

Demolition of existing building and erection of replacement building for the storage of logs at Compton Farm Compton Abdale Cheltenham Gloucestershire GL54 4DL

Full Application 25/01049/FUL	
Applicant:	Mr Fred Walker
Agent:	Kernon Countryside Consultants Ltd
Case Officer:	Graham Smith
Ward Member(s):	Councillor Paul Hodgkinson
Committee Date:	9 July 2025
RECOMMENDATION:	PERMIT

1. Main Issues:

- (a) Employment Development
- (b) Cotswold National Landscape
- (c) Residential Amenity
- (d) Biodiversity
- (e) Waste Management
- (f) Other Matters

2. Reasons for Referral:

- 2. The application has been brought before the Planning and Licensing Committee as required by the Scheme of Delegation and Planning Protocol as the site relates to the development of 1,000sqm of non-residential floorspace (Please refer to 3.A Types of applications not to be determined under delegated powers part (d))

3. Site Description:

- 3.1 The application site currently comprises an employment use for the processing of timber for logs extending to about 1.25ha. It is located in the countryside approximately 1.1km to the east of Compton Abdale. The site was formally part of Compton Farm and is accessed from a C Class Road to the south. There are 6 buildings on the site all of single storey with a utilitarian appearance finished in dark green ranging from the 1970s to recent replacement buildings. The buildings on the site are located to the rear of the Compton Business and Craft

Centre which itself comprises two single storey buildings with courtyard parking.

- 3.2 To the south of the site are four residential properties. One of these dwellinghouses (1 Compton Farm Cottage) is Grade II listed. However, this property is some 75m to the south of the application site. This is considered sufficient distance that there would not be any adverse impact on the building or its setting.
- 3.3 The site is generally well screened by existing vegetation on the boundaries of the site and particularly on the sites southern boundary where there is a relatively dense area of trees.
- 3.4 The site itself is not a Local Plan designated employment area. The Compton business and craft centre is an established employment area (Local Plan site EES37).
- 3.5 The site is within the Cotswolds National Landscape. A public right of way (PROW), Compton Abdale Footpath 6, is located approximately 0.7km to the north of the site.

4. Relevant Planning History:

- 4.1 CD.3844 - Extension and alterations to farm cottage. Permitted April 1965.
- 4.2 CD.3844/A - Covered yard for housing livestock. Permitted October 1970.
- 4.3 CD.3844/B - Extension to grain store. Permitted February 1971.
- 4.4 95.02152 - Part demolition of agricultural building conversion of existing building with extension B1. Permitted April 1996.
- 4.5 96.00824 - Erection of sign. Permitted June 1996.
- 4.6 09/00268/FUL - Retrospective application for change of use of land and buildings to processing and kiln drying of logs (Class B2) with ancillary storage (Class B8) and erection of flue. Permitted June 2009.
- 4.7 10/01378/FUL - Removal of Condition 1 of planning permission 09/00268/FUL to enable the use to be permanently retained. Permitted May 2010.
- 4.8 10/02733/FUL - Construction of a storage building. Permitted August 2010.

- 4.9 13/04638/FUL - Variation of Condition 3 of permission 09/00268/FUL to allow no more than 728 HGV movements per calendar year. Permitted December 2013. 13/04639/FUL - Demolition of bull pen and erection of a building to accommodate a kiln for drying firewood. Permitted December 2013.
- 4.10 14/00461/FUL - Erection of a building to accommodate timber processing machinery. Permitted April 2014.
- 4.11 20/02630/FUL - Erection of replacement building and kiln following demolition of existing building. Permitted September 2020.

5. Planning Policies:

- NPPF National Planning Policy Framework
- EC1 Employment Development
- EC3 All types of Employment-generating Uses
- EN1 Built, Natural & Historic Environment
- EN2 Design of Built & Natural Environment
- EN4 The Wider Natural & Historic Landscape
- EN5 Cotswolds AONB
- EN8 Bio & Geo: Features Habitats & Species
- EN15 Pollution & Contaminated Land
- INF4 Highway Safety

6. Observations of Consultees:

- 6.1 Biodiversity Officer - No objections subject to conditions.
- 6.2 Environmental Regulatory Services Noise - No objections subject to condition.
- 6.3 Environmental Regulatory Services Air Quality - No objections.
- 6.4 Gloucestershire County Council Minerals and Waste - No objections subject to conditions.

7. View of Town/Parish Council:

- 7.1 Not received at time of writing.

8. Other Representations:

- 8.1 None received at time of writing.

9. Applicant's Supporting Information:

- Supporting Statement
- Bat survey Report
- Biodiversity net gain metric

10. Officer's Assessment:

- 10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that '*If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.*'
- 10.2 The starting point for the determination of this application is therefore the current development plan for the District which is the adopted Cotswold District Local Plan 2011 - 2031.
- 10.3 The policies and guidance within the revised National Planning Policy Framework (NPPF) are also a material planning consideration.

Background and Proposed Development

- 10.4 The use of the site for the processing, kiln drying and storage of logs was first granted permission in June 2009. Restrictive conditions were imposed relating to the length of time of the use until 2010 which was subsequently removed by application in the same year. A condition limiting the number of lorry movements from the site was amended in 2013 to allow for no more than 728 HGV movements per calendar year.
- 10.5 A further restriction was on the use of the site being for the processing and kiln drying of logs and ancillary storage. The reason for the restriction was stated as:-
- 'This permission has been given to meet the specific needs of the applicant. A general B2 and B8 use at this location would be likely to result in intensified use of the sub-standard access road, contrary to the interests of highway safety.'*
- 10.6 It is proposed that this condition remains appropriate for this application.
- 10.7 The business employs 16 people with more during the winter months when demand is higher. Timber is delivered direct from local plantations where it is graded into different sizes, cut and split into logs. The logs are then dried in an

on-site kiln to reduce the moisture level. The kiln is powered by woodchip. Once the logs are dried, they are packaged or delivered loose straight to the customer.

- 10.8 Over the years since the business moved to the property the buildings on the site have been progressively redeveloped. This building is a previous agricultural barn that was permitted in the 1970s. The applicants state that the building is no longer suitable for the use proposed due to its age and is no longer economically viable to repair to make it fit for purpose.
- 10.9 The application seeks permission to replace the existing barn on the site with a new building. The proposals are for a building measuring 32m by 52m (a gross floor area of 1,664sqm). This compares to the existing floorspace of 1,485sqm. Its height would be 6m to eaves and 9.6m to ridge compared to 3.5m to eaves and 6m to ridge. The increase in height is to enable forklift trucks to operate safely within the building.
- 10.10 As part of the proposals the building is to be moved south enabling the existing access to the extinguished and all access to be undertaken from the north.
- 10.11 The materials proposed are fibre cement sheeting for the roof (coloured juniper green). The walls will be concrete panels on the lower walls with metal cladding (coloured juniper green) on the upper walls.

(a) Employment Development

- 10.12 The site is not within any of the Principal settlements as defined by policy DS1. However, the proposal would support an existing business on the site and the following policies are relevant:
- 10.13 Local Plan Policy EC1 states that employment development will be permitted where it meets one of five criteria. In this particular case criterion b is directly relevant and states that:-

b. maintains and enhances the vitality of the rural economy.
- 10.14 The proposal supports an existing rural business and is considered to meet this criterion.
- 10.15 Local Plan Policy EC3 (Proposals for All Types of Employment-Generating uses) states at part 2 that:-

Outside Development Boundaries, and outside established employment sites, proposals for small-scale employment development appropriate to the rural area will be permitted where they:

- a. do not entail residential use as anything other than ancillary to the business; and*
- b. are justified by a business case, demonstrating that the business is viable; or*
- c. facilitate the retention or growth of a local employment opportunity.*

10.16 The proposal would meet criterion (c), as an existing rural business.

10.17 NPPF Paragraph 88 states:

Planning policies and decisions should enable:

- a. the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings;*
- b. the development and diversification of agricultural and other land-based rural businesses;*

10.18 It is therefore considered that the proposals would support an established business and are, in principle, in accordance with policies EC1 and EC3 and the NPPF paragraph 88.

(b) Cotswolds National Landscape

10.19 The site is located within the Cotswolds National Landscape (formerly known as the Cotswolds Area of Outstanding Natural Beauty). Section 85(A1) of the Countryside and Rights of Way (CROW) Act 2000 (as amended by Section 245 of the Levelling-up and Regeneration Act 2023) states that relevant authorities have a duty to seek to further the purpose of conserving and enhancing the natural beauty of the area.

10.20 Local Plan Policy EN2 supports development which accords with the Cotswold Design Code and respects the character and distinctive appearance of the locality.

10.21 Local Plan Policy EN4 states that development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) of Cotswold District or neighbouring areas, and that proposals will take account of landscape and historic landscape character, visual quality and local distinctiveness.

10.22 Local Plan Policy EN5 states that in determining development proposals within the area or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.

10.23 Section 15 of the NPPF seeks to conserve and enhance the natural environment.

10.24 Paragraph 187 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by:

'protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside'.

10.25 Paragraph 189 of the NPPF states that:

'Great weight should be given to conserving and enhancing landscape and scenic beauty in...National Landscapes which have the highest status of protection in relation to these issues.'

10.26 The proposed building would replace an existing building with a similar footprint but with an increased height. The proposed building is atypical of an industrial/agricultural building and the overall scale and design of the buildings is considered a suitable functional design for the use and location. The finish would be green which is considered a suitable muted colour for the location consistent with the other buildings on the site.

10.27 The building would be located in an existing group of similar buildings and large area of hardstanding and would appear in keeping with these. It is also noted that the site is screened from the adjoining countryside by well-established planting. Short distance views of the building from the road are limited by existing buildings and planting.

10.28 A PROW (Compton Abdale Footpath 6) is located approximately 0.7km to the north and offers longer distance views of the site. Whilst the height would be increased by 3m from existing it is considered that the development would be viewed against a backdrop of other similar buildings and mature trees which would limit any potential adverse impacts.

10.29 It is considered that the proposal would not encroach into the countryside or harm the character or appearance of the national landscape.

10.30 It is considered that the proposals accord with policies EN2, EN4 and EN5 and paragraphs.

(c) Residential Amenity

10.31 Local Plan Policy EN2 refers to The Design Code (Appendix D) which sets out policy regarding residential amenity. This expects proposals to respect amenity when considering garden space, privacy, daylight and overbearing effect.

10.32 Local Plan Policy EN15 states that development will be permitted if it will not result in unacceptable risk to public health or safety, the natural environment or the amenity of existing land uses through pollution of the air, land, surface water, or ground water sources and/or generation of noise or light levels, or other disturbance such as spillage, flicker, vibration, dust or smell.

10.33 Paragraph 135 of the NPPF states that planning decisions should ensure that development provides a high standard of amenity for existing and future users.

10.34 Paragraph 199 of the NPPF states that planning decisions:

'should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.'

10.35 The proposal would result in the development being located about 9m closer and 3m higher than the existing building relative to the neighbouring dwellings. However, the proposal would still be a reasonable distance to the north (about 44m) of from the rear boundary of any dwelling. The belt of trees also provides an element of screening.

10.36 The proposal is therefore, considered to be of a scale, siting and position relative to neighbouring properties, that it would not impinge on their residential amenity having regard to loss of light, loss of privacy or overbearing affects.

10.37 The proposal has the potential to cause noise and air pollution. However, the applicants have confirmed that the proposed building is to be used for the

storage of logs with any drying of the timber undertaken in one of the other purpose-built buildings on the site. The Environmental Health Officer (EHO) (Air Quality) has no objection to the proposal.

10.38 In terms of noise the applicants have stated that the building is to be used for storage with the other activities, such as log splitting being undertaken elsewhere on the site. The site has been in operation since 2009 and there have been no comments from local residents to the application. At the present time the existing building is open sided to the south facing the existing dwellings with the existing access between the two uses currently used by vehicles. The proposals would improve this by enclosing the building on this side. It would be sited further south thereby removing the access for vehicles and any associated noise.

10.39 As part of the previous applications on the site, a condition restricting the noise output from operations was imposed as follows:-

'The level of noise emitted from the site shall not exceed 50 dB LAeq (60 minute) between 0730 and 1730 hours Monday to Friday and 0800 and 1300 hours on Saturday; and 40 dB LAeq (60 minute) at any other time including Sundays and Public or Bank holidays, as measured on any boundary of the site with the microphone at a height of 1.2 metres above ground level.'

10.40 This remains relevant, and a similar condition is considered reasonable and necessary for this application.

10.41 The site is also the subject of a hours of operation condition which states that:-

'Other than the unattended operation of the kilns and boiler at the premises, no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site except between the hours of 0730 and 1730 Monday to Friday and 0800 and 1300 on Saturdays and not at any time on Sundays, Bank or Public Holidays.'

10.42 The Environmental Health Officer (Noise) has no objections to the proposal subject to condition. The recommended condition states:-

'Hours of works in connection with the application shall be restricted to 08:00-18:00 Monday to Friday, 08:00-13:00 on Saturday with no working on Sundays or Bank/Public Holidays.'

- 10.43 There is a slight difference in the start time and end time (1/2 hour) in each case between the conditions proposed by the EHO and the current one operating on site. However, the overall hours of operation are the same.
- 10.44 It is recommended that the condition currently operating on the site is added. This is acceptable to the applicant.
- 10.45 Subject to this, the proposal is considered to accord with the residential amenity considerations of Cotswold District Local Plan Policies EN2 and EN15, and Section 12 of the NPPF.

(d) Biodiversity

- 10.46 Local Plan Policy EN8 outlines that development will be permitted that conserves and enhances biodiversity and geodiversity, providing net gains where possible. Furthermore, it outlines that proposals that would result in the loss or deterioration of irreplaceable habitats and resources, or which are likely to have an adverse effect on internationally protected species, will not be permitted.
- 10.47 Biodiversity net gain (BNG) requires habitats for wildlife to be left in a measurably better state than they were before the development occurred. Under the Environment Act 2021, there is a mandatory requirement for proposals to deliver at least a 10% net gain from the 12th of February 2024 for major site applications and the 2nd of April 2024 for minor site applications. There are, however, some exemptions and this application is within the *de minimis* threshold and is therefore exempt from mandatory BNG. This is due to the application site comprising hardstanding in the form of concrete sealed surface.
- 10.48 The application is accompanied by a Bat Survey Report (BSR) (NKM Associates, April 2025) states that the existing building does not support roosting bats, and no further survey or mitigation is required. The BSR recommends that a check for active bird nests is undertaken prior to the demolition of the structure to be replaced, and that a minimum buffer of 5m should be used if any nests are identified, with those nests allowed to fledge before they are disturbed.
- 10.49 The report has been considered by the Biodiversity Officer who has no objection subject to conditions.
- 10.50 It is considered that the proposals are in accordance with policy EN8.

(e) Waste Management

- 10.51 The adopted Gloucestershire Waste Core Strategy (GWCS): Core Policy WCS2 requires applications to consider waste minimisation and reduction through the preparation of appropriate statements. Such a statement would need to address the types and tonnages of any construction and demolition waste that is likely to arise, set out by material type (e.g. wood, brick/concrete, soils, plastics, spoil etc.) and indicate measures to minimise and reduce waste accordingly. Conditions are recommended to ensure compliance with this policy.
- 10.52 It is considered that the proposals are in accordance with policy WCS2 of the GWCS.

(f) Other Matters

- 10.53 The proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) as it is a type of use where CIL is not levied.
- 10.54 It noted that the site has a restricted level of traffic HGV traffic which requires the applicant to keep a record of such movements for inspection by the authority at any time. The applicant has confirmed that the limit has never been exceeded. The applicant has also stated that the proposals are for improved storage facilities which will not lead to an increase in traffic movements.
- 10.55 The proposal would lead to the building being located further to the south of the site close to an established tree screen. It is possible that a number of these trees may have their roots damaged during construction of the new structure. However, they are not protected under the planning Act and can be removed at any time. Whilst some trees maybe lost the belt of trees is in excess of 22m wide to the south of the site. Accordingly, it is considered that the proposals would not lead to a loss of trees that are protected or would otherwise increase the visual impact of the development.

11. Conclusion:

- 11.1 The proposal is considered to comply with Local Plan policies EC1, EC3, EN1, EN2, EN4, EN5, EN8 and EN15 and sections 6 and 15 of the NPPF and is recommended for permission subject to conditions.

12. Proposed Conditions:

1. 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.

2. The development hereby permitted shall be implemented in strict accordance with the following approved plans:

KCC3879/03 (Proposed Block Plan)
KCC3879/06A (Proposed Elevations)
KCC3879/07A (Proposed Floorplan)

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

3. The development hereby permitted shall be used as ancillary storage to the permitted use of the site and for no other purpose (including any other purpose in Class B2 or Class B8 of the schedule of the Town and Country Planning (Use Classes) Order 1987, or any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: This permission has been given to meet the specific needs of the Applicant. A general B2 and B8 use at this location would be likely to result in intensified use of the sub-standard access road, contrary to the interests of highway safety with reference to policy INF4 of the Cotswold District Local Plan (Adopted August 2018).

4. The level of noise emitted from the site shall not exceed 50 dB LAeq (60 minute) between 0730 and 1730 hours Monday to Friday and 0800 and 1300 hours on Saturday; and 40 dB LAeq (60 minute) at any other time including Sundays and Public or Bank holidays, as measured on any boundary of the site with the microphone at a height of 1.2 metres above ground level.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with policy EN15 of the Cotswold District Local Plan (adopted August 2018) and paragraph 198 of the NPPF.

5. Other than the unattended operation of the kilns and boiler at the premises, no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site except between the hours of 0730 and 1730 Monday

to Friday and 0800 and 1300 on Saturdays and not at any time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with policy EN15 of the Cotswold District Local Plan (adopted August 2018) and in paragraph 198 of the NPPF.

6. The development shall be undertaken in accordance with the recommendations contained within section 4 of the Bat Survey Report (NKM Associates, April 2025 - uploaded 14th May 2025). All of the recommendations shall be implemented in full according to the specified timescales and thereafter permanently retained.

Reason: To ensure wildlife is protected in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, paragraphs 187, 192 and 193 of the National Planning Policy Framework, Policy EN8 of the Cotswold District Local Plan (Adopted August 2018) and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

7. Prior to the first occupation of the development hereby permitted, details of at least two bird boxes and two bat boxes shall be submitted to the Local Planning Authority for approval. The details shall include a drawing showing the types of features, their locations and positions within the site, and a timetable for their provision. The development shall be carried out in accordance with the approved specification and programme of implementation and be retained thereafter.

Reason: To provide additional nesting and roosting opportunities for birds and bats as biodiversity enhancements in accordance with paragraphs 187, 192 and 193 of the National Planning Policy Framework, Policy EN8 of the Cotswold District Local Plan (Adopted August 2018) and Section 40 of the Natural Environment and Rural Communities Act 2006.

8. Prior to development commencing including demolition, a detailed site waste management plan or equivalent shall be submitted to and approved in writing by the local planning authority. The detailed site waste management plan must identify: - the specific types and amount of waste materials forecast to be generated from the development during site preparation & demolition and construction phases; and the specific measures will be employed for dealing with this material so as to: - minimise its creation, maximise the amount of re-use and recycling on-site; maximise the amount of off-site recycling of any wastes that are unusable on-site; and reduce the overall amount of waste sent to landfill. In addition, the detailed site waste management plan must also set out the proposed proportions of recycled content that

will be used in construction materials. The detailed site waste management plan shall be fully implemented as approved for the duration of the development.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures in accordance with adopted Gloucestershire Waste Core Strategy: Core Policy WCS2 - Waste Reduction.

9. Prior to the development hereby permitted being brought into use full details of the provision for facilitating the management and recycling of waste generated during occupation shall be submitted to and approved in writing by the local planning authority. This must include details of the appropriate and adequate space and infrastructure to allow for the separate storage of recyclable waste materials. The management of waste during occupation must be aligned with the principles of the waste hierarchy and not prejudice the local collection authority's ability to meet its waste management targets. All details shall be fully implemented as approved for the duration of the development.

Reason: To ensure the effective implementation of waste minimisation and resource efficiency measures in accordance with adopted Gloucestershire Waste Core Strategy: Core Policy WCS2 - Waste Reduction.