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| Application 09/01749/F | No: | Ward: Ambrosden and Chesterton | Date 06/01/2010 | Valid: |
| Applicant: | J H Norman & Son | | | |
| Site Address: | Park Farm, Heyford Road, Middleton Stoney, OX25 4AL | | | |

Proposal: Erection of a pig fattening shed to replace existing building. Erection of a grain store. Erection of electrical control building.

1. Site Description and Proposal

- 1.1 Park Farm is a large farm on the B4030 to the North West of Middleton Stoney, comprising a 486ha holding with arable, beef and pig production.
- 1.2 The current modern farm buildings are screened from the B4030 by a large belt of existing trees, and from Aves Ditch and the NW by existing trees and screening provided in accordance with landscaping conditions attached to earlier permissions on the site. Brief views into the site are possible from the B4030 running East-West and around the Northern boundary of the site, more sustained views of the site are possible from Aves Ditch (a Restricted Byway), which runs NE-SW through the holding.
- 1.3 The proposal is essentially for the replacement of a low-rise pig fattening unit with a new open sided pig-fattening shed, to a similar height as the adjacent existing shed approved in 2000 (00/01192/F refers), and the erection of a large grain store and drying shed to serve the whole farm. A small electrical control building is required for, and proposed adjacent to, the grain store.
- 1.4 The proposed fattening shed is 21mx61m, with a ridge height of 8m, falling to 5.1m at the eaves. The proposed grain store is 27mx36m, with a ridge height of 11m, falling to 7.5m at the eaves. Both buildings are proposed in concrete wall panels and timber boarding, with fibre cement roofs to match the existing buildings on the site. The electrical control building is 2.4mx2.4m, with a sloping roof at 2.2m falling to 1.9m. It is proposed in brick with a fibre cement roof.
- 1.5 The pig-fattening shed replacement is required in response to legislative change and associated economic considerations (legislation coming into force in 2012 requires that any slurry generated must be stored for six months; to continue to use the existing unit, it would be necessary to undertake significant repairs, as well as construct a slurry store. Pigs in the replacement unit are bedded on straw, so slurry is not produced).
- 1.6 The grain store is required to supplement the existing facility, and provide a more efficient, modern storage and drying facility to better serve the farm and accommodate modern farming practice.
- 1.7 The application is before the committee as the size of the building makes the application a 'small scale major'.

2. Application Publicity

- 2.1 The application has been advertised by way of site notices, press notice and neighbour letters.
- 2.2 No objections have been received.

3. Consultations

- 3.1 Middleton Stoney Parish Council – no objections
- 3.2 Conservation Officer – no objections in terms of the impact on the adjacent Middleton Park
- 3.3 Head of Safer Communities – no objections on noise or odour grounds
- 3.4 Landscape Services – no objections subject to the retention of the landscaping scheme to the North and East as approved under previous
- 3.5 Rights of Way Officer – no objections
- 3.6 Head of Building Control & Engineering Services – no comments
- 3.7 Local Highways Liaison Officer – no objections, subject to conditions requiring use as specified
- 3.8 County Archaeologist – no objections, subject to archaeological investigation scheme
- 3.9 Environment Agency – no objections, subject to conditions concerning surface water drainage
- 3.10 Thames Water – no objections

4. Relevant Planning Policies

- 4.1 PPS 4 – Planning for Sustainable Economic Growth
PPS 9 – Biodiversity and Geological Conservation
PPS 7 – Sustainable Development in Rural Areas
PPG 15 – Planning and the Historic Environment
PPG 16 – Archaeology and Planning
- 4.2 Regional Policy in the South East Plan 2009:
C4 – Landscape and Countryside Management
BE6 – Management of the Historic Environment
NRM1 – Sustainable Water Resources and Groundwater Quality
- 4.3 Local Policy in the Adopted Cherwell Local Plan 1996:

AG2 – Farm buildings should be sited in order not to intrude into the landscape

AG3 – New intensive units will be resisted where they would be detrimental to amenity

C7 – Development will not be permitted if likely to cause demonstrable harm to the landscape

C10 – Development will not be permitted if likely to be detrimental to the character and appearance of historic landscapes

C28 – Layout, design and finish of new development should be sympathetic to the character of the context of development

5. Appraisal

- 5.1 In terms of national policy, as set out in Paragraph 4.1 above, the compliance of the policy with PPS 9, PPG 15 and PPG 16 has been addressed in the comments in this report and the conditions below.
- 5.2 PPS 4 requires that the countryside should be protected for the sake of its intrinsic character, beauty, diversity, heritage and wildlife, for the enjoyment of all, but whilst also supporting sustainable economic growth and existing businesses. The proposal does not cause harm to the character of the countryside, and allows for the continuation of the existing farming use in compliance with new pollution legislation.
- 5.3 PPS 7 also emphasises the need to protect the countryside for its own sake, but also highlights the need to control development in a way which allowed farming and the farmer to become more competitive, adapt to changing markets, and to respond to changing legislation. The planning history for this site, as well as this application, are responses to these factors and are therefore acceptable when assessed against this policy.
- 5.4 As the application relates to the demolition of existing farm buildings a Phase 1 Biodiversity Survey was required with the application, in order to satisfy the requirements of PPS 9, and discharge this Council's responsibilities under Section 40 of the Natural Environment and Rural Communities Act 2006 and the Wildlife and Countryside Act 1981. No evidence of badgers, bats, reptiles or other protected species was found, but the applicants are aware of their legal responsibilities in this regard.
- 5.5 The proposal accords with the relevant local and regional policy set out in Paragraphs 4.2 and 4.3 above; as demonstrated, the screening and site conditions mean that the proposal will not cause harm to the character of the landscape, the character of the context of the development or the character of any historic landscapes.
- 5.6 All other parties consulted on the application have either raised no objections, or requested conditions as set out at the end of this report and are satisfied with the principle and implications of the proposal. Comments from the Environment Agency relating to drainage and material storage have been passed on to the applicant for action.
- 5.7 The proposed buildings, especially the grain-store/drying shed are undoubtedly large structures. However, the replacement pig-fattening shed is of a similar scale to

the existing open-sided shed and will be cut in to the ground at the NW edge of the site, to reduce the appearance of height when viewed from the NW. The grain store sits within the existing built-limits of the farm development and behind the existing landscaping when viewed from the North and North West. The height of the grain store/drying area is largely dictated by the clearance required for tipping a grain trailer; a limiting factor of the existing grain storage unit. Whilst it is taller than the existing and proposed pig-fattening units, the extra height is not considered harmful or otherwise unacceptable.

- 5.8 As mentioned above views of the proposal will be possible, but not prominent and as such it is considered that the proposal will not have a detrimental effect on the character or appearance of the open countryside. The appearance of large, modern farm buildings in an agricultural setting is not inappropriate, and is in keeping with the agricultural nature of the site.
- 5.9 The impact of the proposal on the setting of the Middleton Park historic park/garden is minimal, given the distance, screening and existing development and is therefore considered acceptable.
- 5.10 In conclusion, when assessed against the relevant policy and other material considerations indicated above, this proposal is considered to be acceptable in terms of its impact on amenity, the character, appearance and openness of the countryside and its impact on the natural and historic environment.

6. Recommendation

Approval, subject to conditions set out below:

- 1) **SC 1_4A (Time limit – 3 years)**
- 2) **Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents:**
 - TURNEY – PARK FARM 1**
 - TURNEY/A090910/1**
 - TURNEY/A090910/2**
 - TURNEY/A090910/4**
 - Materials schedule, including the details of the ‘Corus Colorcoat LG Merlin Grey 18 B 25’ roof-sheeting, received on 15 February 2010**

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 Policies C4 and BE6 of the South East Plan 2009.
- 3) **No development shall commence within the application area until the applicant, or their successors in title, has secured the implementation of a staged programme of archaeological investigation and mitigation in accordance with a written scheme of investigation that shall first be submitted to and approved by the Local Planning Authority. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a fill report for publication. The work shall be carried out by a professional archaeological organization acceptable to the Local Planning Authority.**

Reason – To ensure the appropriate measures are taken to detect and preserve archaeological remains either in situ or by record in accordance with PPG16 and Policy BE6 of the South East Plan 2009.

- 4) That the existing hedgerows/trees and previously implemented landscaping areas on the boundaries of the site shall be retained and properly maintained, and that any hedgerow/tree which may die within five years from the completion of the development shall be replaced and thereafter be properly maintained in accordance with this condition. (Reason - RC11A)**
- 5) That the development hereby permitted shall not be commenced until such time as a scheme to dispose of surface water has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.**

Reason – To prevent the pollution of groundwater and in order to comply with Policy NRM1 of the South East Plan 2009.

Planning Notes

- 1) X1 – Biodiversity/protected species advice note**

SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION AND RELEVANT DEVELOPMENT PLAN POLICIES

The Council, as Local Planning Authority, has determined this application in accordance with the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits as the proposed development is appropriate and will not unduly impact on public, private or any other amenity, the character or openness of the countryside and will not cause harm to the natural or historic environment. As such the proposal is in accordance with government guidance contained in PPS 4 – Planning for Sustainable Economic Growth, PPS 9 – Biodiversity and Geological Conservation, PPS 7 – Sustainable Development in Rural Areas, PPG 15 – Planning and the Historic Environment, PPG 16 – Archaeology and Planning, Policies C4, BE6 and NRM1 of the South East Plan 2009 and Policies AG2, AG3, C7, C10 and C28 of the adopted Cherwell Local Plan. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and planning permission granted subject to appropriate conditions, as set out above.

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