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**Item No 04:-**

**15/03075/FUL CD.8481/G**

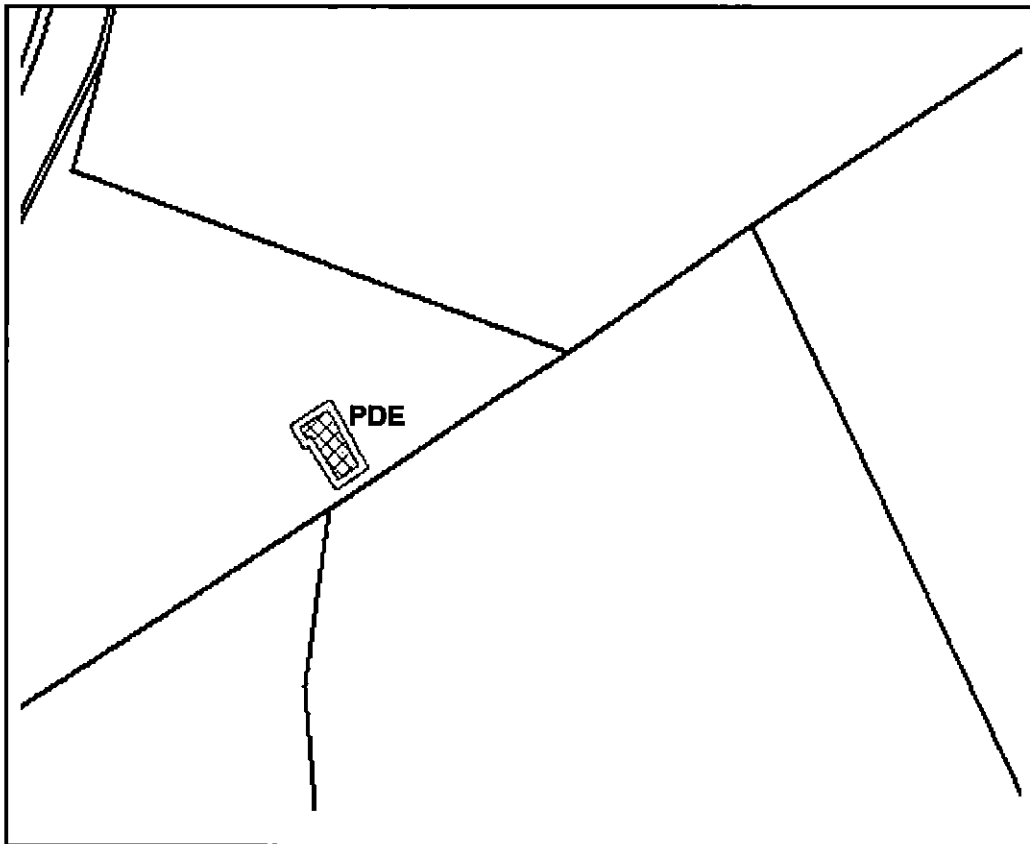
**The Old Quarry  
Fosseway  
Broadwell  
Gloucestershire**

## Item No 04:-

**Erection of General Purpose building for use as agricultural lairage  
and associated fodder storage at The Old Quarry  
Fosseway Broadwell Gloucestershire**

<b>Full Application 15/03075/FUL (CD.8481/G)</b>	
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) Impact on highway safety and the local road network
- (c) Impact on Cotswold Area of Outstanding Natural Beauty and the character and appearance of the area
- (d) Other matters

**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. 15/02289/FUL "Retrospective erection of an agricultural muck store"- This application is to be considered by the Cotswold Planning and Licencing Committee on 11 November 2015 with a case officer recommendation to approve
2. 15/03100/FUL "Retention of residential caravan for overnight accommodation for stockperson" - No recommendation has been made on this application at this time

**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:

Highways Officer: No objection

**5. View of Town/Parish Council:**

Broadwell Parish Council Object to the application for the reasons summarised below: -

- (a) The impact on the character of the area
- (b) The nature of the development and its future uses
- (c) Lack of evidence that the site has been used as a lairage
- (d) The site has a history of planning issues with no enforcement action being taken by the local planning authority.
- (e) Damage cause to neighbouring trees

**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:**

2 third party objections have been received, the contents of which are summarised below:

- (a) Concerns with the planned use of the new and existing lairage buildings
- (b) Is the building large enough for all proposed uses?
- (c) The plans do not show existing unauthorised development on the site
- (d) The application cannot be considered until the applicant discloses his intentions for the site
- (e) Impact on the highway

**7. Applicant's Supporting Information:**

Design and Access Statement

**8. Officer's Assessment:****Proposal**

This application seeks planning permission for a general purpose building to be erected immediately adjacent (and adjoining) an existing lairage building to east of the site. The proposed structure would have a width of approximately 13.7 metres and a depth of 7.6 metres. It would have a dual pitched roof of fibre cement in a Marley Brown colour with a ridge height of 5.5 metres and eaves sitting at 4.4 metres. The side elevations would be constructed of Yorkshire

boarding on top of cement panels, while the front and rear elevations would be relatively open with a mix of metal feed barriers and concrete panels. The building would be supported by a steel portal frame.

#### **(a) The Principle of the Development**

The site has an established use as an agricultural lairage yard. The design and access statement confirms that the site is used in conjunction with the applicant's agricultural haulage business, which operates out of Bourton on the Water. It also indicates that this is a business that employs 15 staff and the overnight lairage of livestock is an essential part of the operations.

The application site effectively acts as a collection facility for local farmers who produce small numbers of livestock. Larger loads are then made up in order to meet demands of larger retailers. The existing lairage facility and building is therefore an essential element of the applicant's business. However, that existing building does not allow for the lairage of pigs alongside cattle, as they are required to be kept separately. The proposed building would allow for this, as well as fulfilling a commercial demand to increase capacity on site. The general functionality of the new structure would also allow for the storage of fodder (when not in use as a lairage facility). It could also be used as an isolation facility for sick or injured animals, which the applicant confirms is part of the company's emergency contingency plan as required under The Welfare of Animals (Transport) (England) Order 2006.

A concern has been raised that the proposed building may not have sufficient space for all the uses proposed in the supporting documents and as set out above. It is the applicant's responsibility to ensure that what they are applying for is sufficient to meet their needs. The local planning authority has assessed this development upon the information with which it has been provided.

A comment has also been received suggesting that there is no evidence that the site has been used as a lairage. The design and access statement details the use of the site for this purpose and the case officer's site visit photographs would appear to support that such a use is undertaken.

In summary, the proposed structure is adjudged to be required in order for the applicant to better utilise the site and increase capacity and it is clearly intended for use in association with the existing agricultural business. It is therefore 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**

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 upon this application and offers no objection to the scheme. The site is large enough for vehicles to turn and the new building is to be located immediately adjacent the existing lairage structure.

The likely increase in vehicle movements resulting from the use of the new building is set out at section 7 of the design and access statement. As noted above, the Highways Officer has been consulted on the application and offers no objection to the scheme. Therefore, in terms of the application's impact on highway safety and the local road network, no adverse impacts have been identified and the proposal is considered 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 new structure would be attached to the existing lairage building to which it would site at a right angle, thereby projecting slightly to the front of that structure. It has a very simple design and would employ materials that are sympathetic to its use and context. Given this, and its scale

and form, the overall appearance would be of an agricultural building, which is appropriate for this site. Further, no public views of the building would be available, so that despite the site's ridgeline location it would be relatively discreet.

For clarity it is confirmed that the application site does not sit within a conservation area.

The impact of the new building upon the character and appearance of the area and AONB is adjudged to be acceptable and the application is compliant with Local Plan Policies 5, 19, 24 and 42 and sections 7 and 11 of the NPPF.

#### **(d) Other Matters**

The objections to this proposal refer to the erection of an unauthorised timber structure on the site and damage to trees on a neighbouring field, allegedly caused during its construction. The structure in question does not form part of this application and so is not considered herein. Further, any damage caused to private property is a matter to be resolved between the respective parties.

Further objections refer to the nature of the construction, suggesting an opportunistic development, and expressing concern that the site and lairage building may be used for other purposes in the future. A further objection suggests that the application cannot be determined until the owner discloses his intentions for the site, both now and for the future. In respect of the comments it must be noted that the Local Planning Authority is assessing the proposals put forward in this application.

Concerns have also been raised with regards to the planning history of the site and that in particular that no planning enforcement action has been taken in respect of previous unauthorised development. The assessment of this application is concerned with the proposals submitted. Any complaints regarding alleged breaches of planning control should be made in the first instance to the Council's Planning Enforcement Team.

#### **9. Conclusion:**

The proposal is for the erection of a general purpose building, which is adjudged to be required for the on-going operations of the applicant's business. There are no highways objections to the development while no harmful visual impacts have been identified. The application is therefore compliant with Local Plan policies 5, 19, 24, 38 and 42 and sections 1, 3, 4, 7 and 11 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.

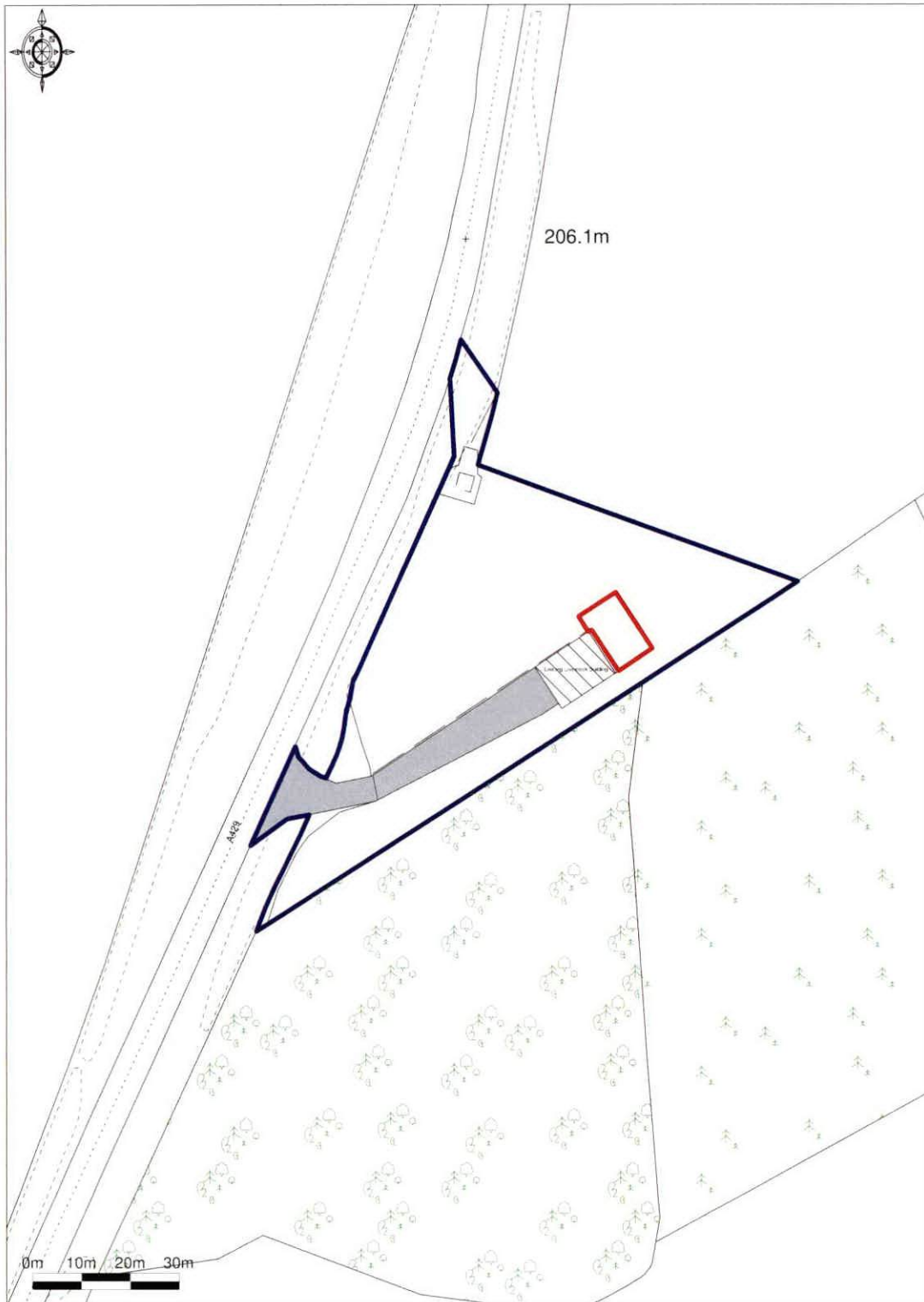
**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

Lairage Building at The Old Quarry, Stow on the Wold

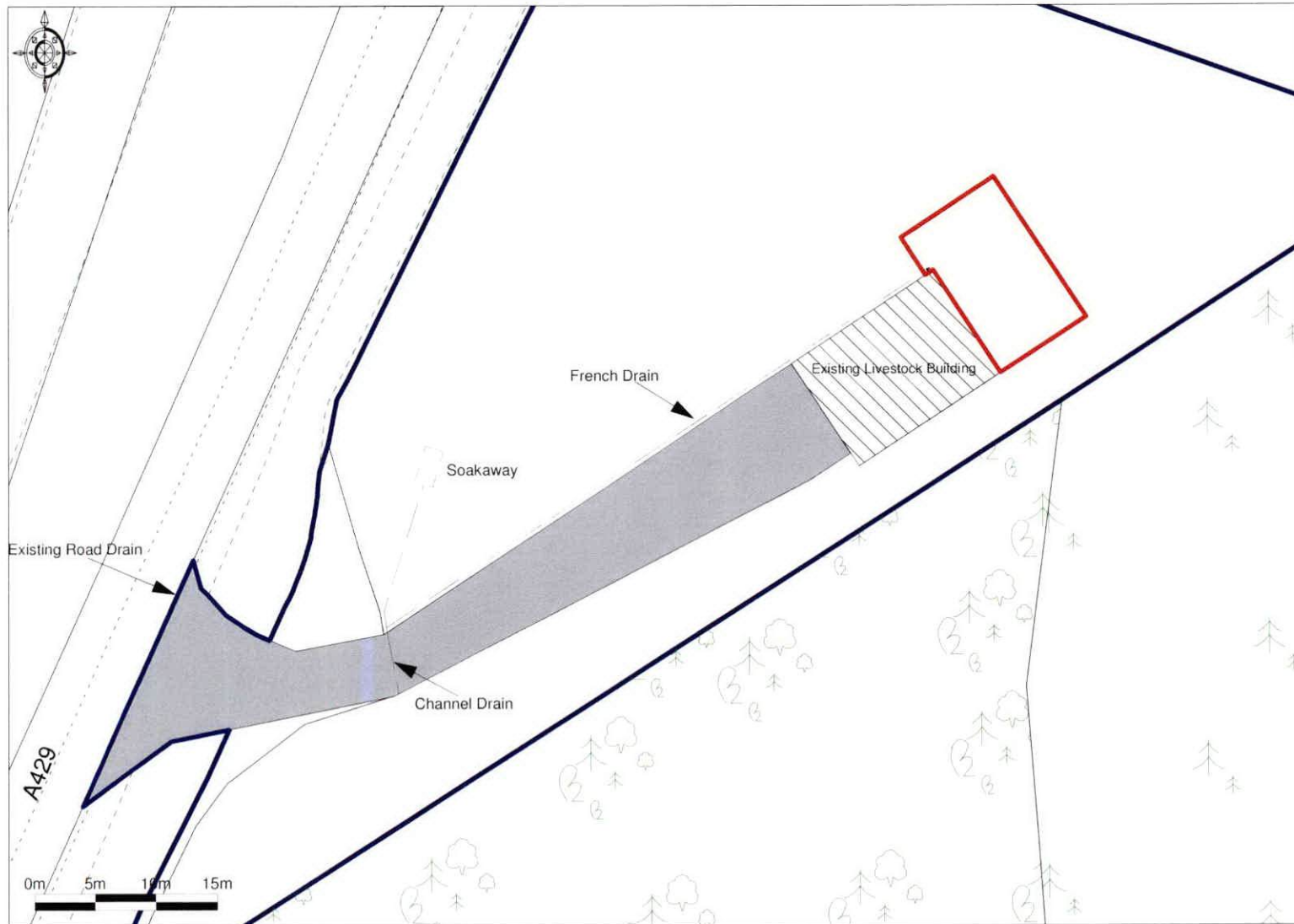
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Location Plan GI213-001

Lairage Building at The Old Quarry, Stow on the Wold



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Site Plan GI213-002

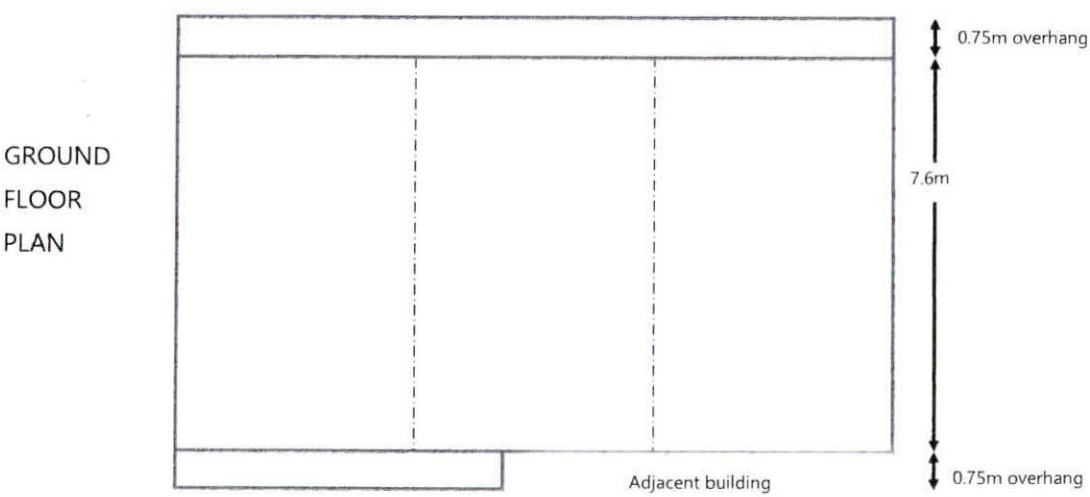
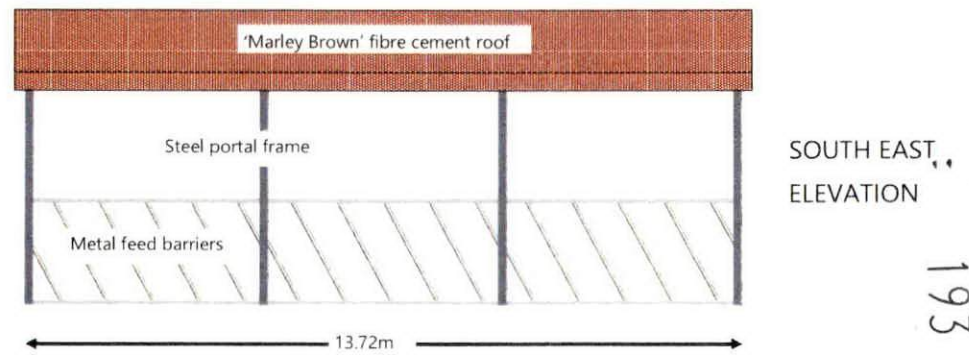
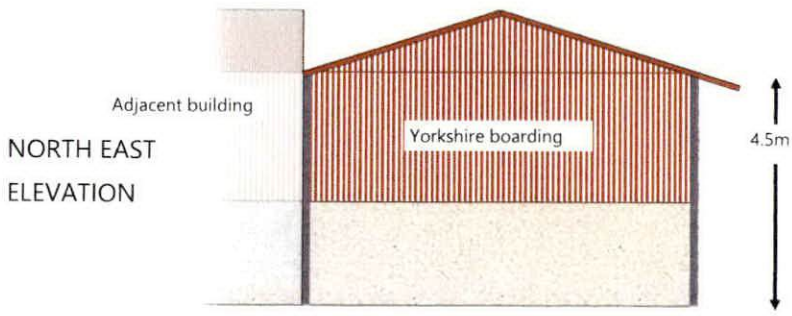
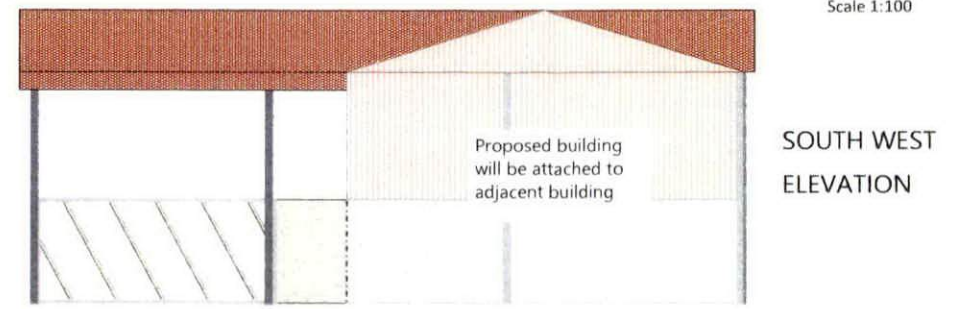
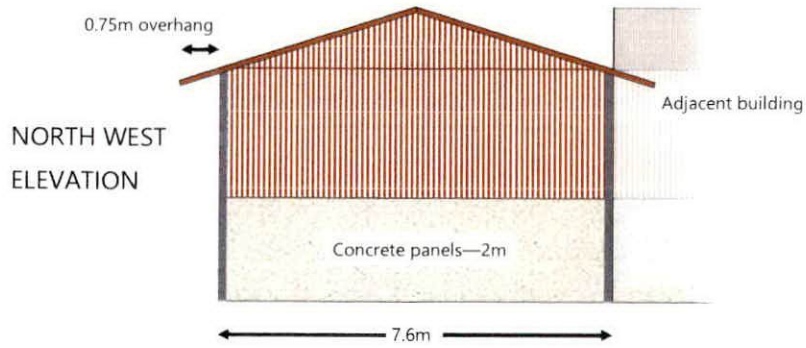
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15/03/2015 FUL - APPENDIX 2





Scale 1:100



Edward Gilder & Co  
 Proposed agricultural building  
 Proposed elevations 1:100 at A3  
 Drawing No: GI213.003  
 July 2015

**MOULE & CO**

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1510307517UL - APPENDIX 3

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# **Design & Access Statement**

**incorporating Supplementary Planning and  
Water Management Statement**

**for**

**Proposed Lairage Building and Fodder Store**

**at**

**The Old Quarry, Fosseyway, Broadwell**

**On Behalf of**

**Mr Edward Gilder**

**Prepared by**

**Melanie Holt BA(Hons) PgD MRICS FAAV**

**Moule & Co Ltd**



## **1.0 INTRODUCTION**

- 1.1 This statement is provided as part of a full planning application for a general purpose building for the extension of agricultural lairage facilities and fodder storage at The Old Quarry, Fosseyway, Broadwell.
- 1.2 This document should be viewed along with the following documents submitted in support of the application;
  - GI213-001 Location Plan
  - GI213-002 Block Plan
  - GI213-003 Elevations
- 1.3 This application is submitted to Cotswold District Council via the Planning Portal on behalf of applicant Mr Edward Gilder ref: PP-04352360
- 1.4 The application is for full planning consent for the erection of a general purpose building to extend agricultural lairage facilities and fodder storage on site. The building is necessary for the business to meet demand, to expand and increase efficiencies.
- 1.5 This report will provide an analysis of the site and its physical and policy context, design principals, and statements on access and water management.

## **2.0 BUSINESS OVERVIEW**

- 2.1 The applicant runs a well-established livestock transport company specialising in the national and international transport of agricultural livestock with an annual turnover in excess of £2,000,000. Employing 15 full-time equivalent staff, the business is a significant contributor to the local rural economy.
- 2.2 The company also provides a procurement service, dealing directly with meat processing companies and retailers. The application site acts as a collection facility for local farmers producing relatively small numbers of livestock. This facility enables larger loads to be made up to meet the demand of larger retail buyers, effectively broadening the customer base for farmers, increasing profitability and reducing the number of individual stock movements on the wider road network.
- 2.3 The company's main operating base is at Bourton on the Water with vehicles ranging from 3 tonne rigid base to 44 tonne articulated double deck trailer units. All the company's drivers are fully trained with competence certification and experienced in animal welfare and stockmanship, which includes; the fitness of the livestock for travel, loading, unloading and handling, feeding and watering intervals, journey times and rest periods, space allowances and livestock movement records and documents.

- 2.4 There is a continued requirement for lairage facilities away from the location where the company's larger articulated vehicles are held (used for transporting high value livestock) for biosecurity reasons. The Welfare of Farmed Animals (England) Regulations 2000 requires isolation facilities to offload sick animals to reduce the risk of spread of disease. These are required to be separate but in close proximity to the main operating site for logistical purposes.
- 2.5 There is commercial demand to increase capacity on this site and expand the business. The proposal is merely extending the existing facilities of an established agriculturally based business, required by its very nature to be sited in a rural location and the company does not own any other land on which such additional facility can be located.
- 2.6 The business does not currently have the facilities to lairage pigs alongside cattle and sheep due to the requirement for them to be housed separately. The additional building will provide distinct, separate housing so that pigs, cattle and sheep can be off loaded at the same time.

### **3.0 ASSESSMENT**

#### **3.1 General Location and Siting**

3.1.1 The application site is a triangular shaped parcel of land fronting the A429 Fosseyway approximately 1.5km north of Stow on the Wold and less than 1km west of the village of Broadwell. The site is elevated from the roadside and bounded by mature coniferous planting. A substantial area of neighbouring deciduous woodland further screens the site from the south and additional coniferous planting along the northern boundary effectively screens the site from the otherwise agricultural landscape, which falls away to the east. The nearest body of water is over 600m away to the north-east.

#### **3.2 Site Constraints & Designations**

3.2.1 The site falls within;

- Cotswolds Area of Outstanding Natural Beauty
- Nitrate Vulnerable Zones for both surface and ground waters and
- SSSI Impact Zone for Salmsbury Meadows

### 3.3 Policy Context

- 3.3.1 The National Planning policy Framework (NPPF) promotes a presumption in favour of sustainable development stating that proposed development that accords with an up-to-date Local Plan should be approved.
- 3.3.2 The NPPF supports the development of business and paragraph 28 relates particularly to supporting economic growth in rural areas to promote a strong rural economy. The sustainable growth and expansion of all types of business and enterprise in rural areas is to be supported.
- 3.3.3 The proposals also support sustainable transport principles in that the services provided by the business and lairage facilities, amalgamates multiple smaller livestock movement into larger, fewer loads.
- 3.3.4 The business and its services provide a vital and beneficial role to the rural economy and local farming community, which is the third largest employment sector in the region, thereby supporting the vitality of local communities.
- 3.3.5 The plans have no significant, adverse effect on the natural or historical context of the site or landscape character of the surrounding area. The proposed building is well related to the existing building on site, which partial obscures it from public view. The site is well screened by tree planting and therefore the natural beauty of the landscape and countryside is considered to be conserved in accordance with policy 7 Cotswolds Area of Outstanding Natural Beauty.
- 3.3.6 Considering saved Local Plan policies ; the site is outside of any development boundary however by the very agricultural nature of the building's proposed use, is considered appropriate development to a rural area. The proposed building is sited in good relation to the existing building and function of the site as a lairage yard. The proposals would not cause significant harm to existing patterns of development or adversely affect the vitality and viability of settlements. The use of the site as a collection facility reduces the number of smaller journeys for the transportation of livestock benefitting animal welfare and sustainability principles in compliance with policy 19 development outside development boundaries.
- 3.3.7 Policy 24 Employment Uses states that 'new buildings and structures that are required for, and directly related to, an existing business will be permitted provided the development is designed to avoid visual harm and does not extend beyond the existing site into adjacent countryside'. The proposal will allow the existing business to expand without any significant adverse impact on the surrounding countryside.

3.3.8 The proposals accord with the requirements of the Cotswold District Design Code incorporating environmentally sustainable elements such as rainwater harvesting, with a design and appearance that respects the surrounding built and natural rural environment. The building is of a scale and construction that is suitable for its proposed use, utilising appropriate materials and sympathetic external finishes.

3.3.9 Due to the distance from and nature of the Salmonsbury Meadows SSSI, the proposals are not considered to have any adverse impact on the designation as one of the richest and largest traditional meadow systems remaining in the Cotswolds.

#### **4.0 PROPOSAL**

4.1 The proposal is for the erection of a general purpose building to be utilised as agricultural lairage and associated fodder storage.

#### **5.0 DESIGN EVALUATION**

##### **5.1 Use**

5.1.1 The proposed building will be utilised for agricultural lairage, the temporary housing of cattle, sheep and pigs together with associated fodder storage.

5.1.2 The site will be utilised as a collection facility, accepting small loads of livestock from individual local farms, and the building will provide covered housing for rest, feed and watering, before their onward movement in larger, amalgamated loads direct to retailers' meat processing plants. The rest period also gives the animals from different holdings the opportunity to become accustomed to one another before onward movement together.

5.1.3 The building will also be utilised as an isolation facility so that sick or injured livestock can be off-loaded to minimise the risk of spread of disease as part of the company's emergency contingency plan as required under The Welfare of Animals (Transport) (England) Order 2006 (the Regulations).

5.1.4 The Regulations require that journeys over eight hours for the transport of live animals be carefully planned with rest breaks for both livestock and drivers. The building will provide additional capacity on site for the off-loading of livestock for mostly 24 hour rest breaks, with feed and watering facilities for the purposes of animal welfare.

5.1.5 Undercover facilities, where the animals can be monitored, handled and sheltered, are required to ensure they remain in peak physical health and condition. This is required for animal welfare reasons and to maximise profitability of both store and fat stock, being particularly relevant to sheep travelling on to slaughter, as their fleece has to be clean and dry to avoid contamination of the meat during processing.

- 5.1.6 The livestock will be housed on straw beds and watered utilising harvested rain water. The buildings are routinely cleaned out and disinfected before the next consignment of livestock arrives. The resultant Farm Yard Manure is stored onsite before being exported.
- 5.1.7 The use of the building as additional lairage facilities will enable the business to utilise the site for the temporary housing of pigs at the same time as cattle and sheep, facilities which they do not currently have but provision of which will vastly improve the efficient use of existing facilities, staff and business resources.
- 5.1.8 The building will also be used in part, for the undercover storage of associated hay, straw and animal feed utilised on site for feeding and bedding. This produce is required to be kept clean and dry to prevent spoiling, where bedding may become damp and hay or feed unpalatable.
- 5.2 Amount**
- 5.2.1 The proposal is for a single free standing building with a footprint of 104m<sup>2</sup>.
- 5.2.2 The new building would provide capacity for a maximum of 60 pigs at any one time together with approximately 40 tonnes of hay/straw storage. In addition, the fodder storage capacity in the proposed building would free up capacity in the existing building for an additional 25% sheep and cattle throughput or 2400 sheep and 128 cattle per annum.
- 5.3 Layout**
- 5.3.1 The internal layout of the building will be three open bays, divided by galvanised gates to maximise flexibility of use. The gates can be used to divide the building in to pens to physically but not visually separate smaller consignments of livestock or opened up to create a larger loose housed area for larger numbers of livestock that have been travelling together.
- 5.3.2 The layout of the building within the context of the site is such; to be well appointed and related for use together with the existing lairage building; to be accessible with livestock vehicles but not to impinge on the turning or manoeuvring area within the yard and; to minimise any visual impact of the building on the wider landscape.
- 5.3.3 The proposed siting can be seen on the accompanying site plan. Alternative locations were considered within the site however the proposals are considered to be the least intrusive and most practical for the proposed use.
- 5.3.4 The building will not obstruct or impact on any public rights of way.

#### 5.4 Scale

5.4.1 The proposed building is of modest size in relation to similar modern agricultural buildings in rural areas locally and nationally. It mirrors the dimensions of, and will be sited partially behind the existing building, therefore the scale is in keeping with its immediate surroundings and proportionate to its proposed use and access for livestock and associated machinery and equipment.

5.4.2 The building will measure 13.72m x 7.6m, being 4.5m to the eaves and 5.7m to the ridge.

#### 5.5 Landscaping

5.5.1 The site is naturally screened by mature coniferous hedging to the boundaries and area of mature woodland. In addition the proposed building is to be sited behind the existing building and will be largely well screened from public and private view. The only views into the site are fleeting glimpses from the roadside via the entrance gate. The gates remain closed with the exception of when vehicles are moving in or out of the site.

5.5.2 No existing hedges or trees will be affected by the development and additional landscaping works are not required.

#### 5.6 Appearance

5.6.1 The proposals utilise comparable materials to those of the existing adjacent building to assist in the assimilation of the building with its immediate surroundings. The materials will be suitable and designed for the proposed use and typical of similar agricultural buildings in the countryside.

5.6.2 The building will be of steel portal framed construction. The roofing material will be of coloured fibre cement profile sheets in Marley Eternit brown.

5.6.3 The walls will be 2.0m high pre-stressed concrete panels in grey with Yorkshire Board cladding above.

5.6.4 Open bays will be fitted with galvanised steel, feed barriers or gates.

5.6.5 Colours and samples of the proposed materials can be conditioned for approval prior to application.



## **7.0 ACCESS**

- 7.1 The proposed building will be sited within an existing lairage yard with appropriate existing access provision suitable to accommodate the type and number of vehicle movements for the site.
- 7.2 The existing access is on to a straight section of road with good visibility and where there are no known recorded accidents attributable to the movement of vehicles into or out of the application site.
- 7.3 The national speed limit in force at the point of access and the road markings prevent overtaking from northbound vehicles.
- 7.4 Vehicle movements attributable to the delivery of feed were 16 in 2013 and 19 in 2014. Hay and straw deliveries amounted to 12 in 2013 and 16 in 2014. The additional capacity for the storage of fodder together with the increased demand for both feed and bedding from additional livestock numbers will be neutral in terms of vehicle movements. Fewer, larger loads of hay and straw can be accommodated, reducing vehicle movements by a projected 9 per annum yet the additional usage of feed will require an additional 9 vehicle movements per annum based on storage capacity for 10 tonne loads.
- 7.5 The additional livestock capacity is anticipated to create an additional 104 smaller movements on to and 57 amalgamated moves off the site. Existing livestock movements on to and off the site are recorded and these average 304 movements on and 170 movements off over the period 2013-2014.
- 7.6 The existing access and road network are considered capable of accommodating the projected additional traffic movements, which equate to 1 vehicle movement every 2.2 days.

## **8.0 WATER MANAGEMENT STATEMENT**

- 8.1 The proposals intend all storm water run-off from the roof to be captured and held within the existing storm water drainage attenuation tank, which has a 14,000 litre capacity. The harvested water is then utilised on site. No additional drainage systems are proposed.

## 9.0 SUMMARY

- 9.1 The site is currently utilised for the purposes of agricultural lairage in association with an existing successful and profitable rural business.
- 9.2 The building will allow for the natural expansion of the business without detriment to the surrounding countryside or neighbouring land uses.
- 9.3 There will be no significant increase in noise or smells from the proposed modest increase in livestock numbers.
- 9.4 Associated additional traffic movements can be safely accommodated by the existing good access and road network provisions.
- 9.5 The proposals fully accord with current planning policy.