

<b>Application No:</b> 09/01246/F	<b>Ward:</b> Fringford	<b>Date Valid:</b> 11 <sup>th</sup> September 2009
<b>Applicant:</b>	Tusmore Park Holdings, Tusmore Park Estate	
<b>Site Address:</b>	Land At Tusmore Park West Of Manor Farm Hardwick Road Hethe	
<b>Proposal:</b>	Grain store with office and W.C., service yard and weighbridge accessed from existing farm track.	

## 1. Site Description and Proposal

- 1.1 Tusmore Park Estate is located approximately 6 miles north of Bicester, the main entrance fronts the A43 although there are a number of other secondary access points. Overall the estate is 2,300 acres in size. In 2008 there were some 1,000 acres on the estate in cultivation of which winter wheat (400 acres) produced 1,500 tonnes, oilseed rape (250 acres) 375t, winter beans (150 acres) 563t, and spring barley (200 acres) 500t giving a total production of 2,683 tonnes, a figure slightly lower than expected due to the poor harvest returned in that year. There are also large areas of woodland (550 acres), game cover (223 acres) and grassland (272 acres) as well as water, buildings, gardens, etc
- 1.2 At present the main grain store for the estate is at Park Farm. This is located on the western edge of the estate fronting the old A43. It currently has a total storage of 300 tonnes in 10 x 30t bins. The facilities there are poor in terms of size, condition and security of the building and Park Farm is now considered poorly located in relation to the main areas of cultivation on the estate. There is further storage at Fox Covert of 850-900 tonnes but without drying facilities.
- 1.3 The applicants entered into pre-application discussions with the Council some time ago in an attempt to seek agreement on a location for a new grain store facility. The present site was considered the preferred option on the basis it enjoyed "extensive woodland cover and was well located in terms of the estate's operational requirements and access to the main highway network (without going through any village settlement or passing any rural housing before reaching the main road network)".
- 1.4 The application site is located in a position approximately central to the estate's northern/southern and western/eastern boundaries. It is approximately 300 metres west of Hardwick village and about 1000 metres north east of Stoke Lyne although there are houses closer than that. The access to the site would be from the Hardwick Road, a lane that links the village to the B4100 (Bicester to Baynard's Green).
- 1.5 Access to the actual application site is from an existing farm track that comes off the Hardwick Road at a right angled bend some 250 metres west of the village. The track will be "improved" by being concreted to a width of 4.5m and with a passing bay constructed to 8.5m width.
- 1.6 The main element of the proposed development consists of a new building measuring 72m x 25m, and 9.5m to ridge, 6m to eaves. It is of a standard utilitarian design, with solid gable ends, a solid "rear" wall and a main

elevation in which 6 full height roller shutter doors are punched through the elevation. It is intended to store crops in 6 x 500 tonne sections giving a 3,000 tonne capacity overall. Integral to the design would be three enclosed fan houses, located at the rear, for the purpose of drying the grain. These lean to structures would measure 6 x 5 metres and be 5m to ridge/3.5 m to eaves. There would be a further lean-to structure for use an office (6.66m x 3m, and 4/3m in height) fronting the track. The external facing materials are concrete panels with steel coated colour sheeting under a cement fibre roof.

- 1.7 In addition to the building would be a concrete yard measuring 72m x 20m for vehicle access and manoeuvring, and a weighbridge 27m x 3m.
- 1.8 As part of the application an indicative landscape scheme is included of native tree and shrub planting in two belts, one of 300m length to the south of the building and another of 100m along the farm track.

## 2. Planning History

3.1

Application Reference	Development	Status	Open Date / Closed Date
00/01174/F	Construction of new lake and associated works	PER	12 June 2000 / 14 August 2000
01/00059/F	Construction of a walled garden pavilion and reflecting pool (Retrospective)	PER	5 January 2001 / 27 February 2001
01/00904/AGN	Agricultural access track	PAPNRQ	4 May 2001 / 25 May 2001
02/00699/AGD	Proposed new access track in the west park	PAPGRA	2 May 2002 / 28 June 2002
02/01948/HED	Removal of hedge to facilitate the re-orientation of arable fields	PER	11 September 2002 / 23 October 2002
96/00780/F	Construction of an amenity pond.	PER	9 May 1996 / 26 June 1996
96/00802/F	Revised estate entrance. Replacement lodge and garage. New security gatehouse.	PER	13 May 1996 / 22 July 1996

98/00999/AGN	Construction of a bridge over watercourse	PAPNRQ	3 June 1998 / 29 July 1998
--------------	---	--------	----------------------------

99/02080/F	Construction of orchid house	PER	19 November 1999 / 14 February 2000
------------	------------------------------	-----	-------------------------------------

03/02123/F	Extension of existing entrance flanking walls by 10 metres each side. Erection of 1.75 metre high and 1500 metre long timber park paling fence. Replacement of old tarmac and gates to existing farm entrances, all to the western boundary.	PER	9 October 2003 / 18 December 2003
------------	--	-----	-----------------------------------

07/01831/F	Creation of arboretum with gravel access paths, gentle earth shaping and footbridge over bridleway	PER	4 September 2007 / 30 October 2007
------------	--	-----	------------------------------------

And at Tusmore Park farm:

Application Reference	Development	Status	Open Date / Closed Date
-----------------------	-------------	--------	-------------------------

07/02228/F	Conversion of existing barns to office space with appropriate welfare facilities and provision of new car parking, replacement of existing windows/doors with timber framed windows/doors/screens with double glazing units, new roof lights and roof entrance canopy	WDN	31 October 2007 / 27 December 2007
------------	---	-----	------------------------------------

08/02592/F	Re-submission of Planning Application: 07/02228/F - Conversion of existing barns to office space with appropriate welfare facilities and provision of new car parking. Replacement of existing windows/doors with new timber framed windows/doors and screens with double glazing units. New roof lights and roof entrance canopy.	PER	22 December 2008 / 13 March 2009
------------	--	-----	----------------------------------

### 3. Application Publicity

- 3.1 The application has been advertised by way of a site notice, press notice and letter to Parish Council. The last date for comments was 23<sup>rd</sup> October 2009.

## 4. Public Comment

The Council has received 14 letters of objection from:

- The Old Farmhouse, Hethe Brede (x3)
- Dorrington House, Main Street, Hethe
- East Cottage, Main Street, Hethe
- Tangley farm, Hethe
- Barnabas Cottage, The Street, Stoke Lyne
- Church House, Stoke Lyne
- The Old Stables, Stoke Lyne
- Church Farm, Stoke Lyne
- Lower farm, Stoke Lyne
- Honeysuckle Cottage, 11 Hardwick
- Manor Farm, Hardwick
- Pimlico Farm-Tusmore (including letter to Highway Authority)

The main objections are listed as:

### Principle/Policy

- Contrary to policy EMP8, NSCLP 2011
- Contrary to Countryside Design Summary 1998
- Industrial operation in countryside

### Alternative Locations/Park Farm

- Must be two better alternative sites (based on transport and economy)
- There is an established use (and a better location) at Park Farm (7)
- Park Farm is a viable alternative site, if not there are other sites closer to A34 that should be used first
- Park Farm is a better location where the process can take place without an adverse impact
- Park Farm ideal location-direct access to A34, away from residents, easy access for HGV's and farm traffic
- Unnecessary as there is an eminently appropriate location(2)
- Existing store at Park Farm should be demolished/replaced (3)
- Park Farm has direct access to the A34 (2)
- Is Park Farm unacceptable because of the proposed conversion to offices?
- Park Farm, although near western boundary, is central located and farm traffic can use estate roads
- Not poorly located as stated in Access Statement
- Inappropriate location, detrimental to character and appearance of the locality.
- A grain store could be better screened at any of the estates other farm sites

### Landscape/Visual Amenity/The Building

- The site is open countryside
- Visual impact from long distances
- Spoil rural look of countryside
- Pointless to ruin countryside when there is Park farm
- Adverse effect on view from Stratton Audley-Stoke Lyne Road

- Impact on the environment, a peaceful rural setting (2)
- Degradation of north Oxfordshire, rural landscape
- Building too big and cannot be screened by trees (especially in winter) (or bunding) (5)
- Trees will take too long to grow to screen the building
- Building too big, 9 metres, immensely intrusive (3)
- On brow of hill, valley, highly visible (6)
- Should not develop a Greenfield site (2)
- Misleading statement on impact (5)
- Inappropriate scale and materials
- The building is bigger than necessary 4500 tonne, not 3000 tonne. It could be reduced in height and therefore its impact reduced

#### Traffic and Access

- Heavy traffic in country lanes (5)
- Unapproachable access for HGV's
- Increase in farm traffic on lanes through villages (2)
- Any site should have direct access to A34 (3)
- Increased farm vehicles x 200 heading to this location through villages
- Lane from B4100 is single track and 7.5 tonne limit (4)
- Lane not constructed to take this many HGV's
- Lane is of insufficient width for HGV's
- Access on to B4100 is on bend, and rises, used by fast moving traffic (3)
- Use of junction to B4100 would be dangerous (3)
- B4100 has accident record
- Heavy traffic to Tusmore Estate should be from A43, it has an access designed for them on the dual carriageway
- Access on to Hardwick Road is at a right angled bend (3)
- The access road crosses a bridle path, affect on Jubilee Ride (2)
- No passing places for traffic on lane
- Traffic- adverse effect on safety of road users
- Traffic-damage to property
- Traffic information is misleading, Park farm will reduce traffic, and new site will increase it.
- Traffic information is misleading, the number of vehicle movements will be nearer 220 vehicles for 2000t and 350 for 4500t, not 100 as stated
- Adverse effect on pedestrians and horse riders
- Access should be used from A34 through Park Farm
- Unnecessary environmental damage from increase in vehicular traffic
- What other traffic movements will there be?
- Increased tracks across the estate will not solve the problem and be detrimental to the character of the estate
- Noise, vibration, dust from extra traffic
- Damage to verges from traffic
- Should road miles not be reduced?
- Should use the old (estate) road to Stoke Lyne
- Need for a routing agreement

#### Environmental Impact

- Dust pollution (6)

- Effect on air quality from dust
- Environmental impact, noise, dust, traffic, smells, fumes
- Effect on quality of life from noise, light, dirt
- Affect on listed building (Manor Farm) from noise and dust (due to prevailing wind)
- Noise, particularly summer months (3)
- Noise, from drying equipment (3)
- Noise-intrusive to Hardwick and Stoke Lyne (downwind to Hardwick) (4)
- Noise will be at industrial level
- Smells from vehicle emissions
- Statement misleading as there will be other noise sources: from associated activity, tipping, conveyors, etc
- Landscaping will not act as a sound barrier
- Disturb quiet rural idle.

#### Other Issues

- Effect on wildlife (2)
- Area of natural beauty-effect on owls, bats, toads
- Effect on migrating toads from ancient ponds across Hardwick Road
- Development would enhance breeding of pheasants to detriment of road users and encourage vermin
- Precedent, will require additional development, dwellinghouse for security, other sheds, workshops (3)
- Start of shift away from Park Farm to Hardwick
- Being done in a way beneficial for residents of Tusmore House (rather than park Farm which is closer)(3)
- Will this facility be used by other contractors? (2)
- Spoil the enjoyment of the countryside by walkers/horse riders/cyclists (2)
- Need for an environmental assessment

There is one commendation on the work undertaken on the estate to hedges, woodland, and paths.

## **5. Statutory and Internal Consultations**

5.1 The **Hardwick with Tusmore Parish Council** do not object in principle to a grain store but request this scheme is rejected and object to this scheme because:

- Does not accord with NSCLP 2011 policy EMP8; it is intrusive and has an adverse impact on Hardwick from noise, dust and traffic. Not necessitated by new environmental, hygiene and welfare legislation.
- Does not accord with NSCLP 2011's aim (and that of the Countryside Design Summary 1998) to protect open countryside
- Better, more suitable alternative sites on the Tusmore Park Estate.
- Does not accord with NSCLP 2011 policy EN3: it will cause material harm from environmental pollution. The major environmental concerns are: noise-particularly from drying fans, their use at unsocialable hours, wind blown noise, at times when residents expect to be able have open windows (late summer), and from the machine for

generating the heat. Dust-Hardwick is downwind. Traffic-increase use of roads through Hardwick from farm vehicles, increased risk to pedestrians (no footpaths), disturbance to residents, and shift in gravity from the estates operations. The lane is unsuitable for HGV's. It has a weight limit of 7.5tonnes. Trips are not identified for maintenance. Safety at the junction of entrance on to Hardwick Road. Proposal switches traffic from A43 direct to estate onto country lanes.

- If permission is granted conditions should be imposed to control noise, hours of operation (of drying equipment), planting screen, control of dust emissions, traffic routes
- Concerned this will act as a precedent for future development.

5.2 **Stoke Lyne Parish Council** strongly object:

- Intrudes on nearby residents visually and due to traffic
- Better alternative sites that would not affect residents
- Use of minor road is unacceptable for HGV's- no passing bays, accident record, blind corners. The road has become busier since A34 was dualled.
- Noise from grain dryers
- Any site for a grain store should be closer to A43
- Wrong for Park Farm to be redeveloped for other uses. It is still suitable for a redeveloped facility

5.3 **Safer Communities and Community Development-Anti Social Behaviour Manager.**

Due to the location of the proposed grain store in relation to the nearest dwelling(s) and the noise data provided with the application it is not anticipated that the grain drying equipment will have an adverse effect on these properties.

5.4 **Landscape Officer**

"The site is located in a quiet unspoilt area of countryside. There are a number of substantial blocks of woodland in the vicinity, with Tusmore wood as a backdrop to the north and Stoke bushes to the south west. There are numerous hedgerows providing additional screening.

The village of Hethe will not see the barn due to hedges and intervening topography.

I've had a look at this very large proposed barn from a number of local view points:

Point 1 Not visible due to intervening hedgerows

Point 2 Visible from minor road looking down the track, drivers will only see a fleeting glimpse.

Point 3 Not visible due to dense vegetation

Point 8 Not visible from Hardwick village due to intervening vegetation, although it is close and noise could be an issue.

Some properties in Stoke Lyne will be able to see the barn due to its size and

height. Stoke Lyne is sited on raised ground facing in the direction of the barn. The nearest dwelling is about 850m from the barn

Point 4 the barn will be visible from this point, albeit from a distance of about 1km

Point 5 Not visible due to intervening vegetation

Point 6 Not visible due to intervening vegetation and low lying ground

Point 7 The barn will be visible from the Hardwick/Stoke Lyne footpath

Point 9 Some distant visibility

The existing field pattern of blocks of planting and hedgerows will screen the barn from the north and west, topography intervenes from the east. This leaves the south where it will be visible from some locations in Stoke Lyne and typically from first floor window level. I think that given the distance the impact will be moderate at best.

Careful choice of colours for the walls and roof will help minimise the impact of the barn.

I would also like to see the screen planting extend along the SW side of the barn. Some species chosen for rapid growth would be useful as building almost 10m tall is high and will take a considerable time to screen.”

#### 5.5 **Oxfordshire County Council, Highways Officer:**

“There are a couple of matters which need clarification/further information.

(a) The use of the weigh bridge. If we are to accept its provision we will need to condition exactly who is able to use it. With this in mind we need formal assurance from the applicants that it will only be used by them and not others.

(b) The use of the storage facility. Again as above we need a statement that the facility will only be used by Tusmore Estates.

(c) I need a more robust understanding of the traffic generation as product of this development. I note that within the design and access statement there is reference to traffic movements but there is no quantification of them and this will be important. So a Transport Statement is required.

We need to understand better what happens now i.e. details of what happens to their grain at present, how and where they store it and transport it from the land now.

I suspect that there are a series of internal haul roads which service the use. Could these be shown as part of an explanation as to why this particular site was chosen? I note the details given in paras 6.3 and 6.4 of their design and access statement but there will be a concentration of movements along this road, which is single track, and at its junction with the B4100. This road has recently been overlaid and is in good condition for the level of movements it is expected to take I am however concerned that such a concentration of very large commercial vehicles will be detrimental to both the physical nature of the structure and highway safety.

Were there any other locations considered?

The location they have chosen for the access to the facility is not acceptable in my view and if all else is acceptable will need to be moved to the north around the bend.



It is recommended that planning permission be refused for the following reasons:

1. The highway serving the site (Hardwick Road) is narrow, tortuously aligned and of a limited forward visibility. Traffic movements generated as a product of this proposal will result in a hazard to the detriment, safety and convenience of road users.
2. This proposal will generate increased turning movements of heavy goods vehicles at the junction of the B4100/Hardwick Road that will result in a hazard to the detriment, safety and convenience of road users.

**5.6 Rhodes Rural Planning and Land Management (RRP)(Advisor to the Council on matters of agriculture and rural planning)**

“The Tusmore Park Estate is now managed principally for shooting, with areas of shelter belts and coppices together with large belts of game crops, principally maize. The parkland is grazed by a flock of sheep and the rest of the agricultural land is farmed in hand and is down to rotationally grown arable crops mainly winter wheat, oilseed rape, winter beans and spring barley although an acreage of linseed has been grown this year. The arable acreage extends to 404 hectares (1000 acres) in total.

The Estate has one main holding, Park Farm, which serves the whole of the farmed acreage, houses the Estate’s machinery and fertilisers, and the farm manager resides in the farm house. Park Farm has an extensive range of traditional and relatively modern farm buildings; from my inspection I would say there have been no new buildings erected at Park Farm since the late 1970s. The more modern buildings at Park Farm include a former dairy and stock unit with a silo barn, a small grain drier with a small grain store in which grain is stored in bins within the building, a hay barn and ranges of open-fronted implement sheds. Apart from the grain which can be stored in the grain store and a small quantity held short-term on-floor within the former silo barn, all harvested grain has to be sold off the combine due to the lack of assured storage facilities

The Estate is still expanding; I was informed at the site meeting that it is hoped to acquire additional land during 2010/11. The farming business is being modernised and it is the intention to store the tonnages from the arable acreage in one fully enclosed grain store which will be more cost effective than selling straight off the combine or storage off-farm.

At the site meeting the applicant’s agent informed me that pre-application discussions had taken place in an attempt to reach a consensus as to the appropriate location for the proposed grain store. I understand that six sites were discussed and that the proposed site for the new facilities, which is located on a greenfield site away from Park Farm, was considered to be the preferred site due to its central position in relation to the arable acreages of the Estate, the lack of visual intrusion (further lessened by the proposed landscaping scheme) and its proximity to the local road network.

In my opinion, the proposal for a new grain store is reasonable given the acreage farmed by the Estate for the following reasons:

- the lack of suitable existing buildings on the Estate
- the present inability to store grain under assured conditions, thus the inability to satisfy separation and traceability requirements
- economic and marketing considerations
- the likely increase in the Estate's acreage

I consider the design of the proposed building to be consistent with that of modern grain buildings serving acreages of a similar scale to the arable acreage at Tusmore Park. I calculate that the proposed building could store more than the 3000 tonnes currently estimated to be produced. However, I do not think it unreasonable when building a store of this design and quality, to have spare capacity built in; particularly given the plans for expansion of the landholding. In terms of the ancillary elements of the planning application, it is my opinion that a W.C. should be provided for use by workers or HGV drivers, and an office for record keeping would not be unreasonable. The installation of a weighbridge where significant areas of combinable crops are being grown again is not unreasonable as this will prevent disputes over loaded weights when the lorries reach ports, mills etc.

In my opinion, the main issue is where this store should be situated. It is the case that new buildings of this sort can be visually intrusive, so it is important that proper consideration be given to their siting

Whilst I consider there to be a need for a grain store of the size and capacity proposed, I am not convinced that the proposed site is the best site for its location. With the lack of information as to the other sites discussed, and presumably dismissed, prior to the application, it is difficult to comment on these, but I would be surprised if a site at Park Farm had not been discussed.

Notwithstanding the outcome of any earlier discussions, it is my opinion that a site at Park Farm for the proposed grain store would be ideal for the following reasons:

- Centrally located for the farmed land.
- Good access from the old Towcester Road and therefore from the new A43 providing quick and easy access for HGVs.
- An existing nucleus of farm buildings with a continuing agricultural use. (The existing buildings form the base for farm operations. The buildings house tractors, sprayers and cultivation equipment and a small, bespoke bin store for more valuable crops. The hay barn at the site also provides cover for demountable pheasant rearing pens. Even if the grain store was to be permitted on the proposed site the vehicles and equipment housed at Park Farm would still have to travel to the arable fields as part of their daily routine, therefore moving grain back to Park Farm to a new store there would be logical.)
- A managed site having the benefit of a strategically located dwelling to monitor vehicle movements, provide security and to act as an alert point in the event of an outbreak of fire.
- External and internal access to crops located both south and north of Park Farm. There is good access for farm machinery from the old Towcester Road to minor roads and through the network of internal Estate roads.
- A site well screened from the old Towcester Road.

In conclusion, It is my opinion that a new grain store would be reasonable for the purposes of agriculture on the Tusmore Park Estate. Having looked at the proposed site and having had the opportunity to visit Park Farm, it is my opinion that, given the agricultural need for the grain store, the best site to locate the store would be at Park Farm.”

Following the submission of further information by the applicant during the processing of the application (including a review of alternative sites considered by Tusmore), RRP have been re-consulted. In summary they have concluded:

- Except for Park Farm all the other sites considered are greenfield and will need to be fully serviced before they can be used. The other sites all have other disadvantages including prominence in the landscape; movements through villages; poor relationship to cropping areas; poor connection to estate’s roads.
- Although central the proposed site is greenfield, not serviced.
- Park Farm is at the hub of the local road network and has greatly superior transport links, it is well connected to the internal track network. It enjoys superior linkage than the proposed site.
- It is not accepted that Park Farm will be cause inefficiencies in terms of the grain harvest.
- It is not accepted that the proposed site’s advantages outweigh the location and traffic movement disadvantages of Park farm
- Hardwick and Hethe will experience greater levels of farm traffic.
- Park Farm has operating advantages in terms of crop movements and HGV movements
- Park Farm offers cost efficiencies including use of existing buildings for storage of vehicles etc, services exist, existing concrete aprons/service areas, dwelling for supervision, fuel/fertiliser storage, mess room, etc

It is concluded that the proposed site is not the best one for the proposed grain store and that Park Farm is the ideal location

## **6. Relevant Planning Policies**

### **6.1 Planning Policy Statement 1 (PPS1): Delivering sustainable development**

**Planning Policy Statement 7 (PPS7): Sustainable Development in Rural Areas**

**Planning Policy Guidance 13 (PPG13): Transport**

### **6.2 Regional Spatial Strategy for the South East (The South East Plan) 2009**

Policy C4: Landscape and Countryside Management

Policy BE5: Village Management

Policy NRM9: Air Quality

Policy NRM10: Noise

### **6.3 Adopted Cherwell Local Plan November 1996 (ACLP 1996)**

Policy AG2: Construction of Farm Buildings

Policies C7,C8: Landscape Conservation

Policy C13: Area of High Landscape Value  
Policy C14: Trees and Landscaping  
Policy C28: Layout, design and external appearance of new development  
Policy TR2: Traffic management/highway safety  
Policy TR5: Parking and Servicing  
Policy TR7: Minor Roads  
Policy EMP4: Employment in rural areas

#### **6.4 Non-Statutory Cherwell Local Plan 2011 (NSCLP 2011)**

Policy EMP 8 Construction of Farm Buildings  
Policy EMP7 Farm Diversification  
Policy TR3: Transport Assessments  
Policy TR5: Road Safety  
Policy TR11: Parking and servicing  
Policy D1: Design Objectives  
Policy D2: Design Statement  
Policy D3: Local Distinctiveness  
Policy D4: Quality of Architecture  
Policy EN1: Conserve/Enhance the Environment  
Policy EN3: Pollution  
Policy EN5: Air quality  
Policies EN30: Countryside Protection  
Policies EN34: Landscape Character  
Policy EN36: Landscape Enhancement

#### **6.5 Other Relevant Documents**

Countryside Design Summary June 1998

## **7. Appraisal**

### **7.1 Background**

The application has been submitted after discussion with Council Planning Officers. It was agreed, and still is, that the facilities at Park Farm are outdated and that other sites should not be precluded from consideration. It was agreed on face value that the proposed site had advantages and the case for the applicant has been put forward in their supporting documentation mainly that:

- Agriculture should be supported to be more competitive and sustainable (PPS7-para27)
- Vehicular traffic will not pass through any villages or past residential property
- There will be no quantum increase in traffic, in fact it will reduce movements and therefore be a more sustainable form of development
- The site is well away from residential property
- It has a limited visual envelope in terms of visibility
- The site has no nature conservation or heritage designation
- The site is with an area of high landscape value

- The proposed building will have minimal impact on the wider landscape
- There is opportunity to integrate the building into the landscape

7.2 • Whilst every case has to be treated on its merits, Officers felt in this case the application suffered from a lack of information pertaining to alternative sites, the operation of the farm business and on traffic movements, both HGV and farm vehicles, and on public highway and estate roads/tracks. Further information was sought, provided and the application has been assessed against this latest information. Some details requested have not been received, for example, early in the process a Transport assessment was requested and whilst substantial information has been received on traffic flow, volumes, movements, types of vehicles, et al, a full assessment was not produced. This point will be revisited below in the section on Access, parking and highway safety.

7.3 It is the Officer's view the application raises the following main issues:

- The principle of the development
- The layout, design and appearance of the proposed grain store building and the impact on the countryside
- Impact on local residents and
- Access, parking and highway safety

#### 7.4 **The Principle of the Development**

7.4.1 The applicant has made a convincing case that existing storage facilities require replacement. They have also convinced the Officers that the volume of storage proposed by the current development is appropriate. So, in principle, the Officer's are supportive of a new 3,000 tonne storage facility for Tusmore. The question is where should it be sited, what should it look like and how should it be accessed.

7.4.2 Government policy for rural areas is set out in PPS 7. The main objectives are to raise quality of life and the environment, to promote sustainable development; to improve economic performance and to promote sustainable, diverse and adaptable agriculture. It goes on to say that good quality, carefully sited accessible development should be allowed where it benefits the local economy and/or community. Accessibility should be a key issue. Reuse of previously developed sites is preferable and green field sites only used when they are not available. New building in open countryside should be strictly controlled.

7.4.3 This is followed through in the South East Plan and the adopted and non-statutory Local Plans. Sporadic development should be resisted (policy C8, C13 -ACLP 1996) and farm buildings should be sited so as not to intrude into the landscape (policy AG2-ACLP 1996).

7.4.4 The applicant has submitted considerable evidence to support the logistics behind the proposed site, and belatedly rule out other possibilities, but the Officer's have come to the fundamental conclusion that their case is not conclusive. The site is green field. however there is a brown field site, Park Farm. Although this is not central to the Tusmore Estate that in itself should not preclude the prima facie case for land there being reused for a new grain

store. It also has other advantages, particularly access, which will be dealt with below, it would be less significant visually, is well serviced by utilities, has a dwelling that provides accommodation for management and supervision, and buildings that can be used for storage

7.4.5 So, it is concluded that the proposed site is an inappropriate one for this building and not forgetting, the substantial other work that is required along with it including large area of concrete yard and weighbridge.

## 7.5 **The Layout, Design and Appearance of the Proposed Grain Store Building and associated works**

7.5.1 The proposed building is undoubtedly a large, functional structure, 72 metres long and 9.5 metres in height. Its design has already been described above as utilitarian but that is the nature of many agricultural buildings. Would it cause visual harm if permitted? In this case its layout and design seems to be appropriate for the type of use envisaged and it benefits from significant screening by woodland from some of the major local vantage points. Further landscaping could help to assimilate into its setting and the facing materials used in its construction can be controlled, if permission were granted, to reduce its visual impact. It is not considered to be in conflict with policy EMP8 as suggested by a local resident. However the applicants have failed to demonstrate to the local planning authority that this very large building cannot be accommodated adjacent to an existing group of farm buildings within their holding. As such the proposal for the very large grain store and associated infrastructure under consideration incrementally erodes the open character of the open countryside. In addition the potential introduction of passing places to facilitate the operation of this isolated site will also contribute to this rural erosion.

7.5.2 Along with the building is a large area of associated works, concrete hard surfacing and weighbridge. It is accepted that for the type of building and use proposed these ancillary works are necessary, but not in this isolated location as a practical alternative exists. Should the Council be minded towards granting planning permission, questions of sustainability would arise over energy and drainage, and the use of the weighbridge, but they could be dealt with by condition and are certainly not considered, by themselves, to be so excessive to justify refusal of planning permission.

## 7.6 **Impact on Local Residents**

7.6.1 The effect on the local community from traffic is referred to below. Under this heading the main issue is whether demonstrable harm is caused by means of noise, fumes, vibration or some other environmental impact

7.6.2 The South East Plan and both adopted and non statutory Local Plans all contain policies that advise planning permission should be refused if there is harm arising from noise, smells, fumes or poor air quality. In this particular case, it is not considered demonstrable harm will be caused.

7.6.3 The reasons for this are the distance separation to the residential properties and even though Hardwick is "down wind" the properties there have a fair degree of separation at over 300 metres. Certainly the advice of the Environmental Health Officer with regard to the three fans proposed is they will not generate a noise nuisance and, again, conditions could be used, if

permission were to be granted, to acoustically insulate them. In terms of the other environmental issues, they are not thought to be so significant to justify refusal or to conflict with the relevant policy.

#### **7.7 Access, Parking and Highway Safety**

7.7.1 Development of the size and use of the proposed grain store requires on site manoeuvring and space for servicing and this is provided.

7.7.2 Off site however, the access to the site and routing of heavy goods vehicles is of major concern. Since the application was first submitted additional information has been obtained and it is now clear that there are already 32 movements to Fox Covert Barn along the Hardwick Road. The number of HGV's, as calculated by the tonnage of grain stored and the capacity of the lorry was thought to be up to 100 vehicles per annum, although this has dropped to 96 on the latest figures. It is also argued by the applicant this equates to only 2.5 vehicles a week so insignificant and that it will be concentrated in the September-June period so again, the impact will not be all year round.

7.7.3 Unfortunately a Transport Assessment has not been produced (as required for major development-Policy TR3 NSCLP 2011) and as a result the capacity of junctions and the highways involved are not technically known. The Highway Authority nevertheless has two main concerns.

7.7.4 The first is the movement of vehicles along the Hardwick Road and secondly, the problems with the junction with the B4100.

7.7.5 The access from the Hardwick Road into the site of large, slow moving lorries is thought to be dangerous without sufficient visibility for vehicles coming from Hardwick. The lane between the junction of the B4100 and the site entrance is also very narrow, winds and with very few opportunities to pass. This is likely to lead to conflict between the lorries and other users of the highway, be it walkers, cyclists, horse riders or other motorists. In such cases the policy of the Council is normally to refuse planning permission (TR7 ACLP 1996, TR5 NSCLP 2011).

7.7.6 The junction with the B4100 is also thought to be difficult, there is already an accident record along this stretch of road, although the applicant challenges whether they are significant or relevant to this proposal. The Highway Authority is adamant however, that because of the topography of the land, the bend in the road, and its use by vehicles at high speed, heavy good vehicles entering the B4100 from Hardwick Road will cause problems and potential accidents. For reasons of highway safety they therefore recommend planning permission for the grain store is turned down.

7.7.7 Notwithstanding the Highway Authority recommendation, it is recognised that the applicant have sought a location for the store where vehicles will not pass through villages or by residential property, there is only dwelling between the site and the B4100. Furthermore, there is an argument that by centralising the site for a grain store there will be less total vehicle movements and it is therefore a more sustainable form of development. Even if this were the case, and the evidence is not clear, Officer's believe it to be somewhat tenuous as an argument and one that the Estate could resolve by better use of their own tracks and roads.

## 7.8 Other Issues

- 7.8.1 Environmental Statement- It has been queried why one was not required and this is due the scale of development not being so great, the location not being a vulnerable one, the development not involving potential hazardous environmental effects and being of local interest.

### Landscaping

- 7.8.2 The applicant is aware of policies C7 and C14 of the ACLP 1996 and is committed to planting indigenous trees and plants in two belts to the front and one side to screen the building. It is likely that if permission were granted it would be conditioned for full details to be submitted including planting beyond what is suggested by the applicant and including trees of a semi-mature nature. It is the advice of the Council's Landscape Officer that a comprehensive planting scheme is required to both screen the development and integrate it into the landscape. Again, a condition can be imposed to achieve this.

### Wildlife

- 7.8.3 The land is under cultivation. It is not thought to have a direct adverse impact on wildlife nor would it on nearby habitats.

### Precedent

- 7.8.4 Whilst the local residents are concerned, understandably that this might have implications for future development in the locale, the application should be determined on its merits as submitted.

### Alternative Development at Park Farm

- 7.85 Residents have pointed out there is a planning permission to convert buildings at Park Farm to offices. These are not those presently used for grain storage nor would they impinge on proposals to develop that site for replacement grain storage facilities if such a proposal was forthcoming.

## 8 Conclusion

- 8.1 It is concluded that the proposed site is not the best one for the proposed grain store and that Park Farm is the ideal location, as such the proposal will be significantly detrimental to highway safety and the convenience of users of the local highway network. It is therefore recommended planning permission be refused as set out below.

## 9. Recommendation

**It is recommended that planning permission is refused for the following three reasons:**

1. The applicants have failed to demonstrate to the local planning authority that this very large building cannot be accommodated adjacent to an existing group of farm buildings within their holding. As such the proposal for the very



large grain store and associated infrastructure under consideration incrementally erodes the open character of the open countryside contrary to policies to C7, C8 and C13 of the Adopted Cherwell Local Plan 1996 and EN30, EN31 and EN34 of the Non Statutory Cherwell Local Plan 2011.

2. The highway serving the site (Hardwick Road) is narrow, tortuously aligned and of a limited forward visibility. Traffic movements generated as a product of this proposal will result in a hazard to the detriment, safety and convenience of road users. The proposal is therefore contrary to PPS13-Transport and policies TR2 and TR7 of the Adopted Cherwell Local Plan 1996.
3. This proposal will generate increased turning movements of heavy goods vehicles at the junction of the B4100/Hardwick Road that will result in a hazard to the detriment, safety and convenience of road users. The proposal is therefore contrary to PPS13-Transport and policies TR2 and TR7 of the Adopted Cherwell Local Plan 1996.

**CONTACT  
OFFICER:**

**Andrew Lewis**

**TELEPHONE NO: 01295 221813**