

Item No.	Application No. and Parish	Statutory Target Date	Proposal, Location, Applicant
(2)	20/02993/FUL Hungerford	03/03/2021 ¹	Detached Oak Framed Agricultural Storage Barn. Eddington Mill House, Upper Eddington, Hungerford, RG17 0HL John Willmott
¹ Extension of time agreed with applicant until 6th September 2021			

The application can be viewed on the Council's website at the following link:
<http://planning.westberks.gov.uk/rpp/index.asp?caseref=20/02993/FUL>

Recommendation Summary: To delegate to the Head of Development and Planning to GRANT PLANNING PERMISSION subject to the conditions listed in Section 8 below

Ward Members: Councillor James Cole,
Councillor Claire Rowles
Councillor Dennis Benneyworth

Reason for Committee Determination: More than 10 objections received

Committee Site Visit: 26th August 2021

Contact Officer Details

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1. Introduction

- 1.1 This application seeks planning permission for the construction of a detached oak framed agricultural storage barn.
- 1.2 The application site is an agricultural field located to the north of the River Kennet and within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). To the east is the settlement boundary of Eddington. The application site forms part of the Grade II listed dwelling known as Eddington Mill House. The area is surrounded by scattered dwellings and agricultural fields, the public footpath (HUNG/2/1) follows the edge of the site.
- 1.3 The proposal is for an agricultural storage barn used to store feed, bedding and machinery for the animals housed on the site which are used to supply the applicants existing café business.

2. Planning History

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

Application	Proposal	Decision
09/02451/OUTMAJ	Erection of 24 dwellings, with access roads, footpaths, garages, playspaces, open space and associated development	Withdrawn
19/02042/COMIND	Erection of agricultural barn with plant store in support of farming operation.	Withdrawn

3. Procedural Matters

- 3.1 Given the nature and scale of this development, it is not considered to fall within the description of any development listed in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. As such, EIA screening is not required.
- 3.2 A site notice was displayed on 17th January at the application site; the deadline for representations expired on 7th February 2021. A second site notice was displayed on 4th March and the deadline for representations expired on 25th March 2021. A public notice was also displayed in the Newbury Weekly News on 14th January 2021.
- 3.3 CIL liability will be formally confirmed by the CIL Charging Authority under separate cover following the grant of any permission. 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.

Hungerford Town Council:	Object – Impact on public right of way, not demonstrated need for barn, land use, existing buildings on land and plan/information inaccuracies.
Highways:	No objection
Ecology:	Conditional approval
SUDS:	No response
North Wessex Downs AONB:	No response
Public Rights of Way:	No objections subject to informatives
Natural England:	Objection withdrawn
Conservation:	No objections
Environmental Health	No objections

Public representations

- 4.2 Representations have been received from 16 contributors, all of which object to 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 issues/points have been raised:
- Overbearing
 - Large
 - Converting to residential land
 - Existing buildings on site
 - Close boarded fence constructed
 - Topography of site sloping
 - Drainage concerns
 - Noise concerns
 - Need for barn
 - Intensification of site
 - Commercial use
 - Impact on ecology
 - Impact on trees

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, ADPP5, CS10, CS13, CS14, CS17, CS18, CS19 of the West Berkshire Core Strategy 2006-2026 (WBCS).
- Policies OVS.5, OVS.6, TRANS.1 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 Systems SPD (2018)
- North Wessex Downs Management Plan (2019-24)

6. Appraisal

6.1 The main issues for consideration in this application are:

- Principle of development
- Character and appearance
- Neighbouring amenity
- Highways
- Ecology
- Other matters

Principle of development

- 6.2 The application site lies outside of any defined settlement boundary, and therefore the site is classified as being located within the open countryside in terms of Core Strategy Policy ADPP1.
- 6.3 Policy ADPP1 states that development in West Berkshire will follow the existing settlement pattern, and that only appropriate limited development in the countryside will be allowed, focused on addressing identified needs and maintaining a strong rural economy.
- 6.4 The proposal is for a detached oak framed agricultural storage barn for the storage for animal feed and bedding and agricultural machinery.
- 6.5 Policy CS10 promotes proposals to diversify the rural economy will be encouraged, particularly where they are located in or adjacent to Rural Service Centres and Service Villages. The animals on site are used for start-up commercial breeding and other produce for use in the applicants own local health food restaurants.
- 6.6 Planning permission is not required to carry out agricultural practices on agricultural land. The construction of an agricultural storage barn in this location is considered, in principle, to be in accordance with the development plan as an appropriate form of limited development in the countryside.

Character and appearance

- 6.7 Planning Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 are relevant to this application. Policy CS14 states that new development must demonstrate high quality and sustainable design that respects and enhances the character and

appearance of the area, and makes a positive contribution to the quality of life in West Berkshire. It further states that design and layout must be informed by the wider context, having regard not just to the immediate area, but to the wider locality. Development shall contribute positively to local distinctiveness and sense of place. Proposals are expected to make efficient use of land whilst respecting the density, and character of the area.

- 6.8 Policy CS19 seeks to conserve and enhance the diversity and local distinctiveness of the landscape character of the District by considering the natural, cultural and functional components of its character as a whole. Particular regard will be given to the sensitivity of the area to change and to ensuring that new development is appropriate in terms of location, scale and design in the context of the existing settlement form, pattern and character.
- 6.9 The proposal seeks to construct a detached agricultural storage barn of traditional rural design with weatherboarding and slate roof. The proposed building would measure 12.14m in length, 6m in width and 5.13m in height.
- 6.10 The proposed agricultural building is located to the south-east corner of the site closest to the road, and is of single storey design with no windows. It is of traditional agricultural design which is found throughout the District and considered acceptable given the setting and the character and appearance of this sensitive area. The proposed location and design is not considered to have a significant impact on the setting of the grade II listed building or the character and appearance of the area.
- 6.11 The site is sloped with the levels rising across the site from south-west up to north-east. The agricultural storage barn would be built with a level slab at the ground level to its south-western end, which would require some minor digging-in; usually a cut and fill technique is carried out in these circumstances as shown on the section drawing: Site Section 43350/04 received 7th July 2021.
- 6.12 On the site there are currently a number of buildings, some of which are animal enclosures and some are for the storage of animal feed, maintenance and equipment storage. These buildings are not the subject of this application and may be subject to other considerations outside of this application. However, these buildings do provide some support for the proposed need for the barn which will consolidate some of these buildings which would improve the overall visual appearance of the site. The building removal plan submitted on the 9th August shows that four of the existing seven buildings will be removed once the proposed barn has been built. Some of which are animal shelters and due to their nature may be considered temporary in nature and not necessarily require planning permission.

Neighbouring amenity

- 6.13 According to Policy CS14, new development must demonstrate high quality and sustainable design that makes a positive contribution to the quality of life in West Berkshire. The NPPF states planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.
- 6.14 The proposed barn will be located over 16.5m from the nearest neighbouring dwellings there is not considered to be a significant impact on neighbouring amenity in terms of sunlight/daylight, overbearing or privacy.
- 6.15 The proposed agricultural barn for storage uses is not considered likely to give rise to any additional noise, odour, fumes, or other environmental impacts than that of the existing agricultural uses on the site.

- 6.16 Whilst it is noted that a complaint in regards to animal noise has been reported to Environmental Health, the proposed development is not considered likely to result in any additional impact in this respect.
- 6.17 The Environmental Health officer was consulted on this application for the agricultural storage barn and no objections were raised.

Highways matters

- 6.18 The NPPF states that decisions should take account of whether safe and suitable access to the site can be achieved for all people. Policies CS13 of the Core Strategy and TRANS.1 of the Saved Policies of the Local Plan, set out highway requirements.
- 6.19 The details have been assessed by the highways officer and considered acceptable based on agricultural uses.

Public right of way

- 6.20 The proposed agricultural barn is located close to the historic public right of way (footpath) HUNG/2/1. From the plans and the site visit it appears that the footpath has been diverted around the edge of the application site and a fence has been erected which appears to have been carried out under the general permitted development rights.
- 6.21 The applicant may wish to formally request for the footpath to be diverted however this would need to be done separate to the planning process.
- 6.22 The plans were amended to ensure that the proposed barn would not obstruct the definitive line of the footpath, and as such the Council's right of way officer raised no objections.

Ecology

- 6.23 Policy CS17 of the Core Strategy seeks to conserve and enhance the biodiversity and geodiversity assets across the district. Habitats designated as important for biodiversity at an international or national level or which support protected, rare or endangered species will be protected and enhanced.
- 6.24 With regard to biodiversity, the NPPF requires that planning applications should ensure that new developments conserve and enhance biodiversity. No Ecological Impact Assessment has been submitted and Natural England objected with a request that more information was submitted to determine impacts on designated sites.
- 6.25 A detailed response Ecology letter and an Updated Ecology letter was received from David Harper of FPCR Environment and Design Ltd in response to Natural England comments. Natural England was satisfied that the specific issues raised in previous correspondence relating to the development have been resolved.
- 6.26 Natural England considered that the identified impacts on the Kennet and Lambourn Floodplain SAC and River Kennet SSSI can be appropriately mitigated with measures secured via planning conditions or obligations and withdraw their objection.
- 6.27 Recommendations made for ecological mitigation and enhancement has been added to the conditions list.

Other Matters

- 6.28 Comments have been received in regards to a historic application being submitted for residential use which was later withdrawn, and the approval of this application that this would lead to further development. This application must be assessed on what has been submitted and relevant policies; it would not be appropriate to refuse the application on the potential for future development. Any further development or change of use would have to comply with relevant planning policies at that time. The applicant has advised that some of the existing buildings would be demolished once the proposed building has been built which can be dealt with by condition; the other buildings on the site may be permitted development they are however not part of this application.

7. Planning Balance and Conclusion

- 7.1 For the reasons given above it is considered that the proposal accords with the National Planning Policy Framework and the relevant development plan policies. Accordingly, it is recommended for approval.

8. Full Recommendation

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

Conditions

1. **Commencement of development**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. **Approved plans**

The development hereby permitted shall be carried out in accordance with the approved plans and documents listed below:

Location Plan 43350/01 received 6th January 2021;
Proposed Plans and Elevations 43350/03 received 6th January 2021;
Design and Access Statement received 18th December 2020;
Ecology Letter received 18th May 2021;
Updated Ecology Letter received 24th May 2021;
Block Plan 43350/05 received 23rd July 2021;
Site Section 43350/04 received 7th July 2021;
Building Removal Plan 43350/02 received 9th August 2021.

Reason: For the avoidance of doubt and in the interest of proper planning.

3. **Materials as specified**

The materials to be used in the development hereby permitted shall be as specified on the application form.

Reason: To ensure that the external materials are visually attractive and respond to local character. This condition is imposed in accordance with the National Planning

4. **Lighting strategy (AONB)**

No external lighting or floodlighting shall be installed to the barn until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include a plan to show the location of any lighting, isolux contour diagram(s), an operation strategy (e.g. details of timed operation), and specifications all lighting to ensure that levels are designed within the limitations of Environmental Lighting Zone 1, as described by the Institute of Lighting Engineers. No external lighting shall be installed WHERE except in accordance with the above strategy.

Reason: To conserve the dark night skies of the North Wessex Downs AONB. This condition is applied in accordance with the National Planning Policy Framework, the North Wessex Downs AONB Management Plan 2019-24, and Policies CS17 and CS19 of the West Berkshire Core Strategy 2006-2026.

5. **Biodiversity measures**

The building shall not be brought into use until the following biodiversity measures have been installed/constructed:

- (a) One integral bat box into the barn in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.
- (b) One bird nesting opportunities in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure biodiversity enhancements are incorporated into the development. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

6. **Ecological mitigation**

All ecological measures and/or works shall be carried out in accordance with the details contained in the Ecology letter received 18th May 2021 and the Updated Ecology Letter received 24th May 2021, in accordance with the approved details and before first use of the building.

Reason: To ensure there are no significant impacts on the local designated areas. This condition is applied in accordance with the National Planning Policy Framework, and Policy CS17 of the West Berkshire Core Strategy 2006-2026.

7. **Demolition of existing buildings**

The building shall not be brought into use until the existing buildings have been demolished, and all spoil removed from the site, in accordance with the Building Removal Plan 43350/02 received on 9th August 2021.

Reason: To ensure that the site is not proliferated with a significant number of buildings which would have a negative visual impact on the sensitive character and appearance of the site and the AONB. This condition is applied in accordance with the National Planning Policy Framework, and Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026.

Informatives

1. **Proactive statement**

This decision has been made in a positive way to foster the delivery of sustainable development having regard to Development Plan policies and available guidance to secure high quality appropriate development. In this application whilst there has been

a need to balance conflicting considerations, the local planning authority has secured and accepted what is considered to be a development which improves the economic, social and environmental conditions of the area.

2. **No obstructions of public rights of way**

The applicant is advised that this planning permission does not in any way allow the public right of way to be obstructed at any time during the course of the development.

3. **Access via public footpath**

The applicant is advised that all visitors to the site should be made aware that they would be driving along a public footpath. As a result they should drive with caution when manoeuvring into and out of the site, and should give way to pedestrians/ cyclists/ equestrians at all times.

4. **No encroachment of public footpath**

Nothing connected with either the development or the construction must adversely affect or encroach upon the footpath, which must remain available for public use at all times.