

**Site Address: Land North Of Dutch
Barn Clattercote Priory Farm
Cropredy Road Claydon**

14/00249/F

Ward: Cropredy

District Councillor: Ken Attack

Case Officer: Bob Neville

Recommendation: Approval subject to conditions

Applicant: Mr Adrian Taylor

Application Description: Grain store

Committee Referral: The proposal represents major development, in that 1047m² of floor space will be created **Committee Date:** 24/04/2014

1. Site Description and Proposed Development

- 1.1 The site is land adjacent an existing farm complex at Clattercote Priory Farm, which is both a pig and arable farm some 750m south of the village of Claydon. The farm complex contains several buildings associated with the farm's activities including storage buildings which support the farm's operations in association with their supply of wheat to high profile businesses in the bread making industry.
- 1.2 The site is not within a conservation area and there are no listed Heritage Assets immediately adjacent. Grade II* listed Clattercote Priory lies some 150m to the north east of the site and there is a Grade II listed outbuilding within the farm complex. The site is within an area designated as being of High Landscape Value (AHLV) and partially within a 50m buffer zone surrounding potentially contaminated land. Claydon with Clattercote Footpath No 2 runs in close proximity to the application site. There are no other constraints relevant to planning.
- 1.3 The application seeks permission for a proposed agricultural grain store building measuring 42.9m x 24.4m with an eaves height of 6.1m and a ridge height of 9.4m on land adjacent the existing farm complex.

2. Application Publicity

- 2.1 The application has been advertised by way of site notice and press advert. The final date for comment being 08/05/2014. At the time of writing, no comments have been received as a result of this process.

3. Consultations

- 3.1 **Cropredy Parish Council** - No objections

- 3.2 **Cherwell District Council Internal Consultee:**

Rights of Way Officer - No objections subject to conditions.

No Public Path Order will be required to enable the development but if the access road from the north of the site is to be used for construction vehicles, this crosses the footpath and therefore I would recommend the following conditions:

1. Temporary obstructions. No materials, plant, temporary structures or excavations of any kind should be deposited/undertaken on or adjacent to the Public Right of Way that may obstruct or dissuade the public from using the public right of way whilst development takes place. Reason: To ensure the public right of way remains available and convenient for public use.

2. Vehicle access (construction): No construction/demolition vehicle access may be taken along or across a public right of way without prior permission and appropriate safety/mitigation measures approved by the Oxfordshire County Council (OCC) Countryside Access Team. Any damage to the surface of the public right of way caused by such use will be the responsibility of the applicants or their contractors to put right / make good to a standard required by the OCC Countryside Access Team. Reason: To ensure the public right of way remains available and convenient for public use.

Landscape Officer - The visual impact on vehicle users from the minor road (Cropredy Road) approximately 365 m east of the site lead to the Claydon is minimal due to the intervening buildings of the Priory and the woodland plantation and roadside hedgerows and trees. Glimpses of the site gained over low hedgerows and field entrances. A minimal visual impact is evident from Mollington Road running southwest northeast between Claydon and the railway bridge over the road. Topography, the railway embankment, tree and boundary hedgerows intervene between the road user and the site, when travelling between Southern Road and the railway bridge.

The main visual impact will be for people walking due south on the PRow to Cropredy (ref 170/2/10) although a notable visual landscape and visual impact at the commencement of the walk from Mollington Road on the edge of Claydon, some 620m way from the site, where the grain store will be seen as against the backdrop and context of the existing smaller barns. However, although I do not oppose the application, and in my opinion it will only be more acceptable, both in landscape character about visual terms if intervening belt of large native trees with thicket understory was planted to screen the northern grain-store elevation (having considered that the negative visual effects will become greater the closer one gets to the development on the PRow). With the backdrop of existing blocks of woodland the appropriate landscape mitigation will not be intrusive or out of character.

In regard to this visual impact I recommend that a 4 metre wide native tree-belt is planted to the north of the building in order to mitigate this impact. Details of which to be indicated on a landscape proposal drawing of a recognised industry scale. The woodland belt is to be planted at no further than 12 m away from the foundations of the building in order to prevent structural damage to the building and possible future removal of trees because of this problem. In this regard a structural engineer must be employed to ensure that foundations are the appropriate depth for the tree species, the soil and distance from footings.

The following landscape conditions are required. Please note that is necessary to ensure that the planting is established successfully in this AOHLV, hence the requirement for a landscape maintenance condition.

- C1 Submit landscaping scheme
- C2 Carry out landscaping scheme and replacements
- C3 Landscape maintenance for a period of 5yrs post development (full details of conditions are contained within the recommendation).

Environmental Protection Officer - No comments received

3.3 Oxfordshire County Council Consultees:

Highways Liaison Officer - No objections

Archaeologist - No archaeological constraints

4. Relevant National and Local Policy and Guidance

4.1 Development Plan Policy

Adopted Cherwell Local Plan 1996 (Saved Policies)

AG2: Construction of farm buildings

C7: Landscape conservation

C13: Area of High Landscape Value

C28: Layout, design and external appearance of new development

4.2 Other Material Policy and Guidance

National Planning Policy Framework (NPPF) - March 2012

Submission Cherwell Local Plan (SCLP) - January 2014

The Submission Local Plan has been through public consultation and was submitted to the Planning Inspectorate (PINs) in January 2014 for Examination to take place in June 2014. The Submission Local Plan does not have Development Plan status but is a material planning consideration. The Plan sets out the Council's strategy for the District to 2031. The policies listed below are considered to be material to this case:

ESD 13: Local Landscape Protection and Enhancement

ESD 16: The Character of the built and historic environment

Planning Practice Guidance (PPG)

5. Appraisal

5.1 The key issues for consideration in this application are:

- Policy Context
- Principle of Development
- Landscape and Visual Impact
- Impact on the Setting of Listed Heritage Assets
- Highway Safety and Impact on Public Rights of Way
- Environmental Impact

Policy Context

5.2 The purpose of the planning system is to contribute to the achievement of sustainable development and the NPPF defines this as having 3 dimensions: economic, social and environmental. The NPPF also places substantial weight on protecting and supporting a prosperous rural economy.

5.3 Saved Policy AG2 of the Adopted Cherwell Local Plan indicates that farm buildings and associated structures requiring planning permission should normally be so sited that they do not intrude into the landscape or into residential areas. Where appropriate a landscaping scheme should be included as part of the planning application and materials of construction should be chosen so that the development fits sympathetically into its rural setting.

5.4 Saved Policy C7 of the adopted Cherwell Local Plan 1996 seeks to resist development that would harm the character of the countryside whilst Policy C13 only permits development which will conserve or enhance the Area of High Landscape Value.

5.5 Saved Policy C28 of the Adopted Cherwell Local Plan also seeks standards of layout, design and external appearance, including the choice of external finish materials, which are sympathetic to the character of the context of the development.

Principle of Development

5.6 The NPPF advocates the support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing

buildings and well designed new buildings.

- 5.7 The farm is an established agricultural business and in order to continue operating and developing it is considered necessary that a new grain store is constructed to meet both current and future needs and operational standards; replacing existing out-dated storage facilities. Given these comments and the context of the site, Officers are satisfied that there is a genuine agricultural need and that the proposed development is therefore acceptable in principle.

Landscape and Visual Impact

- 5.8 The grain store is proposed to be sited adjacent to other similar buildings within the existing farm complex and is typical of agricultural storage building design. Although it will be considerably larger than the existing barns that it will be set against, it is considered that the size, type and design of the building proposed would be appropriate within the site's rural context and given its setting against the backdrop of the existing farm complex it will not appear out of place.
- 5.9 Views of the proposed grain store from the north and west will be largely set against the back-drop of the existing farm complex. Conversely views from the south and east will to some extent be by the buildings within the farm complex. As the Landscape Officer comments, the main visual impact will be for people walking due south on the Public Right of Way to Cropredy; although there will also be a notable visual impact at the commencement of the walk from Mollington Road on the edge of Claydon, some 620m away from the site, where the grain store will be seen as against the backdrop and context of the existing smaller barns. It is considered that any visual impact could be to some extent mitigated by the introduction of a native tree-belt to the north of the proposed store. Relevant conditions are proposed within the recommendation to achieve this end, should the application be approved. Distance views will also be had at intervals along the Mollington to Claydon Road, however the existing roadside hedgerow will screen it to a certain degree and the suggested tree-belt would resolve to further soften the impact of the development.
- 5.10 On balance, officers consider that the development will not have such a significant an adverse impact on the character and appearance of the countryside or harm visual amenities to the extent that would warrant a reason to refuse the application. It is considered that subject to a suitable landscaping scheme being approved, implemented and maintained the proposed scheme is therefore acceptable in terms of landscape and visual impact.

Impact on the Setting of Listed Heritage Assets

- 5.11 Grade II* listed Clattercote Priory lies some 150m to the north east of the site and there is a Grade II listed outbuilding within the farm complex some 40m east of the site. Given the distances between the proposed development and the Heritage Assets, the context of the site with numerous associated farm buildings on intervening land and the suggested landscaping it is considered that there will be no significant detrimental impact on the setting of the identified Heritage Assets as a result of the development.

Highway Safety and Impact on Public Rights of Way

- 5.12 The Highways Liaison Officer has raised no objections to the proposal subject to it only being used for its specified use and ancillary to Clattercote Priory Farm. The design and access statement notes that the proposal does not involve any alteration to the existing access and will create no further increases in traffic volume. It is likely that the existing access is currently used for large farm vehicles and articulated lorries delivering equipment and animal feed and officers can see no reason why this should

change as a result of the proposed development. Given its intended use, in replacing existing unsuitable storage necessary to support the existing farm enterprise, it is considered that the proposal would not adversely affect highway safety.

- 5.13 As previously noted, a Public Right of Way traverses land to the north of the site, crosses the railway line to the east of the site and continues in a southerly direction. Whilst the development will not directly affect the right of way, other than the visual impact previously discussed, it is considered that due regard should be had to its protection and safety of its users during the construction phase of the development. The Council's Rights of Way Officer has suggested two conditions in relation to this protection and safety and it is considered appropriate that these should be attached to any such permission.

Environmental Impact

- 5.14 Environmental records show that the site is partially within an area of a 50m buffer zone surrounding potentially contaminated land i.e. land including and adjacent the railway line. Whilst a formal response has not yet been received from the Council's Environmental Protection Officer it is considered that the potential for contamination is not likely to affect this development. It is however considered appropriate to bring this to the applicant's attention through the addition of a suitably worded informative attached to any such permission.

Engagement

- 5.15 With regard to the duty set out in paragraphs 186 and 187 of the Framework, no problems or issues have arisen during the application. It is considered that the duty to be positive and proactive has been discharged through the efficient and timely determination of the application.

Conclusion

- 5.16 Officers consider that the proposed development assessed within this application would be appropriate within the site's rural context and would not appear out of place. The development is considered to be acceptable on its planning merits and supports the continued operation and viability of the existing farming business. It would not significantly intrude into the landscape, subject to the implementation of a suitable landscaping scheme, and would not adversely affect highway safety. It is therefore considered to comply with the above mentioned policies and is recommended for approval as set out below.

6. Recommendation - Approval subject to:

a) The expiry of the statutory consultation period

b) The following conditions:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions 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. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Application forms, Design and Access Statement and drawings numbered: 101 and 102

Reason - For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with Government

guidance contained within the National Planning Policy Framework.

3. Prior to the commencement of the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:-
- a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas
 - b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation
 - c) details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

5. Prior to the commencement of the development hereby approved, a schedule of landscape maintenance for a minimum period of 5 years, to include the timing of the implementation of the schedule and procedures for the replacement of failed planting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the landscape maintenance shall be carried out in accordance with the approved schedule.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

6. No materials, plant, temporary structures or excavations of any kind shall be deposited/undertaken on or adjacent to the Public Right of Way that may obstruct or dissuade the public from using the public right of way whilst development takes place.

Reason: To ensure the public right of way remains available and convenient for public use.

7. No construction/demolition vehicle access may be taken along or across a public right of way without prior permission and appropriate safety/mitigation measures approved by the Oxfordshire County Council (OCC) Countryside Access Team. Any damage to the surface of the public right of way caused by such use will be the responsibility of the applicants or their contractors to put right/make good to a standard required by the OCC Countryside Access Team.

Reason: To ensure the public right of way remains available and convenient for public use.

PLANNING NOTES

1. The applicant shall draw to the attention of the Local Planning Authority the presence of any unsuspected contamination encountered during development. In the event of contamination to land, water or environment being encountered, no development shall continue until a programme for investigation and/or remedial work, to be performed by a competent person, has been submitted in writing and approved by the Local Planning Authority. No part of the development shall be occupied until remedial, monitoring and certification of works have been undertaken and a remediation and validation reports submitted to and approved by the Local Planning Authority. For further information please contact the Council's Environmental Protection Officer.
2. Your attention is drawn to the need to have regard to the requirements of UK and European legislation relating to the protection of certain wild plants and animals. Approval under that legislation will be required and a licence may be necessary if protected species or habitats are affected by the development. If protected species are discovered you must be aware that to proceed with the development without seeking advice from Natural England could result in prosecution. For further information or to obtain approval contact Natural England on 01635 268881.

STATEMENT OF ENGAGEMENT

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No 2) Order 2012 and paragraphs 186 and 187 of the National Planning Policy Framework (March 2012), this decision has been taken by the Council having worked with the applicant/agent in a positive and proactive way as set out in the application report.