
APPLICATION NO.	20/01158/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	02.06.2020
APPLICANT	C.S. Hunt and Son (Enham) Ltd
SITE	Land South Of Doles Farm, North Of Enham Alamein, Hampshire, TANGLEY
PROPOSAL	Erection of grain store with dryer, with modifications to existing access routes
AMENDMENTS	Amended elevations received 19 th November 2020
CASE OFFICER	Katie Nethersole

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

1.1 The application is presented to Northern Area Planning Committee at the request of a member.

2.0 SITE LOCATION AND DESCRIPTION

2.1 The application site where the proposed building is to be located is a rectangular parcel of land to the south of Doles Farm. It is accessed via an existing track off Mays Down Lane to the west of the main Newbury Road (A343) and north of Enham Alamein. It is agricultural land associated with Doles Farm being used to grow and produce crops. The access track which forms part of the application site is Public Footpath no.10 and Public Footpath no.13 runs to the north-east of the site. The application site is located within the countryside and also the North Wessex Area of Outstanding Natural Beauty. The nearest residential dwelling (Thornfield House, Wildhern) is approximately 0.5 miles away to the west of the site.

3.0 PROPOSAL

3.1 It is proposed to construct a grain store and dryer on the application site to provide storage for grain produced by the farm holding which would then be sold to a grain agent and to the open market. The store would also include a drying facility. The building would measure 30.48 metres by 24 metres, with a height to eaves of 7.5 metres and to the ridge of 10.8 metres to allow room for the trailers that would be tipping the grain. The building would be constructed in plastic coated metal sheets in a dull olive colour to the walls and cement sheets in a mushroom brown colour to the roof. Also part of the proposal is to make alterations to the existing access to the farm and application site from Mays Down Lane to allow for improved access and to move it further west to minimise queuing traffic at Mays Down Lane.

3.2 As part of the application, a Landscape Visual Impact Assessment has been submitted. This has demonstrated that work has been carried out to assess a number of potential locations for the barn and the reasoning behind why the proposed location is the most suitable in terms of impact on the wider character. Whilst the site is located in the AONB, the application states that it is on land that naturally dips and adjacent to an existing line of trees which would provide some screening to the building from Public Footpath no.10.

3.3 During the course of the application, amendments have been made to the details of the application including amended planting plans, re-positioning of the vents to the dryer, location of proposed permissive footpath and a change to the proposed colours of the materials used for the store. The re-positioning of the vent followed discussion with the Environmental Protection Officer. The change to the colour palette of the building is in response to the comments from the AONB officer to ensure that the building blends into its surrounding landscape.

4.0 **HISTORY**

4.1 No planning history.

5.0 **CONSULTATIONS**

5.1 **Ecology** – No objection.

They have addressed all my concerns so I would raise no further objection on what was proposed within the original planning application. A concern I would like to raise however is the suggestion of putting a hardstanding path through the Ancient woodland (Rag Wood), I believe to divert the existing footpath. Ancient Woodland is not only designated for the trees, which I understand in this case have been mostly replanted, but also the soil structure and seed bank within the soil, and therefore the addition of a hardstanding path would impact on the features for which the ancient woodland is designated. I would therefore advise that it is best to avoid any ecological concern over the proposed footpath diversion, that the option proposed to the west of the track is adopted. I believe this was the preferred option by the applicants and I would support this.

5.2 **Rights of Way Officer** – No objection subject to condition.

After discussions at site visit to Tangle Footpath 10 on 04/08/2020 we would be willing to remove our objection subject to either a s257 TCPA diversion of Tangle Footpath 10 along the field boundary on the western side of the track, or the landowner entering into an agreement with HCC granting a permissive footpath following the same line. We would be grateful if this obligation to provide a permissive path or for a Public Path Diversion Order to be made and confirmed and the new route to be confirmed, prior to commencement site set up or commencement of development is included as condition of the application or the proposals are amended with these proposals prior to determination. In the interest of safety, we would wish to see a condition applied requiring suitable signage to be erected warning contractors and delivery drivers of the presence of walkers on the Footpath and of the requirement to give way.

5.3 **Highways** – No objection.

A meeting was held to discuss the way forward in regard to the access arrangement which resulted in further information being provided and the access drawing updated. Following this, a Departure from Standards meeting has been held internally within HCC to discuss the most recent design. This has resulted in an approval in principle to the access arrangements and accepting a reduced 120m visibility splay, subject to minor amendments to the design which would be dealt with through the Section 278 agreement. Therefore, the current proposals now exceed our requirements and addresses the previous concerns raised in regard to the access proposals. The section 278 agreement will be required prior to constructing the access.

With regards to the proposal for a permissive footpath to be provided and co-exist with the existing public footpath this is considered to be a sensible solution to the potential conflict between farm traffic and pedestrians, provided that the permissive footpath is of good quality and attractive to pedestrians then there are no highways concerns.

5.4 **Landscape** – No objection subject to conditions.

Additional comments following submission of landscaping details:

Following on from the site visit with the case officer and applicant (27.11.2020) a number of recommendations were proposed to enhance the landscape proposals and reduce the visual impact of the barn within the wider landscape. An amended landscape plan has been submitted (01.12.2020) which has addressed these issues.

Whilst on site concern was raised about the visual impact of the new entrance. Whilst this will be a change to the current layout, additional landscaping has been proposed in a new copse adjacent the site which will screen the open views from the south on the A343. A new hedgerow is also proposed along the perimeter of the field along Mays Down Lane with additional new tree planting at the existing entrance. It will take a few years to properly establish but is considered that in the long term the net gain will be a landscape and ecological benefit.

Additional comments following submission of revised planting plans and change in colour of materials to the building:

The amendments to the planting, following the suggestion of the AONB Officer, are considered appropriate and acceptable. The proposed change of the colour palette of dull olive green to the walls and mushroom brown to the roof are considered acceptable.

5.5 **Andover Ramblers** – No objection.

No objection provided that the permissive footpath is retained in perpetuity.

5.6 **Environmental Protection** – No objection subject to condition.
During discussion with the applicant, following concerns about noise impact to the residents west of the site (Wildhern), it has been agreed that the extract vent points would be relocated to the north-east end of the building and this would address the concerns raised.

5.7 **North Wessex Area of Outstanding Natural Beauty** – No objection subject to condition.

The AONB has no objection to the grain store although slightly elevated it is set within a narrow valley and will be naturally screened by the existing mature hedgerows and Rag Wood to an extent, we would always prefer to see agricultural buildings located as close to the main farmstead as possible but where this cannot be accommodated every effort should be made to reduce the visual impact of a large building within open countryside.

The application demonstrates this by setting the building into the sloping topography slightly and re-grading the periphery so as to not to unbalance the natural contours. No roof lights are proposed which ensures dark skies a special quality of the AONB is conserved. We would ask that a condition be added restricting any external lighting.

It is suggested that some changes should be made to the proposed planting and amendments to the proposed colour palette. The walls should be a dull olive (RAL 095 5010) and the roof a mushroom brown (RAL 060 5020).

6.0 **REPRESENTATIONS** Expired 03.08.2020

6.1 5 letters of objection from occupiers of Willow End 28 Wildhern, Mistley 17E Wildhern, 1 Marsum Close Andover and two unknown addresses:

- Conflict between farm vehicles and pedestrians using right of way
- Additional traffic
- Noise and dust from travelling lorries
- Suggestion that a footpath re-alignment should be done
- Concern about the volume of lorries using the access

1 letter of comment from occupier of 24 Wildhern

- Concerned about impact on footpath users and safety, has consideration been made to move the footpath?

1 letter of support from occupier of Staddles Wildhern

- Arable farming is a big part of our local community and putting food on our tables, farms need to be able to dry their grain when the moisture content is high and also store the grain prior to collection, therefore I support this application.

6.2 **Tangley Parish Council (Re-consulted on 19th November 2020) – Objection.**

The permissive footpath proposed inside the hedgerow to the left of the access track (travelling north) will not replace the existing right of way along footpath 10. There would be no compulsion for walkers to use the permissive path, and therefore the potential conflict between walkers and heavy vehicles along footpath 10 remains. If the new permissive path is intended to be an alternative route, the right of way along footpath 10 should be removed and replaced not by a permissive path but a new right of way with the same status. There are procedures for doing this, and these should be followed.

The proximity of the access track to an area of Ancient Woodland listed as an SSSI (Site of Special Scientific Interest) remains a point of concern. Natural habitats are being lost across the country at a rapid rate and the dust, emissions and vehicle noise from the track is likely to have a significant impact. Artificial light and noise emanating from the grain dryer/store, particularly when it operates at night, are also likely to have an impact on the SSSI. The addition of owl and bat boxes in the immediate vicinity of the new building are unlikely to mitigate the effect of the complete development on the SSSI as a habitat.

The alterations to the landscape around the new access into Mays Down Lane may not be sufficient to avert the new danger of accidents involving large slow-moving vehicles turning across the stream of traffic. Mays Down Lane has a series of sharp bends and is often the site of non-fatal accidents involving fast-moving traffic leaving a road with a speed limit of 60mph. These accidents could become fatal if they involved an impact with heavy vehicles. The lack of accidents over the past five years is not relevant in circumstances in which wholly new traffic hazards are being introduced.

The original traffic survey was undertaken at a time of unusually severe winter weather, and the Parish Council doubts that it was representative of the kind of traffic that would be using Mays Down Lane in normal circumstances. The decision taken on the safety of the new access may therefore reflect inadequate data. The Council urges that a new traffic survey is undertaken in more normal conditions before a final decision is taken on the project and its possible danger to local traffic. Historically, most minor accidents and near misses on Mays Down Lane happen away from the junction with the A343, and around the sharp bends, with a number of crashes involving the tree almost opposite the proposed new access entrance. The scars on the tree are a testament to the danger of this stretch of road.

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

7.2 Test Valley Borough Revised Local Plan (2016)(RLP)

COM2: Settlement Hierarchy

E1: High Quality Development in the Countryside
E2: Protect, Conserve and Enhance the Landscape Character of the Borough
E5: Biodiversity
E8: Pollution
LHW4: Amenity
T1: Managing Movement

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of Development
- Impact on the Character and Appearance of the Area
- Highway Safety
- Biodiversity
- Amenity and Pollution

8.2 **Principle of Development**

The application site lies outside of any defined settlement boundaries as set out in the RLP, and as such is located within the countryside. Policy COM2 allows for development outside the boundaries of settlements if:

- a) It is appropriate in the countryside as set out in Revised Local Plan policy COM8 – COM14, LE10, LE16 - LE18; or
- b) It is essential for the proposal to be located in the countryside.

8.3 The proposed grain store and dryer would be in connection with the established farm holding and therefore by nature of the use, it is essential for it to be located in the countryside. Therefore the proposal would be in accordance with policy COM2.

8.4 **Impact on the Character and Appearance of the Area**

Policy E1 of the RLP seeks to ensure that development is of high quality and it respects, complements and integrates with the character of the area. Policy E2 of the RLP seeks to ensure that the development does not result in a detrimental impact on the immediate landscape.

8.5 The proposed building would be located in a rectangular shaped parcel of land within the North Wessex Area of Outstanding Natural Beauty (AoNB). Paragraph 172 of the NPPF sets out that it is important to conserve and enhance the landscape and scenic beauty of these designations and this should be given consideration. The designation of the land as an AoNB should be afforded great weight as this designation has the highest status of protection in relation to conserving and enhancing landscape and scenic beauty.

8.6 The character of the area is defined in the Landscape Character Area Assessment as 8A – Enclosed Clay Plateau Farmland. This is characterised by woodland and large arable fields bounded by hedgerows. As part of the application a Landscape and Visual Impact Assessment has been carried out on behalf of the applicant. This explored other potential sites for the proposed building. A total of 9 sites were considered as part of this appraisal and some of these were discounted due to their high visual sensitivity.

- 8.7 The application site was selected due to its centralised location of the farm holding and ability to mitigate against the impacts of the development on the landscape. It was also selected due to the natural dip in the land and limited visibility due to this topography and existing vegetation. The building would be set into the existing topography of the land and the ground around the periphery would be regraded in order to retain the natural balance of the contours of the site.
- 8.8 To the south of the site, the building would be largely screened due to the topography of the land and the existing hedgerow and trees. There would be some public views from the right of way which is located approximately 80 metres to the south of the site. From this Public Footpath no. 10 the building would be screened by the line of existing trees, however in the winter months there would be more views of the building. The materials would be a combination of dull olive and mushroom brown which are considered recessive colours that would blend into the backdrop of trees and sky. It is considered that this combination of colours would be suitable and would assist in ensuring that the building does not appear overly prominent in the surrounding landscape.
- 8.9 With regard to the potential for artificial light spill from the building, there are no roof lights proposed to the building so there would be no light spill from the building. There are a couple of small windows proposed to the north west elevation to allow for ventilation and one small window to the grain store office at the north east elevation, however due to the limited size of these windows and the likely hours of operation within this building it is considered that any light spill would be minimal and would not cause harmful light pollution at night.
- 8.10 To the north of the site there would be views from Public Footpath no. 13 where they are currently open and uninterrupted. The building would be prominent here but at a minimum distance of 280 metres and the building would be set into the site ensuring that its visual impact is minimised. Full details of additional mitigation planting has been provided throughout the course of the application which would be controlled by condition.
- 8.11 In conclusion, the building would have a neutral impact on the character and landscape of the area. With regards to the impact of the proposal on the status of the North Wessex AONB, it is considered that the special quality of this designation would be protected in accordance with paragraph 172 of the NPPF. It is considered therefore that the design and siting of the building would be in accordance with E1 and E2.
- 8.12 **Highway Safety**
Relocation of Site Access
The application site is accessed from an existing track off Mays Down Lane near to the junction with the Newbury Road (A343). As part of the proposals it is proposed to move the existing access to the south by approximately 25 metres to avoid queuing traffic at the junction with the A343.

- 8.13 The proposal to move the access would assist in ensuring that the junction with A343 is not blocked by queuing traffic, however it would result in a restricted 120 metre visibility splay in a downhill direction (east) which would be below the accepted standards of 160 metres visibility. However in order to achieve the required 160 metre visibility splay this would require extensive earthworks that would result in opening up the vista and increase the approach speeds which could result in the loss of control of vehicles, particularly when negotiating the right/left bend combination near to the road junction on Mays Down Lane.
- 8.14 During a site inspection by the Highways Officer it was noted that while speeds away from the A343 in a westerly direction were fairly quick, despite being uphill, those heading in the opposite direction (easterly) were significantly slower probably because the A343 junction was fairly visible from the brow of the hill. The slower moving HGV or tractors would be appreciably larger and hence visible to approaching vehicles from further back Mays Down Lane.
- 8.15 In terms of mitigation for the reduced easterly visibility splay, the applicant's Traffic Consultant proposes reflective carriageway edge marker posts, advanced give-way signs / slow markings on the approach to the A343/Mays Down Lane junction which will also assist in slowing vehicles down on the approach to the proposed access. These measures would be covered by the Section 278 agreement to be agreed with Hampshire County Council as well as by a condition to ensure the ability to enforce this by this Council is provided as part of this recommended permission.
- 8.16 *Rights of Way*
Footpath no. 10 runs along the access track that is used by walkers and it is noted that concern has been raised regarding the use of the track by heavy goods vehicles carrying grain and construction materials and how this might conflict with pedestrians. The advice from the Rights of Way team is that footpath diversion should be made or an agreement between the landowner and Hampshire County Council. The applicant has provided details of a proposed parallel permissive footpath to the west of Public Footpath 10 approximately 4 metres away.
- 8.17 The Highways advice is that the proposed permissive footpath and existing Public Footpath can co-exist provided that the permissive footpath is constructed in high quality materials and is attractive for users of the footpath with appropriate signage and enclosure. If the proposed permissive path is successful in attracting pedestrians to use this route rather than the existing Public Footpath then there are no highway safety objections in having both routes available to use.

8.18 This would be provided through a Section 106 agreement to ensure that the proposed permissive footpath is provided before construction of the development commences and that it would be retained for the lifetime of the development to avoid any conflict between pedestrians and farm traffic. The agreement would also seek details of the permissive footpath to ensure that it is of high quality and attractive for users as well as appropriate signage to be displayed. The applicant has agreed in principle of a new surface to provide the proposed permissive surface. With these proposed arrangements and with the highway advice that has been received. it is not considered necessary to consider a formal diversion of Footpath 10 to the proposed permissive footpath as part of this planning application.

8.19 It is therefore considered that the proposed development accords with the requirements of policy T1 of the RLP as it would ensure that the site can be accessed safely and efficiently and would not result in any adverse impact on highway safety.

8.20 **Biodiversity**

The application site is located 60 metres away from the Rag Wood Site for Nature Conservation (SINC) which is designated due to the presence of ancient woodland. Ancient woodlands are considered irreplaceable habitats, and are protected from the impacts of development under the National Planning Policy Framework (NPPF), paragraph 175c, with SINC's further protected within the Revised Test Valley Local Plan DPD (policy E5) and listed as priority habitat under local Biodiversity Action Plans.

8.21 Due to the proximity of the proposed development to this legally protected site, and the increase in traffic predicted utilising the lane adjacent to the SINC, it is considered necessary to provide mitigation and enhancement measures which would be covered by condition to ensure that biodiversity in the area is adequately protected. Bat and owl boxes are proposed to be installed on the proposed building and in the existing tree belt. The application has been supported by details to demonstrate that enhancement measures would include the planting of native wildflower species, new mixed native hedgerows and standard trees, and this is covered by condition. The proposed planting would be around the perimeter of the proposed building. The proposed permissive footpath to the west of the track has been supported by the Ecology Officer.

8.22 It is therefore considered that the proposal would not have a detrimental impact on the biodiversity of the site in accordance to policy E5 of the RLP.

8.23 **Amenity and Pollution**

Policy LHW4 seeks to ensure that development does not have an adverse impact on residential amenity and policy E8 of the RLP seek to ensure that development does not result in unacceptable levels of pollution. The nearest residential properties are Doles Lodge located 0.5 miles to the north east of the site, and Thornfield House Wildhern located 0.5 miles to the west.

8.24 It is acknowledged that third party correspondence has been received from a resident in Wildhern concerned about dust and noise generated from the grain lorries accessing the site. The application has been supported by technical details for the proposed drying equipment. This has been reviewed by the Environmental Protection officer. The concern with regards to the impact that the noise of the grain dryer might have on the residents in Wildhern is due to the topography of the application site which is on higher land than the residential properties in Wildhern. During the course of consideration of this application it has been agreed that the extract vent which removes moisture from the grain would be relocated to the north-east elevation to ensure that the noise is away from the residential properties to the west at Wildhern. An amended plan has been submitted to detail this agreed change. This amendment has sufficiently addressed the initial concerns raised.

8.25 It is considered that due the juxtaposition of the site with the nearest residential properties as well as the re-positioning of the fans; that the proposed development would not give rise to any unacceptable adverse impacts on residential amenity. It is therefore concluded that due to the location and distance from residential properties that there would be no significant harm to residential amenity nor would it result in excess pollution and thus the proposal is considered to be in accordance with policies LHW4 and E8.

9.0 **CONCLUSION**

9.1 The proposed building would have some impact on the landscape character of the area however this is mitigated by its siting within a natural dip in the landscape and landscaping works are proposed to help further mitigate the visual impact of this building. Furthermore the design and proposed materials are considered to be in keeping with the character of the area. The development would therefore accord with the requirements of policy E1 and E2 of the RLP.

9.2 Following the amendments to the position of the dryer it is considered that any noise generated by the dryer would be away from the nearest residential dwellings. It is considered that the proposal would not result in any adverse impact to residential amenity.

9.3 The proposed access and its design is considered to be acceptable from a highway safety perspective and would accord with policy T1. The proposed permissive footpath is considered to address the concern about conflicts between pedestrians and farm traffic and would provide for safe and efficient access in accordance with policy T1 of the RLP.

9.4 The proposed ecology enhancements and mitigation would ensure that the development would result in biodiversity gain in accordance with policy E5. The development is therefore considered acceptable and recommended for permission, subject to a legal agreement to ensure the permissive footpath is provided and retained and conditions.

10.0 RECOMMENDATION

Delegate to the Head of Planning and Building that subject to the completion of a S106 legal agreement to secure the permissive footpath then PERMISSION subject to:

1. The development hereby permitted shall be begun within three years from the date of this permission.
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 01480-0-A, 01480-01-A, unnumbered proposed new store dated 22nd February and unnumbered elevations plans dated 24th February, 21807-4100 V1, 21807-4101, 21807-4200, H618-06, H618-01B.
Reason: For the avoidance of doubt and in the interests of proper planning.
3. Landscaping works shall be carried out in accordance with the approved plans: 21807-4100 V1, 21807-4200, 21807-4101. The landscape works shall be carried out and implemented prior to the approved building being brought into use.
The landscape works shall be carried out in accordance with the implementation programme and in accordance with the management plan for a minimum period of 5 years.
Reason: To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.
4. Notwithstanding the details proposed within the application, the building shall be constructed in plastic coated metal sheets in RAL 095 5010 (dull olive) to the walls and cement sheets in RAL 060 5020 (mushroom brown) to the roof.
Reason: To ensure that the building blends into the surrounding landscape and accords with policy E1 and E2 of the Test Valley Borough Revised Local Plan 2016.
5. The new access as shown on approved drawing 01480-00-A shall be provided in accordance with the agreed details and prior to commencement. Details of the highway mitigation works shall be provided to include details of reflective carriageway edge marker posts, advanced give-way signs and slow markings. These details shall be submitted and approved in writing prior to their implementation. Upon completion of the new access, the existing access shall be stopped up and the verge reinstated.
Reason: To ensure that the development can be accessed safely and efficiently in accordance with policy T1 of the Test Valley Borough Revised Local Plan 2016.

- 6. Biodiversity enhancement measures as detailed in the submitted Planning Statement dated 28th May 2020 and Landscape and Visual Impact Assessment dated May 2020 shall be implemented prior to the development being brought into use and maintained in accordance with the submitted details.**
Reason: To ensure that biodiversity is enhanced in accordance with policy E5 of the Test Valley Borough Revised Local Plan 2016.
- 7. There shall be no external lighting installed on the site or the approved building.**
Reason: To safeguard the amenities of the area in accordance with Test Valley Borough Revised Local Plan 2016 policies E1, E8 and LHW4.
- 8. The development shall not be brought into use until the proposed vehicular visibility splays have been provided in accordance with the approved plans. Once provided these shall be maintained in their approved form in perpetuity.**
Reason: To ensure that the development provides safe and efficient access in accordance with policy T1 of the Test Valley Borough Revised Local Plan 2016.

Notes to applicant:

- 1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**
 - 2. Reptiles receive legal protection under the Wildlife and Countryside Act 1981 (as amended). Reptile habitat such as compost heaps and wood piles should be carefully cleared by hand during warmer months as if hibernating reptiles are disturbed they will die. Any reptiles revealed should be moved to adjacent retained rougher / boundary habitat or allowed to move off of their own accord. Where vegetation clearance is required during the active season (March to October), clearance should take place in stages down to ground level to encourage reptiles to leave the area of their own accord. The vegetation should then be kept short to prevent their return.**
 - 3. A section 278 agreement will be required prior to constructing the access arrangements which may result in further design work being required to reflect the discussions held with Hampshire County Council and Departure from Standard.**
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