

Case Officer: Emma Whitley

Recommendation: Approve

Applicant: Planned Approach Architects

Proposal: Extension of an existing agricultural building.

Expiry Date: 21 February 2024

1. APPLICATION SITE AND LOCALITY

- 1.1. The application relates to an existing part-open fronted agricultural building used for housing of cattle situated within the College Farm complex, to the south-east of the village of Wendlebury. The site is accessed from a hard-surfaced track between The Willows and Ploughman's Cottage on Main Street in Wendlebury.
- 1.2. The application site is within an area containing swift nests in buildings and the archaeological alert area of Wendlebury historic core. A small part of the entrance to the site, where it meets the main road, is within flood zones 2 and 3, the development site itself is however located within flood zone 1.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The applicant seeks planning permission for the extension to the existing agricultural barn building. The footprint of the extension would measure 12 metres x 27.350 metres with a maximum roof ridge height of 6.5 metres. The extension to the barn would be part-open fronted, with materials to match the existing building (grey fibre sheeting with side and gable timber boarding cladding).

3. RELEVANT PLANNING HISTORY

- 3.1. There is no planning history directly relevant to the proposal as there is no planning record for the existing agricultural building. Council records indicate that the building was built between 1987 and 1995, with aerial imagery available to the Council from 1999 to demonstrate that the barn is in situ.

4. PRE-APPLICATION DISCUSSIONS

- 4.1. No pre-application discussions have taken place with regard to this proposal.

5. RESPONSE TO PUBLICITY

- 5.1. This application has been publicised by way of a Site Notice displayed near the site, expiring **6 February 2024**, and by letters sent to properties adjoining the application site that the Council has been able to identify from its records. The overall final date for comments was **6 February 2024**.
- 5.2. No comments have been raised by third parties.

6. RESPONSE TO CONSULTATION

- 6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

Wendlebury Parish Council – No comments or objections.

Archaeology (OCC) – No objections. Comments:

The site is in an area of archaeological interest; however, the proposals are of a relatively small scale, and therefore, there are no archaeological constraints to this scheme.

Environment Agency – No objections. Comments:

On this one occasion, given the distance from the proposed built development and works from Flood Zones 2 and 3, we have not assessed the application in detail. We request that you, as the local planning authority, view our standing advice in full before making a decision on this application. The FRSA can be viewed at <https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications#when-to-follow-standing-advice>. We note that the applicant has not submitted an FRA for this application. Paragraph 173, footnote 59 of the National Planning Policy Framework (NPPF) and Policy ESD 6 of the Cherwell Local Plan 2011 – 2031 (adopted 20 July 2015) state that a flood risk assessment must be submitted for development proposals located in Flood Zones 2 and 3.

Environmental Health (CDC) – No objections or comments.

Local Highways Authority (OCC) – No objections. Comments:

This proposal is unlikely to have a detrimental impact on the highway in terms of safety or convenience.

Thames Valley Police –

Drainage (CDC) – No comments or objections.

7. RELEVANT PLANNING POLICY AND GUIDANCE

- 7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2. The Cherwell Local Plan 2011-2031 - Part 1 (CLP 2015) was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The CLP 2015 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2015)

- PSD1 – Presumption in Favour of Sustainable Development
- ESD6 – Sustainable Flood Risk Management
- ESD10 – Protection and Enhancement of Biodiversity and the Natural Environment
- ESD13 – Local Landscape Protection and Enhancement

- ESD15 - The Character of the Built and Historic Environment

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- AG2 – Construction of farm buildings
- C28 – Layout, design and external appearance of new development
- ENV1 – Pollution control

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Residential Design Guide (2018)

8. APPRAISAL

8.1. The key issues for consideration in this case are:

- Principle of development
- Design, and impact on the character of the area
- Residential amenity
- Highway safety
- Flood risk

Principle of development

8.2. The proposed development would involve the extension of an existing agricultural building on existing farmland. The principle of such development is normally acceptable, and this is reflected by the approach taken by the Government towards agricultural development in Part 6 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), which allows for the erection or extension of agricultural buildings on an established agricultural unit. This positive approach is reflected in Policy AG2 of the CLP 1996 and the guidance set out in the NPPF.

8.3. The additional capacity provided by the extension would accommodate an additional 30 calves in the applicant's cattle herd. Further, it would provide flexible accommodation to rear and finish stock at 18-24 months old. This increase in capacity would support the financial and practical viability of the calving operation.

8.4. The application seeks to extend an existing agricultural building within an established agricultural yard. I therefore consider the principle of the development to be acceptable.

Design, and impact on the character of the area

8.5. Government guidance contained within the NPPF requires development to function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Development should be visually attractive, sympathetic to local character and history, and establish or maintain a strong sense of place. Permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions.

8.6. Policy ESD13 of the CLP 2015 expects development to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Policy ESD 15 of the CLP 2015 requires development to complement and enhance the character of its context through

sensitive siting, layout and high quality design. All new development will be required to meet high design standards.

- 8.7. Saved Policy C28 of the CLP 1996 seek a standard of layout, design and external appearance, including the choice of external finish materials, that are sympathetic to the character of the context of the development.
- 8.8. Saved Policy AG2 of the CLP 1996 relates to new farm buildings and associated structures that require planning permission. It requires them to be so sited that they do not intrude into the landscape or into residential areas. Where appropriate, a landscaping scheme should be included, and materials of construction should be chosen so that the development fits sympathetically into its rural setting.
- 8.9. The proposed extension would be in-keeping with the appearance of the existing barn. The extension would sit centrally within the yard, with an additional agricultural building in construction to the south (ref: 20/02859/F), as opposed to extending into the surrounding open countryside. The development would not, in my opinion, result in an overly prominent or harmful addition to the site or wider landscape, in accordance with the above Policies.

Residential amenity

- 8.10. Government guidance contained within the NPPF requires development to create places that are safe, inclusive and accessible, promoting health and well-being, and with a high standard of amenity for existing and future users. Policy ESD15 of the CLP 2015 requires all development to consider the amenity of both existing and future development.
- 8.11. Saved Policy ENV1 of the CLP 1996 seeks to ensure that the amenities of the environment, and in particular the amenities of residential properties, are not unduly affected by development proposals which may cause environmental pollution, including that caused by traffic generation.
- 8.12. The yard is positioned in the open countryside, a sufficient distance from residential dwellings to avoid any harm in terms of a loss of amenity or privacy, in accordance with the above Policies.

Highway safety

- 8.13. Government guidance contained within the NPPF seeks to achieve safe and suitable access to sites for all users, and requires development to be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.14. Policy ESD15 of the CLP 2015 states, amongst other matters, that new development proposals should: be designed to deliver high quality safe...places to live and work in.
- 8.15. The site consists of an existing agricultural yard with vehicular access that would not need to be altered as part of the proposal. Existing off-street parking and manoeuvring areas would be retained. The Local Highway Authority has not raised an objection to the proposal, and I am in agreement with this assessment. I therefore consider the development to accord with the above Policies in terms of highway safety.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.
- 9.2. The principle of the extension of this existing agricultural building within an existing yard is considered acceptable. The development is anticipated to deliver economic benefits through the expansion and improvement of an agricultural business, whilst avoiding harm to the environmental and social strands of sustainable development. The application is therefore considered to constitute sustainable development and is recommended for approval.

10. RECOMMENDATION

That permission is granted, subject to the following conditions:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions 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. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the application forms and the following plans and documents: drawing numbers 23.202.01 (Location/ Site Plan), 23.202.02 (Floor Plan) and 23.202.03 (Elevations).

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

3. The development hereby permitted shall be used only for the purpose of agriculture, as defined in Section 336 (l) of the Town and Country Planning Act, 1990.

Reason – To ensure that the development is used for agricultural purposes only and in order to safeguard the amenities of the area and to comply with saved Policy ENV1 of the Cherwell Local Plan 1996, Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Case Officer: Emma Whitley

DATE: 20/02/24

Checked By: Paul Ihringer

DATE: 21/2/24
