Weight should be given to the impact on the countryside as a result of the additional built form but this is considered to be outweighed partly by the benefits of ensuring an agricultural use remains on the site and the economic benefits this would bring; but also as it would be in keeping with the character of the area. Additionally, mitigation of the impact of the proposal would be provided through landscaping which over time would help it integrate into the landscape. On balance therefore, the proposal is considered to have an acceptable impact on the countryside.

Landscape and Trees:

10. There are no significant trees that could be impacted by the proposal and therefore no harmful impact would occur in this respect. In line with the rural characteristics of the site and to mitigate the impact on views from the bridleway

to the south of the site, additional landscaping is proposed. This is partly through a new hedgerow along the western edge of the cattle yard but primarily through a landscaping buffer zone to the south. This would comprise of a hedgerow and new trees. The Tree and Landscape Officer, although requesting some minor changes to the layout of the trees in this area, is satisfied that the proposed landscaping would be sufficient in mitigating the impact on the landscape character.

Residential Amenities:

11. Due to the significant separation distances to any neighbouring properties (over 50 metres), no harmful impact on residential amenity in terms of overlooking, overbearing or a loss of light is considered to occur.

Highways and Access:

12. Access to the farm is from two main points; the junction of Jouldings Lane and further down the road to the existing farmhouse. The entrance at the junction has a track leading to the farm and this is typically used by farm vehicles to avoid the Jouldings Lane itself. The proposal would use this track and it would connect to the area around the cattle shed. As such it would not raise any issues in terms of access. As the keeping of cattle would be ancillary to the use of the site as a farm, the Highways Officer does not consider there to be any greater traffic associated with the site and therefore does not raise any objection.

Flooding and Drainage:

13. The site is within Flood Zone 1 and therefore at low risk from flooding. As a result, the Drainage Officer does not raise an objection in principle. It is acknowledged the roof form of the building would be large and therefore this would increase run-off however it is considered a suitable drainage solution could be achieved on site without detriment to the site as a whole or neighbouring sites in terms of flooding. As such, further details regarding drainage could be controlled through a condition (6).

Environmental Health:

14. The Environmental Health Officer has not raised any concern in relation to the proposal. Given that the site is a working farm and therefore there is already a recognised impact from this, no harmful impact is considered to occur. Furthermore, the separation distance to the nearest neighbouring property is considered sufficient to mitigate any harmful impact in terms of noise and odour.

Biodiversity:

15. The proposal would result in a minor impact in terms of the establishment of a cattle yard however this would be offset by the proposed landscaping. It is considered that there could be an impact on reptiles which are known to be in the area and therefore additional information has been requested. Having considered this, the Ecology Officer is satisfied no harmful impact would occur subject to a condition (7). Additionally, Natural England has been consulted due to the proximity to a SSSI. However, they are of the opinion the development is not of a

scale that would cause a detrimental impact.

Community Infrastructure Levy:

16. As the proposal is not for new residential or retail floor space, the proposal is not CIL liable.

Employment Opportunities:

17. Whilst the proposal is a major application and Policy TB12 of the MDD states these should be accompanied by an Employment and Skills Plan, the opportunities provided by the scheme are considered to be limited and not of a type that would suit an employment skills plan. As such, it is considered there is no identified harm in not requiring a plan to be submitted.

Archaeological Impact:

18. Due to the archaeological potential of the site and surrounding area, Berkshire Archaeology has requested a condition (5) for a written scheme of investigation to be submitted prior to the commencement of development. Subject to this condition, no harmful impact is considered to occur.

Other:

19. Although some of the matters raised by the Parish Council have been considered elsewhere in the report, it is considered necessary to assess their comments. Planning applications have to be considered on their own merits and should accord with local and national planning policy. Whilst the granting of permission for the anaerobic digester is a material consideration in terms of the planning history of the site, it cannot be used to prohibit the granting of planning permission for a different scheme. For clarification, the site is **not** within an area of special landscape importance or character and the LPA does not consider an agricultural building on a farm in a rural area to be incongruous.

CONCLUSION

The proposal is for an acceptable use in the countryside and no significant harmful impact on the character of the area would occur. Subject to appropriate conditions, it is considered no harmful impact would occur in terms of highways, ecology or tree and landscape. Furthermore, the site is located a sufficient distance from residential properties in order to not have a harmful impact on residential amenity. As such, the proposal accords with the development plan and is recommended for approval subject to conditions.

CONTACT DETAILS

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