

Item No 03:-

15/02289/FUL CD.8481/F

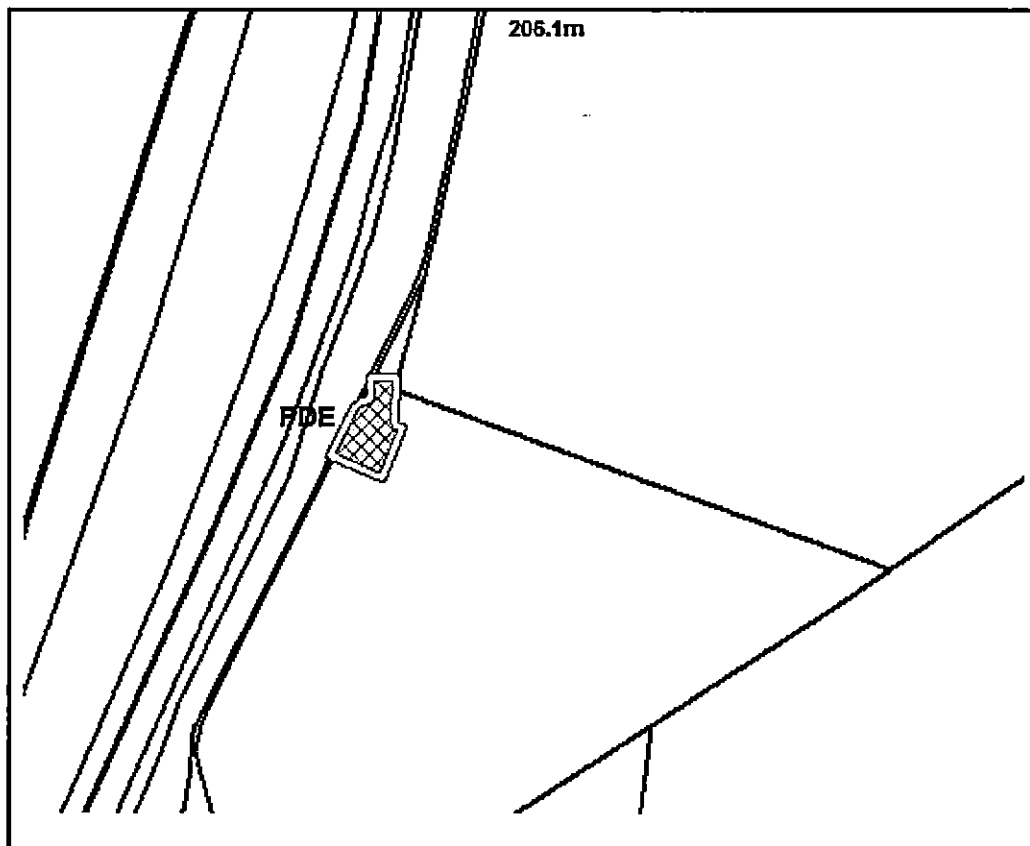
**The Old Quarry
Fosseway
Broadwell
Gloucestershire**

Item No 03:-

**Retrospective erection of an agricultural Muck Store at The Old Quarry
Fosseway Broadwell Gloucestershire**

Full Application 15/02289/FUL (CD.8481/F)	
Applicant:	Edward Gilder & Co
Agent:	Moule & Co
Case Officer:	Scott Britnell
Ward Member(s):	Councillor Julian Beale
Committee Date:	9th December 2015

Site Plan



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RECOMMENDATION: PERMIT

Update: This application was deferred from the Planning Committee meeting on 11th November 2015 to allow a Sites Inspection Briefing to take place in order to assess the context of the site and the impact of the proposal on the character and appearance of the AONB. The report to the November Committee meeting is as follows:

Main Issues:

- (a) The principle of the development
- (b) The impact on road safety and the local road network
- (c) The impact upon the Cotswold Area of Outstanding Natural Beauty and the character and appearance of the area

Reasons for Referral:

This application has been referred to committee by Councillor Beale on the basis that the proposal would have an adverse impact on this area of the countryside.

1. Site Description:

The application relates to a site located to the east of the A429 Fosse Way known as The Old Quarry. Access is via a sloping entrance to the front of the site, whilst open countryside surrounds the site to the north, south and east. The site benefits from planning permission to be used as a lairage (i.e. a place where cattle or sheep may be rested on their way to market or slaughter) in association with the applicant's agricultural haulage business.

The application site is within the Cotswold Area of Outstanding Natural Beauty (AONB), although it is not in a conservation area and there are no listed buildings nearby.

2. Relevant Planning History:

12/01922/FUL Permitted - Retention of residential caravan for overnight accommodation for stockperson and erection of lairage building (dated 17 July 2012)

15/00984/FUL Permitted - Improved access (part retrospective) (dated 13 July 2015)

At the time of preparing this report there are two valid concurrent planning applications with the Local Planning Authority for consideration:

1. 15/03075/FUL "Erection of general purpose building for use as agricultural lairage and associated fodder storage". This application is to be considered by the Cotswold Planning and Licencing Committee on 11 November 2015

2. 15/03100/FUL "Retention of residential caravan for overnight accommodation for stockperson". No recommendation has been made on this application

3. Planning Policies:

LPR05 Pollution and Safety
 LPR19 Develop outside Development Boundaries
 LPR24 Employment Uses
 LPR38 Accessibility to & within New Develop
 LPR42 Cotswold Design Code
 NPPF National Planning Policy Framework

4. Observations of Consultees:

Observations of Consultees:

The Environment Agency: No comment

Highways Officer: No objection

Environmental Health Officer: No objection

Other Representations:

5. View of Town/Parish Council:

Broadwell Parish Council have commented that they are concerned that there is insufficient evidence to support that this has been used as a muck store or indeed the whole site as an overnight stop over for livestock haulage.

Update: Broadwell Parish Council has made the following further comments:

'The Council remain very concerned over the size and appearance of the structures, which they consider to be disproportionate to the site itself. The site is prominent on the ridgeline in both a conservation area and the AONB. The Council is also concerned that the contradiction in Access Statements and the nature of the construction itself strongly suggests an opportunistic development, in pursuit of a dwelling in the future. Furthermore the Council has no evidence of the site being used for the stated purposes would ask the question what evidence has the applicant supplied as to its use as agricultural lairage?'; question the ownership of the land upon which the muck store has been constructed; and all four planning applications relating to this site should be considered together, not in isolation.

6. Other Representations:

1 third party objection has been received, the contents of which are summarised below:

- (a) Impact on the character and visual amenity of the area
- (b) The council should discourage the act of applying for retrospective planning permission by denying this application

7. Applicant's Supporting Information:

Supporting Planning Statement

8. Officer's Assessment:

Proposal

Planning Permission is sought for the retention of an agricultural muck store. The development is located in the north corner of the application site and features a semi-enclosed store with 1 metre deep chamber pit. The enclosure is constructed of concrete panels of between 1.4 metres to 2.75 metres in height. See drawings and case officer's site visit photographs.

(a) The Principle of the Development

The site has an established agricultural use as a lairage yard. The supporting statement confirms that the site is used in conjunction with the applicant's agricultural haulage business, which operates out of Bourton on the Water. Due to the nature of the use of the site, farm yard manure has to be regularly scraped out of the lairage building for bio security reasons. This is temporarily stored on site and removed as a single load and spread as fertiliser on the applicant's agricultural land.

The site lies within a Nitrate Vulnerable Zone and the applicant confirms that there is a legislative requirement for muck to be stored on an impermeable base with provision for the collection and containment of any run-off. The development is therefore clearly intended and required for use in association with the applicant's existing haulage business. The supporting statement indicates

that this is a business that employs 15 staff and that the overnight lairage of livestock is an essential part of its operations.

It is adjudged that the development complies with Local Plan Policies 19 and 24 and sections 1 and 3 of the National Planning Policy Framework (NPPF).

(b) Impact on highway safety and the local road network

The current access to the site was approved by virtue of the planning consent issued in June 2015 under application 15/00984/FUL. The Highways Officer has been consulted on this application and offers no objection to the scheme. The site is large enough for vehicles to turn and the muck store is located upon the site of the former temporary muck heap. Vehicle movements would therefore remain as existing with the exception of an additional vehicle as and when it is required to remove the run-off from the collection tank. The supporting statement suggests that this would result in no more than two additional annual movements.

In terms of the application's impact on highway safety and the local road network, the development would utilise the existing approved site access and the number of vehicle movements are unlikely to materially exceed those currently required. The proposal is therefore compliant with Local Plan Policies 19 and 38 and sections 4 and 7 of the NPPF.

(c) Impact on Cotswold Area of Outstanding Natural Beauty and the character and appearance of the area

The muck store has a functional appearance and is, in terms of its scale and design, appropriate for the agricultural context of the site. The rear and side of the store is however highly visible from the A429 Fosse Way and does appear somewhat visually jarring. In addition the former access to the site, which leads from the highway to the rear of the muck store, has been made up with natural local stone. The impact of this is to draw one's eye to the structure, thereby increasing its visual prominence.

To overcome the visually negative impact of the store the applicant has undertaken additional evergreen planting, which in time should successfully screen the development from public view. It has also been indicated that a green cover will be established over the former access. It is adjudged, that with an appropriate landscaping and planting scheme the development would be visually acceptable. Although this intention has been clearly indicated upon the site plan, drawing G1213-003 and within the supporting statement it does lack detail with regards to the covering of the previous access. Therefore it is reasonable and necessary, to ensure the successful assimilation of the development into its surroundings, that a condition is attached to any planning permission which requires a full landscaping scheme to be submitted to and approved by the local planning authority. This would be secured by condition.

Subject to the aforementioned planning condition the proposal is considered to have an acceptable impact upon the character and appearance of the area including the AONB. The application is therefore compliant with Local Plan Policies 5, 19, 24 and 42 and section 7 of the NPPF.

9. Conclusion:

The proposal is for the retention of a muck store, which is adjudged to be essential to the on-going operations of the applicant's business. There are no highways objections to the development while a suitable landscaping condition would overcome the negative visual impact that has been identified. The application is therefore compliant with Local Plan policies 5, 19, 24 and 42 and sections 1, 3, 4 and 7 of the NPPF and is recommended for approval accordingly.

10. Conditions:

The development shall be started by 3 years from the date of this decision notice.

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

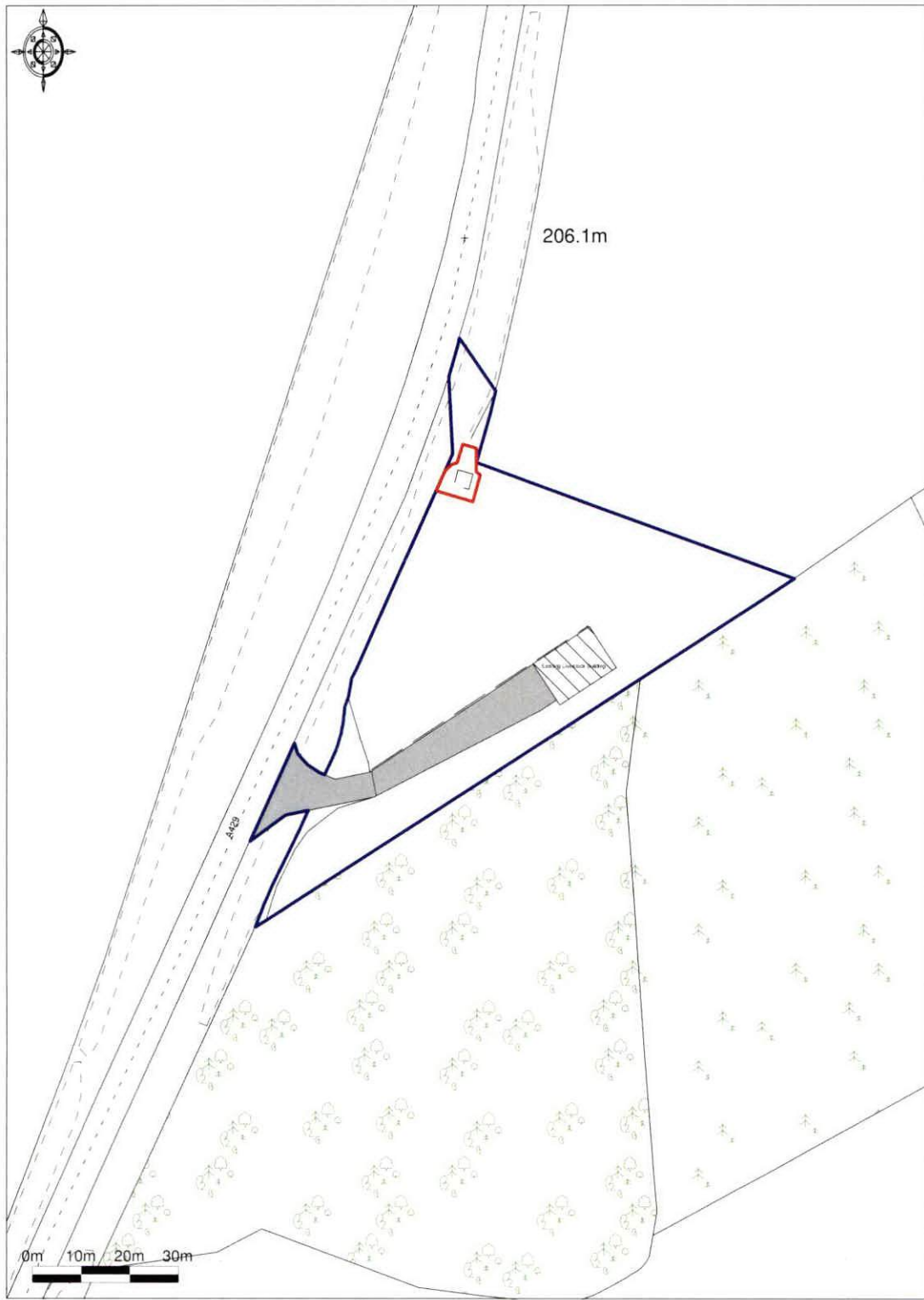
The development hereby approved shall be implemented in accordance with the following drawing number(s): GI213-001, GI213-002, GI213-003, Zeb920/002 Revision A

Reason: For purposes of clarity and for the avoidance of doubt, in accordance with paragraphs 203 and 206 of the National Planning Policy Framework.

Notwithstanding the details provided by approved drawing GI213-003 a landscaping scheme shall be submitted to and approved by the local planning authority within 2 months from the date of the granting of this planning permission. This scheme shall include details for the covering over of the former access to the north of the site and screening for the muck store along its north and west elevations. The landscaping scheme shall be completed by the end of the first planting season following the local planning authority's approval of such and shall remain in perpetuity.

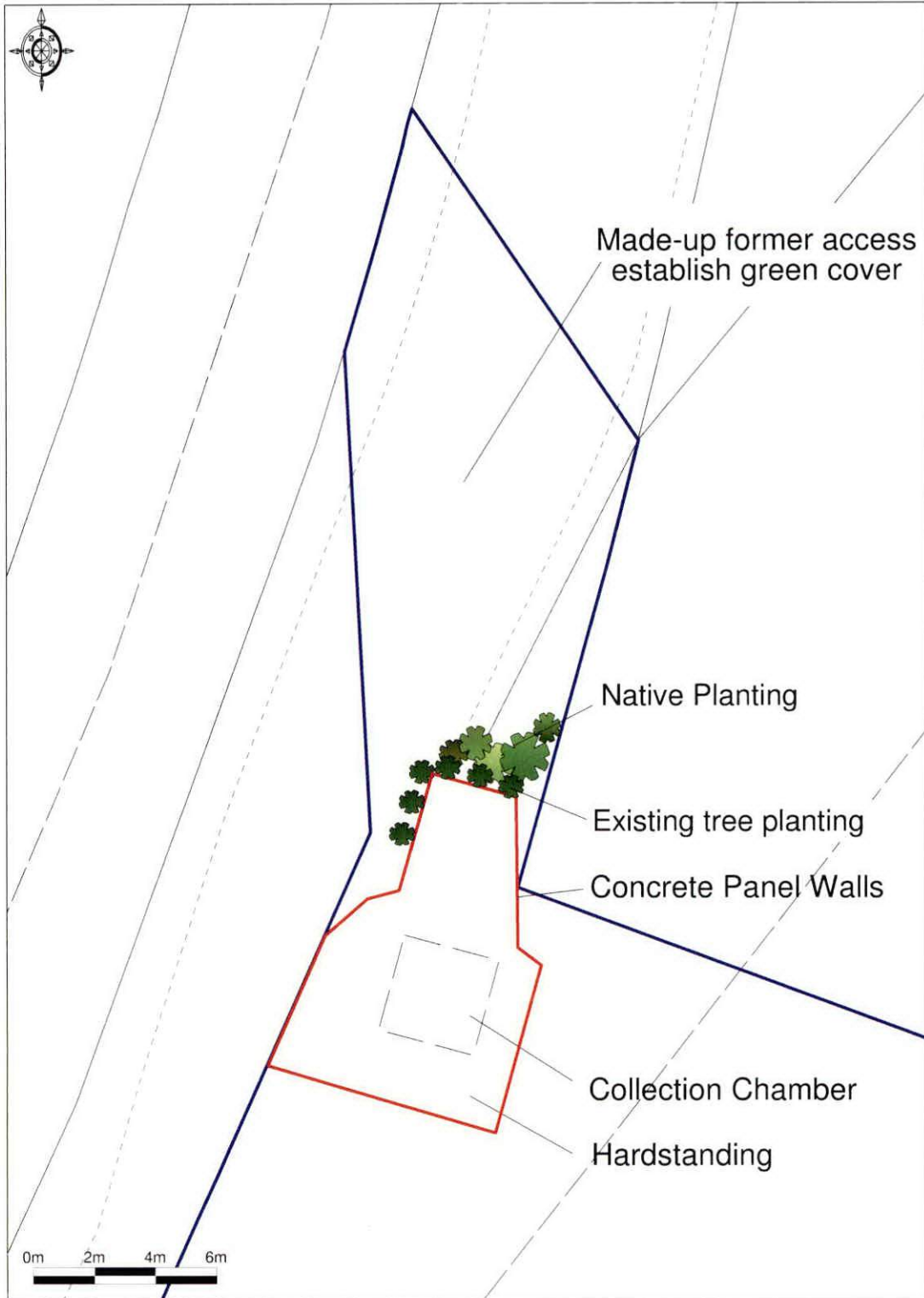
Reason: To ensure that appearance of the development is acceptable in accordance with local plan policy 42 and that the landscaping is carried out, and to enable the planting to begin to become established at the earliest stage practical and thereby achieving the objective of Cotswold District Local Plan Policy 45.

PP-04201495
Muck Store at The Old Quarry, Stow on the Wold

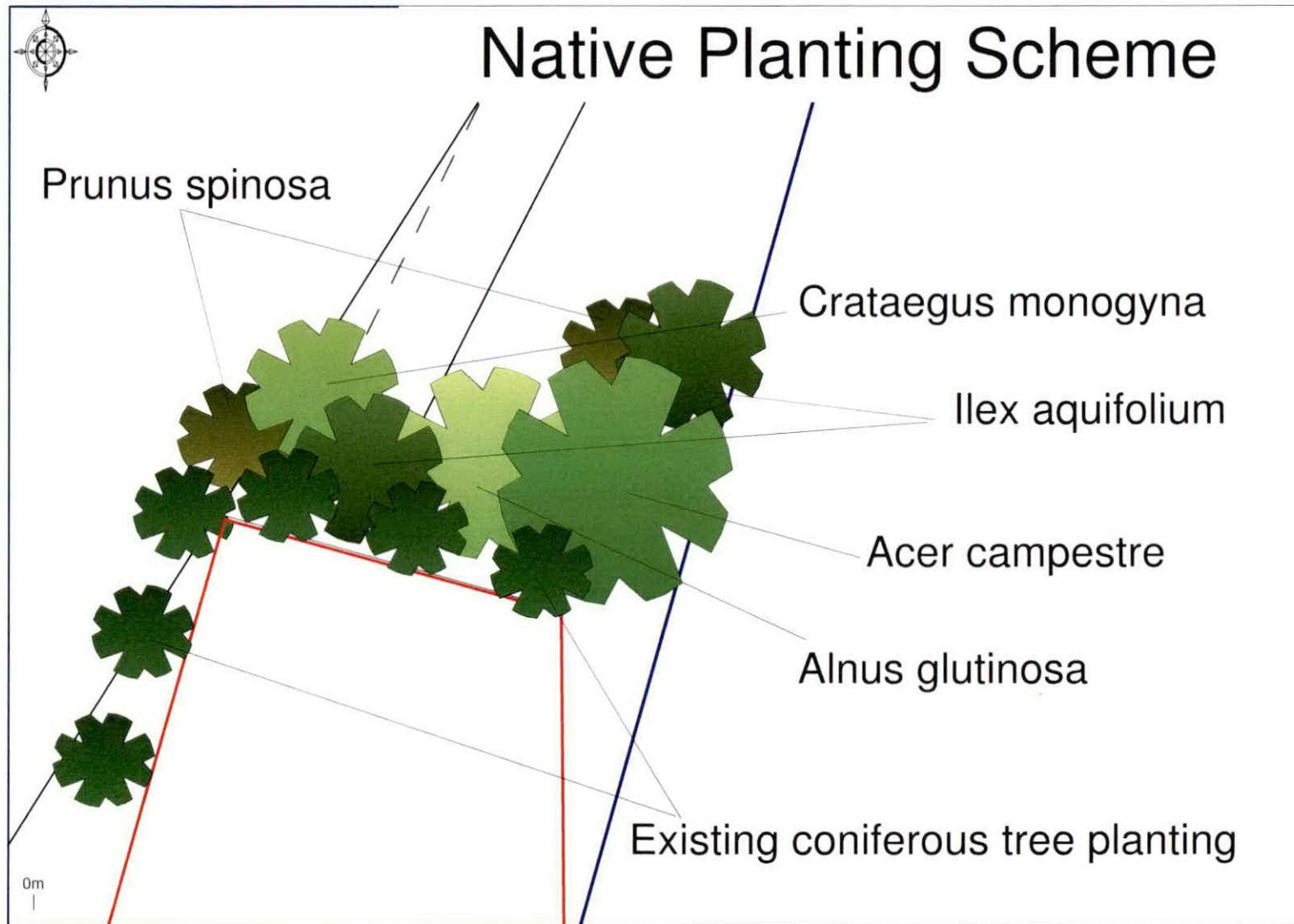


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PP-04201495
Muck Store at The Old Quarry, Stow on the Wold

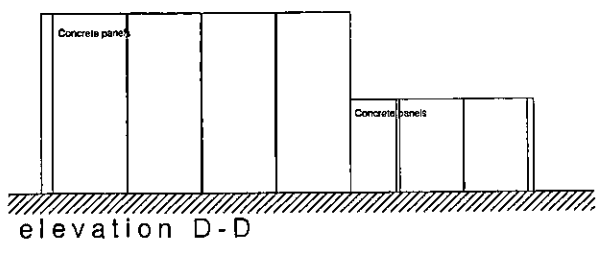
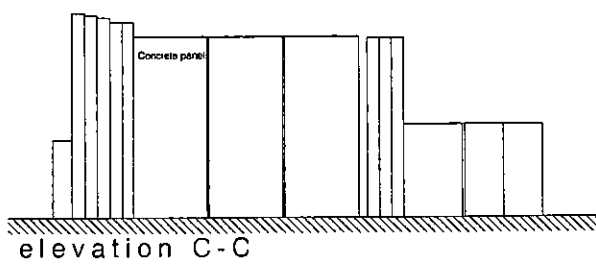
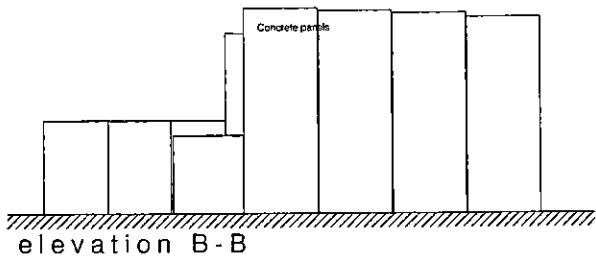
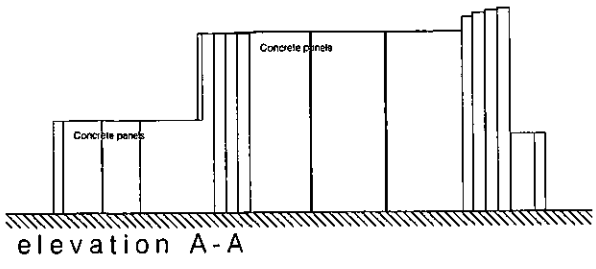
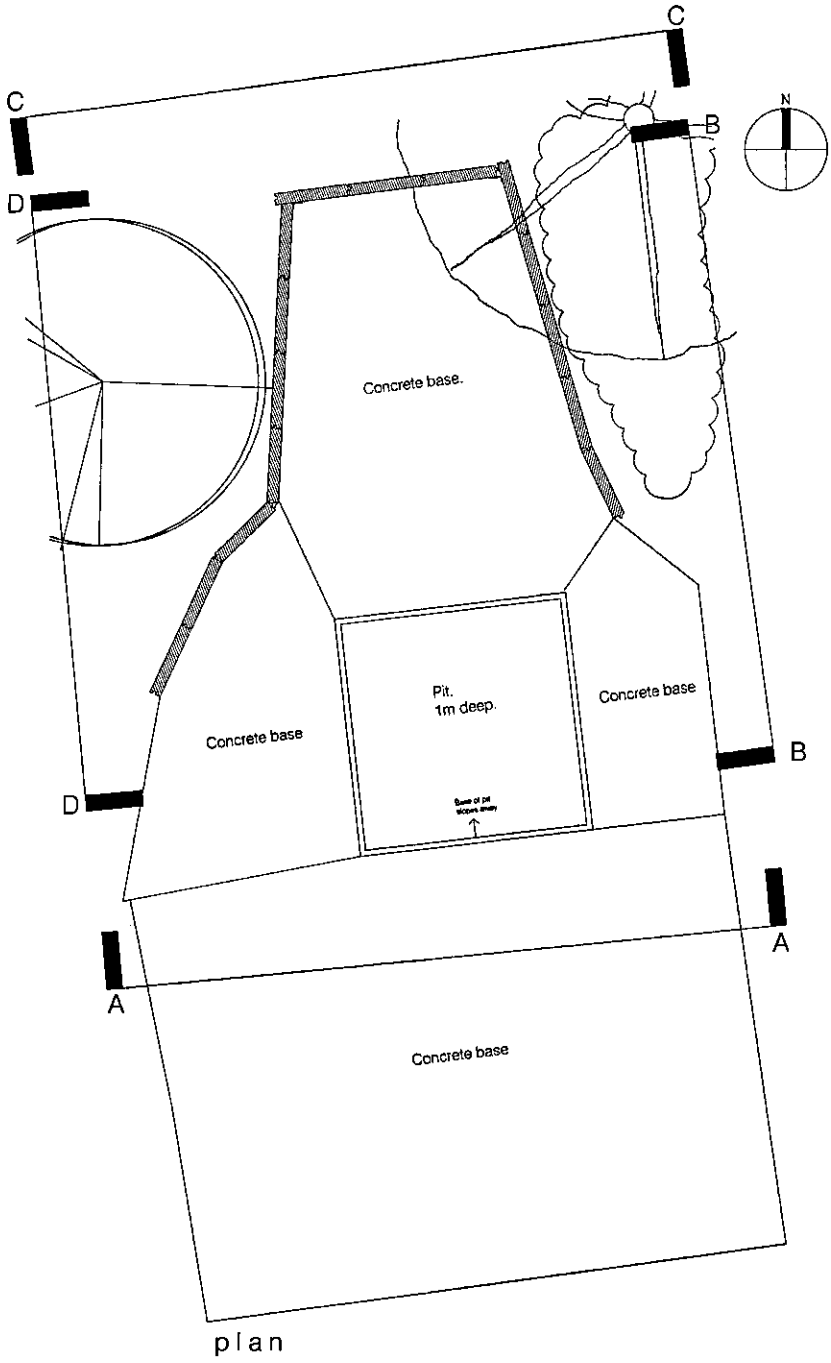


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15/02289/11

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A 25/07/15 General amendments
 revision

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project
 The Old Quarry
 Stow on the Wold

drawing title
 Existing Structure
 Plans and Elevations

scale 1:50
 date 20/07/15
 drawing no. Zeb920/002
 status Survey

revision
A

15/02289/11 - Appendix 4

Supporting Statement

In support of a retrospective application for

'The erection of an agricultural Muck Store'

at The Old Quarry, Fosseyway, Broadwell

Applicant:

Mr E Gilder of Edward Gilder Transport
Fosseyway, Bourton on the Water

Agent:

Mrs Hannah Moule BSc (Hons) MRICS FAAV

MOULE & CO



Moule & Co Ltd, The Farm Office, Millridge Farm, Parsons Lane, Hartlebury, Worcs, DY11 7YQ

1.0 INTRODUCTION

- 1.1 Moule & Co Ltd are instructed by Mr E Gilder to make a retrospective application to Cotswold District Council for the retention of a muck store at The Old Quarry, Fosseyway, Broadwell, Stow on the Wold.
- 1.2 Accompanying this application are the following documents

Document name	Description	Scale	Size to print
GI213-001	Location Plan	1:1250	A4
GI213-002	Site Plan	1:200	A4

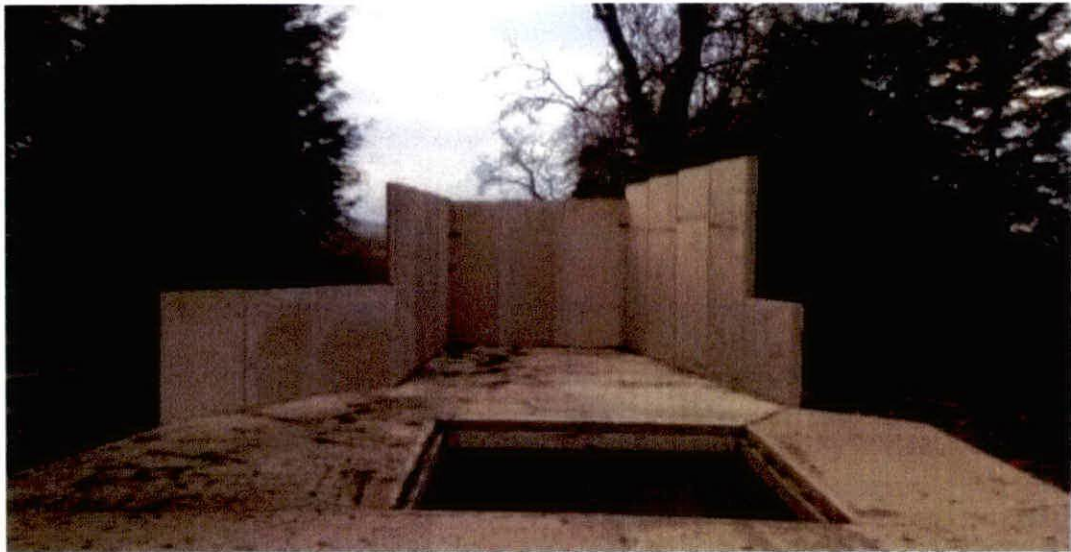
- 1.3 This supporting statement aims to provide further information on the structure, its construction and use together with an explanation of the business requirement, siting justification and landscaping mitigation.

2.0 THE SITE

- 2.1 As a whole, the site is utilised for agricultural lairage and extends to approximately 0.4 hectares fronting the A429 Fosseyway, situated 1.5km north of Stow on the Wold.
- 2.2 The lairage facilities are utilised in conjunction with the applicant's agricultural haulage business operating from Bourton on the Water and employing 15 staff. The overnight lairage of livestock is an essential part of maintaining the required animal welfare standards.
- 2.3 Whilst on site, the animals are loose housed in straw yards within the building. Due to the nature of the site being a lairage yard, there is a high volume and throughput of stock. The resultant farm yard manure or 'muck' has to be regularly scraped out of the building between loads for biosecurity reasons and is temporarily stored on site for removal as a single load. It is subsequently spread as fertiliser on the applicant's nearby agricultural land.
- 2.4 The site lies within a Nitrate Vulnerable Zone for ground and surface waters and there is a legislative requirement for muck to be stored on an impermeable base with provision for the collection and containment of any run-off.

3.0 THE MUCK STORE

- 3.1 The new structure is located on the site previously used as a temporary open muck store and is conveniently accessible for ease of removing the muck from site whilst maximising yard space and not conflicting with the movement of large vehicular traffic, equipment and animals in connection with its function as a lairage yard.
- 3.2 The application site extends to approximately 211m² and includes the area of the former access, which has been partially made-up with natural local stone. The muck store structure comprises concrete panel walls to contain the solid manures when stacked and a 61m² concrete base, effluent is collected in the central chamber, where any solids settle and the liquid effluent drains off to an underground sealed tank. From here it is then pumped out and exported from site in accordance with the relevant legislative requirements.



Muck store construction (central chamber to be covered with a grid when in use)

4.0 LANDSCAPING

- 4.1 Whilst the Old Quarry site is generally well screened; bounded by mature evergreen tree planting and neighbouring mature deciduous tree cover, we appreciate that the new structure is visually prominent especially from the roadside to the north. Additional evergreen tree planting, effectively extending the line of the existing roadside treeline, has been undertaken around the new structure.
- 4.2 In addition, a green cover is to be established where the former access track has been made-up with natural local stone.

- 4.3 A further small landscaping scheme of native tree and shrub planting will be undertaken immediately to the rear of the muck store, reinforcing ground stability and enhancing both the visual amenity and biodiversity of the site.



Photograph courtesy of Planning Enforcement



Extended line of planting 10/11/2014

5.0 **ACCESS**

- 5.1 The existing access provision supports the size and number of vehicle movements required to remove the Farm Yard Manure and run-off. The number and nature of these movements will remain as existing with the exception of an additional vehicle as and when required for the removal of any run-off from the collection tank. This is not anticipated to be more than two movements, annually.

6.0 **WATER & DRAINAGE**

- 6.1 When not in use the collection chamber will be covered and storm water runoff be directed onto the permeable stoned yard, where it will soak-away, as was the situation immediately prior to the construction.
- 6.2 The application proposals have no adverse effects on the drainage of storm water from the site, will not therefore create an unacceptable increase in flood risk, do not pose or have caused any significant environmental harm.

7.0 SUMMARY

- 7.1 The former temporary muck heap was located on the application site and the new structure is required and necessary to comply with the Nitrate Vulnerable Zone (NVZ) regulations on the storage of solid manures.
- 7.2 The building has to be regularly cleaned out between livestock loads for biosecurity reasons and the muck temporarily stored on site for removal in efficient loads.
- 7.3 The materials are suitable and practical for the proposed use and the addition of a continued line of evergreen planting, additional native planting and green ground cover will, given time to mature, provide complete screening of the structure from public view whilst enhancing the biodiversity of the site.
- 7.4 The structure has been sited, taking into consideration the use of the site as an agricultural lairage yard, the traffic and animal movements within the site and associated Health and Safety and Animal Welfare requirements.
- 7.5 The existing access provision is considered adequate and suitable to accommodate the anticipated small number of additional traffic movements to remove any run-off from the collection chamber.
- 7.6 Both national and local planning policies support the sustainable economic growth of existing business sectors in rural areas, with emerging policy stating the importance of supporting and strengthening the local economy to 'ensure... a variety of businesses can flourish'.
- 7.7 The proposal relates well to the existing site's use and development as a lairage yard, providing a structure to contain the farm yard manure produced on site before collection. The development is required and directly related to an existing business operating from the site.
- 7.8 No significant harm is caused to any existing patterns of development, open spaces, local distinctiveness or landscape character. The development has no impact on the vitality or viability of settlements and does not compromise the principals of sustainable development.
- 7.9 It is therefore proposed that the works to provide a legislatively compliant muck store on The Old Quarry site fully accord with current and emerging planning policy and should meet with the approval of the Local Planning Authority.