

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(1)	20/02322/FUL Enborne	04 th December 2020 ¹	Erection of two sheds for housing cattle during winter Boames Farm, Boames Lane, Enborne, Newbury, RG20 0JT J C Cottrell & Son
<p>¹ Extension of time until 17th December 2020 has been requested and is yet to be agreed with the applicant. A request was sent to the applicant.</p>			

The application can be viewed on the Council's website at the following link:

<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/02322/FUL>

Recommendation Summary: To delegate to the Head of Development and Planning to refuse planning permission.

Ward Member(s): Councillor Dennis Benneyworth
Councillor James Cole
Councillor Claire Rowles

Reason for Committee Determination: Ward Member call in by Councillor James Cole if recommended for refusal: A genuine agricultural application for real cattle barns - the new application does have some changes when compared to the previous. The refusal of the previous application caused considerable local unhappiness and disagreement with planners' decision.

Committee Site Visit: Owing to social distancing restrictions, the option of a committee site visit is not available. Instead, a collection of photographs is available to view at the above link.

Contact Officer Details

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1. Introduction

- 1.1 This application seeks full planning permission for erection of two sheds for housing cattle during winter.
- 1.2 The site is at Boames Farm, Boames Lane, Enborne. The barns will be located within the north east corner of Little Copse, a historic woodland with ancient woodland indicators. The application site is within Flood Zone 1.
- 1.3 The combined floor area of the proposed buildings is 744 square metres, and the maximum height of each building is 6.18m.
- 1.4 The buildings are designed with a framework of painted steel. The sloped roofs will be natural grey corrugated cement fibre, incorporating transparent roof lights to maximise natural light. The ends will be tanalised, square timber clad down to 2m, overlapped with concrete panelling coming up from base level.
- 1.5 The submitted documents outline that the sheds have been designed to be on a pad and beam foundation. There would be some levelling of the site to allow the erecting of the sheds and putting down the hard-core.

2. Relevant Planning History

- 2.1 The table below outlines the relevant planning history of the application site.

Application	Proposal	Decision / Date
01/01849/LBC	Renovation of farmhouse, demolition of lean to structure, addition of new living space and entrance hall	Approved 2001
01/01850/HOUSE	Renovation of farmhouse. demolition of lean to structure, addition of new living space and entrance hall	Approved 2001
03/02115/AGRIC	New field accesses.	No objection decision 2003
05/02210/FULD	Conversion of redundant agricultural building to form an office space and one bedroom 'holiday let' unit.	Approval 2005
06/01931/FULD	Demolition of redundant agricultural building and construction of office space and one bedroom.	Approval 2006
16/00867/HOUSE	Oak-framed porch.	Approved 2016

16/00868/LBC2	Oak-framed porch.	Approved 2016
20/00850/COMIND	Erection of two sheds 30.5m long x 12.2m deep for housing cattle through the winter.	Refused 2020

2.2 The planning history shows a number of different planning permissions and listed building consents for the Grade II Listed Farmhouse. There are other developments that have been carried on the farmyard. However there is no planning history on the woodland site.

3. Procedural Matters

3.1 The proposed development falls within the column 1 description at paragraph 1(c) (Intensive livestock installations projects) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. An EIA screening opinion has been completed as the proposed development exceeds the threshold in column 2 of Schedule 2 (exceeds 500 square metres). Taking into account the selection criteria in Schedule 3 and guidance within the Planning Practice Guidance, an EIA statement is not required in terms of the EIA Regulations.

3.2 A site notice was displayed on 21 October, 2020 and the deadline for representations expired on 11 November 2020.

3.3 Community Infrastructure Levy (CIL) is a levy charged on most new development to pay for new infrastructure required as a result of the new development. CIL will be charged on residential (C3 and C4) and retail (A1 - A5) development. CIL liability will not be applicable for this type of development. More information is available at www.westberks.gov.uk/cil

4. Consultation

Statutory and non-statutory consultation

4.1 The table below summarises the consultation responses received during the consideration of the application. The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report.

Enborne Parish Council:	The Parish Council members expressed unanimously its strong support for this application, noting in particular the improvements made to the previous application, 20/00850/COMIND, in regard to woodland protection and expansion.
Highways Authority:	No highway objections.
WBC Ecology Officer	Concerns that were raised in the previous application (20/00850/COMIND) for this site have not been sufficiently addressed with this new application. Before the previous

	<p>application was refused the applicant submitted 2 alternative site and location layouts one of these was found to be the most favourable with regard to protecting the remaining ancient woodland/LWS, the replacement planting for the lost woodland and trying to have some sort of unquantified biodiversity net gain given the historic loss of the woodland in the vicinity of the site.</p> <p>Previous WBC Ecology Officer comments are available under application 20/00850/COMIND using the following link:</p> <p>http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/00850/COMIND</p>
<p>WBC Archaeology Officer</p>	<p>There are no archaeological implications to this proposal</p>
<p>Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT):</p>	<p>Thank you for consulting with the Berks, Bucks and Oxon Wildlife Trust (“BBOWT”) on the above planning application.</p> <p>BBOWT put forward our serious concerns in relation to the previous application 20/00850/COMIND which was in the same location as the current application. We have reviewed the current application and find it to be substantially the same as the previous application, with no material change adequate enough to cause us to amend our previous position.</p> <p>Despite the historic loss of woodland in the area of the Local Wildlife Site, we continue to have serious concerns about development within a LWS and the impact such development would have on the remaining woodland. Our previous submissions stated that alternative locations should be considered in more detail in order to avoid negative impacts on biodiversity and the LWS. Our concerns regarding the location of the development as submitted for the previous application, remain for the current application.</p> <p>BBOWT comments are available under application 20/00850/COMIND using the following link:</p> <p>http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/00850/COMIND</p>
<p>Forestry Commission:</p>	<p>As a non-statutory consultee, the Forestry Commission is pleased to provide you with the attached information that may be helpful when you consider the application:</p> <ul style="list-style-type: none"> • Details of Government Policy relating to ancient woodland • Information on the importance and designation of ancient woodland

	<p>Ancient woodlands are irreplaceable. They have great value because they have a long history of woodland cover. It is Government policy to refuse development that will result in the loss or deterioration of irreplaceable habitats including ancient woodland, unless “<i>there are wholly exceptional reasons and a suitable compensation strategy exists</i>” (National Planning Policy Framework paragraph 175).</p> <p>We also particularly refer you to further technical information set out in Natural England and Forestry Commission’s Standing Advice on Ancient Woodland – plus supporting Assessment Guide and Case Decisions.</p> <p>One of the most important features of Ancient woodlands is the quality and inherent biodiversity of the soil; they being relatively undisturbed physically or chemically. This applies both to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS). Direct impacts of development that could result in the loss or deterioration of ancient woodland or ancient and veteran trees include:</p> <ul style="list-style-type: none"> • damaging or destroying all or part of them (including their soils, ground flora or fungi) • damaging roots and understory (all the vegetation under the taller trees) • damaging or compacting soil around the tree roots • polluting the ground around them • changing the water table or drainage of woodland or individual trees • damaging archaeological features or heritage assets <p>It is therefore essential that the ancient woodland identified is considered appropriately to avoid the above impacts.</p> <p>We would also like to highlight the need to remind applicants that tree felling not determined by any planning permission may require a felling licence from the Forestry Commission.</p>
<p>WBC Tree Officer</p>	<p>Documents viewed</p> <p>Tree Survey and Arboricultural Report – John Handy Design and Access Statement Boames Farm Enborne Ecological Appraisal – Turnstone ecology</p> <p>Observations</p> <p>My previous comments were made without a site visit, however today I managed to arrange a site visit 02/12/2020 with the Arboricultural Consultant John Handy, Simon Tompkins was also present for the latter part of the visit.</p>

The woodland Little copse is a classic Oak and Hazel Coppice woodland under the National Vegetation Classification it would be deemed W10, further information can be found on the following link:

<https://www.conservationhandbooks.com/woodlands/national-vegetation-classification/>

On the historic Ordinance Survey Map 1843 - 1893 shown below it is denoted as woodland. Even on the recent aerial photos shown below show what appears to be trees or scrub.

The ecology report says under section 3.1.2 '*Little Copse is classified as Lowland Mixed Deciduous Woodland, a Section 41 Habitat of Principal Importance. Bluebells are present which are a protected species under Schedule 8 of the Wildlife and Countryside Act 1981. Sixteen ancient woodland indicators have been recorded, with a low abundance (bluebell, crab apple, guelder-rose, three-nerved sandwort, holly, yellow pimpernel, wood melick, pignut, wood sorrel, yellow archangel, moschatel, wood anemone, hairy brome, primrose, giant fescue and wych elm).*'

Section 3.3.5 of the ecological report gives more evidence about the history of the site and the reasons why the section was cleared. '*The reason the woodland died off in this area of Little Copse is a result of water and slurry run off from Boames Farm when it was an operational dairy farm*'. The semi -mature ash tree in the north western section of the woodland was felled by Scottish and Southern electricity due to interference with the power lines in 2018 and the hollies failed as a result of wind throw.

Following the site visit the site proposed for the sheds has no trees present and is currently used as hard standing for machinery. There were no stumps present on my visit.

The proposed works to the trees to allow the sheds to be built is as follow and taken from the Arboricultural Report:

The removal of 4 trees including a small hawthorn and 3 ash trees is acceptable as the ash are showing early signs of ash die back and would be likely to succumb over the next 5-10 years and have to be removed anyway.

The sheds have been designed to be on a pad and beam foundation to minimise the ground disturbance.

The remaining trees around the woodland are to be protected

throughout the proposal with heras style fencing in accordance to the BS5837 guidelines as shown in the tree protection plan.

The levelling of the site to allow the erecting of the sheds and putting down the hard-core would permanently change the fundamental nature of the site.

New tree and hedge planting

The current proposal shows a 0.18 hectare of native planting to the east of the woodland which links up Little copse and Redding Copse and provides connectivity, which is double the area lost from the proposal (0.08ha), this is welcomed.

There is also approximately 65m of mixed native hedge to be planted, also this is welcomed.

Alternative Sites

On the previous application alternative sites were proposed and in Appendix 2 of the Design and access statement the two sites are shown and an appraisal has been carried out.

There is no indication of who carried out the appraisal/assessments of the site but in my previous comments that the proposed site no. 2 is preferable. However there is no reason given why the site has been shown as approximately 3.5 times greater than the current proposal.

Recommendation

Little copse is in my view a historic woodland, there are plant species in the woodland which are indicative of Ancient Semi-natural woodland such as bluebells and historic ash coppiced trees along the boundary. Even though it is not designated an ancient woodland in accordance with the Ecological report it has 16 indicator species.

The proposed new planting is welcomed however at the loss of this irreplaceable habitat in my view unacceptable. Even if it hasn't been wooded for 20 years as suggested the seed bank beneath the hard core is still there and if left to re-wild would recover.

The other potential sites especially site 2, though dismissed in the appendices of the D&A statement is worth exploring further.

Reasons for refusal.

The proposed development by virtue of its siting would result in

	<p>the direct loss of a historic woodland. The permanent loss of the woodland is unacceptable and this would have an adverse impact on the amenity and character of the area in which it is located.</p> <p>The proposal is therefore contrary to policies CS14, CS18 and CS19 of the West Berkshire Core Strategy 2006 - 2026 (adopted 2012) and advice contained within the NPPF.</p>
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Public representations

- 4.2 Representations have been received from 14 contributors supporting the proposal.
- 4.3 The full responses may be viewed with the application documents on the Council's website, using the link at the start of this report. In summary, the following points have been raised:
- location is ideal
 - proposed location will have the minimum visual impact on the environment.
 - barns are an essential addition to the farm
 - new barns set away from the road.
 - young farmers should be encouraged
 - modern farm barns located in the paddock would spoil the setting from the office space in Boames Farmyard
 - positive effect from the new tree and hedge planting

5. Planning Policy

- 5.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The following policies of the statutory development plan are relevant to the consideration of this application.
- Policies ADPP1, ADPP2, CS10, CS13, CS14, CS16, CS17, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
 - Policies TRANS.1, OVS.5, OVS.6 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).
- 5.2 The following material considerations are relevant to the consideration of this application:
- National Planning Policy Framework (NPPF)
 - Planning Practice Guidance (PPG)
 - WBC Quality Design SPD (2006)
 - Planning Obligations SPD (2015)

- Sustainable Drainage (2017)
- Manual for Streets

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Design, character and appearance of the area
- Impact on quality of life
- Highways
- Flooding and drainage
- Biodiversity
- Green infrastructure

Principle of development

6.2 The site is outside a defined settlement boundary. Policy ADPP1 of the West Berkshire Core Strategy allows for limited development within the countryside focused on addressing identified needs and maintaining a strong rural economy.

6.3 West Berkshire Core Strategy Policy CS10 further states that proposals to diversify the rural economy will be encouraged, particularly where they are located in or adjacent to Rural Service Centres and Service Villages.

6.4 Existing small and medium sized enterprises within the rural areas will be supported in order to provide local job opportunities and maintain the vitality of smaller rural settlements. There are benefits from the development as it will ensure the provision of farm buildings required for the farm operations and housing of cattle currently accommodated approximately a mile away (2 miles round trip).

6.5 Boames Farm is located in the village of Enborne in Berkshire an area associated with small/medium sized farms. Boames Farm is accessed from Boames Lane, with the farmhouse heritage designated as Grade II. The nearest neighbouring dwelling is at Hill Farm to the south-west.

6.6 The proposals do not qualify for Agricultural Permitted Development Rights, as the site is within 400m of a Protected Building (330m), and the intended use is for housing livestock.

6.7 Boames Farm is a 256 acre grassland farm, of which approximately 35 acres is ancient or semi natural woodland. The farm business is operated under J C Cottrell & Son and is mainly concerned with hay and livestock sales. It is submitted that the farm business has had to diversify, and having a Suckler herd of cattle is a large part of this process. The Farm currently has a herd of pedigree, rare breed, Red Poll Cattle.

6.8 The submitted documents outline that the herd is currently composed of 24 breeding cows, with associated young stock. The aim is to have up to 50 cows, with associated young stock. The existing herd is housed during the winter in a converted hay barn, on the western edge of the farm, which is a 2 mile round road-trip. Boames Farm serves

as the main base of operations, the existing housing is currently located off-site. The location of the existing barns requires a large number of personnel/vehicular movements during calving, as well as the transportation of feed and other inputs.

- 6.9 The application is also accompanied by a supporting letter from the Red Poll Cattle Society and from Larkmead Vets.
- 6.10 Officers acknowledge and support the identified need for the farm buildings in supporting the rural enterprise.
- 6.11 All other buildings on the farm are either fully utilised for the storage of hay, straw and machinery, or are not suitable for conversion to cattle housing. It is noted that one of the farm buildings has been converted to an office and a holiday let under application 05/02210/FULD (Conversion of redundant agricultural building to form an office space and one bedroom 'holiday let' unit).
- 6.12 Officers consider that the development would have significant impact on a historic woodland and designated local wildlife site. Officers consider that the development can be carried out elsewhere on the site and officers have previously agreed an alternative location on the previously refused application 20/00850/COMIND. A Potential Sites Appraisal has been submitted which outlines that the visual, noise, odour and ecological impacts of alternative sites 1 and 2 would be greater than the proposed site. Officers considered the likely impacts on the two alternative sites and concluded that site 2 would be the most preferable and officers would be minded to recommend approval in the event that the development was relocated to the site 2 location. Whilst the barns would be located nearer to Boames Lane, this is not an unusual layout for a farmyard. In addition it is not unusual to have neighbouring properties located opposite a farmyard building and consideration was also given to the highway which provides a physical separation between the site and neighbouring properties to the south west.
- 6.13 The principle of farm buildings on the holding is acceptable through the agriculture development proposed and the need identified.
- 6.14 The specific impacts of the development on the character and appearance of the area and how it functions, amenities and highway safety, green infrastructure and biodiversity must also be considered and fully justified. These are material planning considerations that carry significant weight in determining the planning application.

Design, character and appearance of the area

- 6.15 The NPPF states that the Government attaches great importance to the design of the built environment and that in relation to design, Councils should always seek to secure high quality design which respects and enhances the character and appearance of the area
- 6.16 The NPPF further outlines that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

- 6.17 Policy CS14 of the Core Strategy supports the aims and objectives of the NPPF and provides the design principles for new development within West Berkshire. It is clear that developments must demonstrate high quality and sustainable design that respects and enhances the character and appearance of the area. It emphasises that design does not only relate to the appearance of the development but also the way in which it functions. The Policy has a list of criteria that developments are expected to provide which includes creating safe environments; make efficient use of land whilst respecting the character, landscape and biodiversity of the surrounding area; conserve and enhance historic and cultural assets; and provide, conserve or enhance biodiversity opportunities.
- 6.18 Boames Farm sits at the junction of three high-voltage power lines running broadly north/south and north-eastward. Little Copse is also located to the east of the farmyard and the proposed development is proposed within the north west corner of Little Copse. As a result expansion of the yard eastwards is heavily constrained, although the open paddock area towards the south and close to the lane is unused.
- 6.19 In order to soften the visual impact of the proposed buildings from the north a new landscape corridor is proposed to the east and will comprise mixed, deciduous tree planting. It is put forward that the new planting will connect Little Copse and Redding's Copse to the north east, albeit this planting will not screen the barns from the north.
- 6.20 The barns are proposed partially within the bounds of Little Copse and would remove the north-west corner of the woodland and how it is viewed from the north. Debate remains as to the status of part of the site proposed to accommodate the two cattle barns. Whilst the applicant maintains that the area was cleared 20 years ago, Council mapping records including aerial images from 2003, 2010 and 2018 show that the north-west area had mature trees insitu. This is provided in the site photographs pack for Members' information.
- 6.21 Nevertheless it is evident that trees were historically lost in this area and never replaced or allowed to re-establish. This is discussed later in this report.
- 6.22 The proposed buildings are of identical design and construction. The main framework is painted steel. The sloped roofs will be natural grey corrugated cement fibre, incorporating transparent roof lights to maximise available natural light. The ends will be tanalised, square timber clad down to 2 metres, meeting concrete panelling coming up from ground level. The backs of the buildings will be green steel sheet cladding down to concrete panels. All gates and feed barriers will be galvanised steel, and tanalised wood.
- 6.23 It is considered that the design and appearance is consistent with a functional traditional or modern farm building for the purpose of housing livestock, in this case cattle. In terms of building design and appearance, the buildings would be acceptable.
- 6.24 The proposed development will however result in the permanent loss of a large area of woodland within Little Copse which consisted of a mature woodland of trees. As identified later in this report, there are concerns that the proposed development and in particular the type of use would harm any trees that would be retained if the development is not adequately mitigated.

6.25 The historic woodland at Little Copse contributes to the landscape character of the area and is an established landscape key feature within this location. Any damage that would lead to decline of this key green infrastructure is unacceptable because a loss of part of the woodland would impact on local character and amenity. The development is therefore contrary to the NPPF, Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and the Supplementary Planning Document Quality Design (June 2006).

Impact on quality of life

6.26 Planning Policies CS14 and CS19 of the West Berkshire Core Strategy are of importance with regard to the potential impact upon neighbouring amenity. Policy CS14 requires new development to make a positive contribution to the quality of life in West Berkshire.

6.27 The site is within an existing agricultural area and will not present any adverse impacts on neighbouring amenity.

6.28 There would be some noise generation at the access from vehicles associated with the cattle management, however as the use is for livestock accommodation only it is considered that the frequency and intensification will be limited and will not adversely affect the amenity of residents including at Hill Farm which is located a distance away and across Boames Lane.

6.29 Overall the impact on neighbouring amenity of the proposed development is considered minimal and would not have a materially harmful impact on nearby residents such that the proposal accords with CS14 and the SPD on Quality Design.

Highways

6.30 Policies CS13 of the Core Strategy and TRANS.1 of the Saved Policies of the Local Plan relate to highways. Road safety in West Berkshire is a key consideration for all development in accordance with Core Strategy Policy CS13.

6.31 The Highways Officer raised no objections on the proposed development.

6.32 Overall, it is considered that the proposed development would not have a material impact on highway safety. The application is therefore considered to comply with Core Strategy Policy CS13 and TRANS.1 of the Saved Policies of the Local Plan.

Flooding and drainage

6.33 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Core Strategy Policy CS16 (Flooding) applies across the district and highlights the cumulative impacts of development on flooding within the district.

6.34 The application site is located within Flood Zone 1, which has the lowest probability of flooding. It is essential that Sustainable Drainage Methods (SuDS) are adopted to mitigate the cumulative impacts of development on flooding within the area and the wider district.

6.35 Policy CS16 states that on all development sites, surface water will be managed in a sustainable manner through the implementation of Sustainable Drainage Methods (SuDS). A soakaway is submitted, however a surface water drainage statement outlining the soakaway and filtration details has not been submitted. A condition can be attached to ensure the applicant can submit these details. It is considered that the proposal could comply with Policy CS16.

Biodiversity

6.36 The NPPF also requires significant impact on biodiversity to be avoided in the first instance through locating development elsewhere, and if it can be evidenced that this is impossible, impacts must be adequately mitigated. As considered above, Officers consider that the proposed barns can be located elsewhere within the holding.

6.37 Core Strategy Policy CS17 (Biodiversity and geodiversity) states that biodiversity and geodiversity assets across West Berkshire will be conserved and enhanced. Harm to biodiversity and geodiversity has been identified with the proposed development and inadequate mitigation is provided.

6.38 Policy CS17 also states that, in order to conserve and enhance the environmental capacity of the District, all new development should maximise opportunities to achieve net gains in biodiversity and geodiversity in accordance with the Berkshire Biodiversity Action Plan and the Berkshire Local Geodiversity Action Plan.

6.39 Two separate systems are proposed for the treatment of rainwater run-off from roofs and clean exterior yards, and the management of slurry and effluent arising from manure within the cattle barns.

6.40 The proposal outlines that rainwater run-off from roofs and clean exterior yards will be kept separate from cattle living areas, and discharged directly into a new soak-away as shown on the site plan. Farmyard manure generated within the cattle housing will be handled in accordance with current DEFRA guidelines and the area used for feeding will be scraped daily. The bedding area will be cleaned out as required. It is submitted that slurry from the cattle areas will be intercepted by drainage channels located at each exit point, and will be directed into a reception tank.

6.41 The Council's Ecology Officer was consulted on the latest application and the previously refused application. As stated above the Council's Ecologist has raised objections as the proposal is essentially the same as previously refused, in the same location and without the recommended mitigation.

6.42 The Ecology Officer has outlined that if the barns are retained in this location, then mitigation would be required to protect the retained woodland trees and ensure their sustainability long term. The required mitigation in this proposed location would include a 5 meter buffer between the proposed cattle barns and the retained woodland trees and a further 2 meters given over as a ditch (a total 7 meters of mitigation buffer) running the length of the shared boundary between the barns and the retained trees. Officers consider that the option of a 7 metres buffer is not practical as it will inevitably result in the loss of additional trees to create the buffer. In addition to the woodland protection measures, the proposal would also be required to create a biodiversity net gain by replacing the lost natural habitat and offer net gain enhancements. The

inclusion of the compensatory planting and enhancements discussed in the submitted Preliminary Ecological Appraisal would provide some benefits. However Officers consider that in the long term the enhancements would be negated by a failure to protect the retained woodland.

- 6.43 The Ecology Officer's objection is supported by the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT) who have also provided objection comments on both applications.
- 6.44 BBOWT outlines that the application site remains largely within Little Copse Local Wildlife Site, which is designated for its important woodland wildlife habitat. Notwithstanding the policy conflict regarding development within a designated Local Wildlife Site, the proposed cattle sheds would be essentially abutting the remaining woodland, with little space provided for an adequate habitat buffer to protect the woodland to be retained around the barns.
- 6.45 BBOWT indicate that such buffers are required as a minimum in order to protect the remaining woodland from the direct and indirect impacts of the new development.
- 6.46 Whilst outlining statutory guidance on habitat buffers to protect ancient woodland from development and also more detailed guidance around habitat buffers from the Woodland Trust, the BBOWT indicates that the woodland in question is not listed on Natural England's Ancient Woodland Inventory, however the Local Wildlife Site survey report indicates that many ancient woodland indicators are present in the woodland thus indicating the high biodiversity value of the Little Copse woodland. The ancient woodland indicators are also confirmed by the Council's Tree Officer and Forestry Commission.
- 6.47 In addition, it is outlined by BBOWT that deciduous woodland are a priority habitat for conservation, as listed under Section 41 of the Natural Environment and Rural Communities Act 2006, for which the Council has a duty to consider in planning decisions.
- 6.48 There is a high risk of significant biodiversity habitat impacts from the proposal and Officers have been advised using expert advice. Officers also accept that there would need to be significant and appropriate compensatory habitat provision ensured over the long term in line with government guidance on the implementation of biodiversity net gain and offsetting.
- 6.49 The Council's Ecologist has recommended that an alternative site would be the best outcome. During the consideration of the previous application, Officers considered that an alternative location would be possible and this alternative option would be acceptable to support the identified need. Officers advised the applicant that the alternative site 2 would be acceptable and whilst the buffers would still be required to protect the woodland these would be achievable.
- 6.50 Given the above concerns and inadequate mitigation, compensation and enhancements the proposed development will fail to comply with the NPPF and Policy CS17 of the Core Strategy with regard to Biodiversity.

Green Infrastructure

- 6.51 Policy CS18 of the Core Strategy requires green infrastructure such as woodlands to be conserved by development. In their consultation response the Tree Officer has objected to the proposal and outlines that in their view that Little Copse is a historic woodland and there are plant species in the woodland which are indicative of ancient semi-natural woodland such as bluebells and historic ash coppiced trees along the boundary (the applicant's ecological report identifies 16 indicator species).
- 6.52 The Tree Officer considers that the proposed new planting is welcomed, however, the loss of this irreplaceable habitat is unacceptable. Even if the site area has not been wooded for 20 years as suggested by the applicant the seed bank beneath the hard core area is still there and if left to re-wild it would recover. It is also evident on aerial imagery that as recent as 2018 there were mature trees at the site.
- 6.53 The Council's Tree Officer has objected to the proposal. Officers consider it unfortunate that there has been historical site clearance in the north west corner of the woodland, it is unclear if there has been a felling licence on the site. The proposed site area is set with hardstanding/scrub and currently used by the farm. There has been some reference from members of the community that the site area is "brownfield land", this is not the case as the NPPF is clear that land previously in agricultural and/or forestry uses cannot be considered brownfield or previously developed land in planning terms (NPPF Annex 2: Glossary).
- 6.54 The NPPF states that planning permission should be refused for development resulting in the loss of aged or veteran trees, unless the need for, and benefits of, the development in that location clearly outweigh the loss. Officers do not consider the development outweighs the woodland habitat value and consider that this development can be reasonably carried out elsewhere within the holding. Potential sites were explored and recommended to the applicant at an early stage, however the applicant identified that power lines at the site provided significant constraints. As shown on the submitted illustrative site plan, the proposed barns can be located within the paddock to the south and adjacent to the farmyard. It is illustrated that the barns are clear of the power lines and there would be sufficient gap between the barns and the woodland to accommodate the buffer required to protect the woodland. In addition the barns can be orientated to create a greater distance to the power lines and the existing woodland.
- 6.55 Policy CS18 of the West Berkshire Core Strategy requires the retention of valued green infrastructure which contribute to the character of the landscape and the area. Policy CS18 outlines that the district's green infrastructure will be protected and enhanced, that developments resulting in the loss of green infrastructure or harm to its use or enjoyment by the public will not be permitted.
- 6.56 The policy's explanatory text at paragraph 5.123 states that green infrastructure is the network of multi-functional green space, both new and existing, both rural and urban, which supports the natural and ecological processes, and are integral to the health and quality of life of sustainable communities.

6.57 At paragraph 5.124 bullet point two the explanatory text defines green infrastructure by stating that for the purposes of the Core Strategy, green infrastructure can also be defined as:

- Natural and semi-natural green spaces including woodlands, urban forestry, scrub, common land, grasslands, wetlands, open and running water, wastelands and derelict open land and rock areas.

6.58 This definition applies to this woodland site. Therefore, it is considered that the loss of a large area of the woodland and the resultant high risk of damage to the retained trees through the housing of cattle development would have an adverse impact on the character, appearance and amenity of the area. The development is therefore contrary to the NPPF, Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and paragraph 1.3.2 of the Supplementary Planning Document Quality Design (June 2006).

7. Planning Balance and Conclusion

7.1 The policies of the NPPF, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system and emphasises that a presumption in favour of sustainable development should be the basis for every plan, and every decision. Planning applications must result in sustainable development with consideration being given to the economic, social and environmental sustainability aspects of the proposal.

7.2 Economic Dimension: Officers consider that the proposal will make a contribution to the wider economic dimensions of sustainable development and will support a rural farming enterprise. The development will improve on the provision of existing farm facilities.

7.3 Environmental dimension: With regard to the environmental role of fundamentally contributing to protecting and enhancing our natural, built and historic environment, the impact on the character and appearance of the surrounding area has been assessed as part of this application. Officers considered that the proposal fails to sufficiently respect and preserve the existing natural environment through a loss of green infrastructure and biodiversity habitat. The proposal also fails to protect and enhance the prevailing pattern of development within the area.

7.4 Social dimension: Officers consider that the proposal makes no significant contribution to the wider social dimensions of sustainable development. However social aspects include the provision of amenity. As the landscape amenity aspects have been found to be unacceptable the proposed development fails to constitute sustainable development.

7.5 For the above reasons, Officers consider that the proposed development is not supported by the presumption in favour of sustainable development.

7.6 Having taken account of all the relevant development plan policy considerations and the other material considerations referred to in this report and the expert consultation provided, Officers consider that having regard to the clear reasons to object to the

proposal, the development proposed is not considered acceptable and should be refused for the reasons set out below.

- 7.7 The proposal will significantly harm the established character and appearance of the surrounding Little Copse woodland area, and will have a detrimental impact on the amenity contribution provided by the green infrastructure of the woodland trees within the Little Copse site. In addition the development will result in the loss of part of a wildlife priority habitat and inadequate mitigation, compensation and enhancements have been provided. There are no other material considerations that indicate planning permission should otherwise be approved.
- 7.8 This decision has been considered using the relevant policies related to the proposal. These are; ADPP1, ADPP2, CS10, CS13, CS14, CS16, CS17, CS18 and CS19 of The West Berkshire Core Strategy 2006 - 2026 and the Supplementary Planning Document Quality Design (June 2006).

8. Full Recommendation

- 8.1 To delegate to the Head of Development and Planning to REFUSE PLANNING PERMISSION subject to the reasons listed below.

Refusal Reasons

1. Impact on historic woodland.

The proposed development by virtue of its siting would result in the direct loss of a historic woodland. The permanent loss of the woodland is unacceptable and this would have an adverse impact on the amenity and character of the area in which it is located.

Policy CS18 of the West Berkshire Core Strategy requires the retention of valued green infrastructure which contribute to the character of the landscape and the area. The NPPF states that planning permission should be refused for development resulting in the loss of aged or veteran trees, unless the need for, and benefits of, the development in that location clearly outweigh the loss. The Local Planning Authority do not consider the benefits of the development outweigh the woodland value and consider that this development can be reasonably carried out elsewhere within the agricultural holding. Policy CS18 outlines that the District's green infrastructure will be protected and enhanced, that developments resulting in the loss of green infrastructure or harm to its use or enjoyment by the public will not be permitted.

It is therefore considered that the loss of a large area of the woodland and the development of the site would have an adverse impact on the landscape character, appearance and amenity of the area. The trees contribute to the landscape

character of the area and are an established key feature within this location. Damage that would lead to decline of this key green infrastructure is unacceptable because a loss of part of the woodland would impact on local character and amenity. The development is therefore contrary to the NPPF, Policies CS14, CS18 and CS19 of the West Berkshire Core Strategy (2006-2026) and the Supplementary Planning Document Quality Design (June 2006).

2. Impact on Biodiversity habitat.

Little Copse Local Wildlife Site is designated for its important woodland wildlife habitat. The proposed development is within a designated Local Wildlife Site and would abut the remaining woodland, with little space provided for an adequate habitat buffer to protect the woodland to be retained.

There is a high risk of significant biodiversity habitat impacts from the proposed development being located within the woodland. The NPPF also requires significant impact on biodiversity to be avoided in the first instance through locating development elsewhere, and if it can be evidenced that this is impossible, impacts must be adequately mitigated.

Given the above concerns regarding the loss of a designated local wildlife site and inadequate mitigation to protect the retained woodland as a Local Wildlife Site, the proposed development will fail to comply with the NPPF and Policy CS17 of the Core Strategy with regard to Biodiversity. The development would fail to mitigate for the impact of the loss of habitats and species and provide the necessary enhancements, to the detriment of biodiversity in the locality and the wider area. The proposal is contrary to the NPPF, the Conservation Regulations 2010, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006, and Policy CS17 of the West Berkshire Core Strategy (2006-2026).

Informatives (refusal)

1. In attempting to determine the application in a way that can foster the delivery of sustainable development, the local planning authority has approached this decision in a positive way having regard to Development Plan policies and available guidance to try to secure high quality appropriate development. In this application whilst there has been a need to balance conflicting considerations, the local planning authority has also been unable to find an acceptable solution to the problems with the development so that the development can be said to improve the economic, social and environmental conditions of the area.