

APPLICATION NO.	P22/S0584/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	14.2.2022
PARISH	IPSDEN
WARD MEMBER(S)	Jo Robb Lorraine Hillier
APPLICANT	Mr Peter Holtom
SITE	Land to the south of Well Place Road, Ipsden. Oxon
PROPOSAL	Proposed agricultural barn (as amended by plan received 14 April 2022 to reposition the building further from the protected trees)
OFFICER	Tom Wyatt

1.0 **INTRODUCTION AND PROPOSAL**

- 1.1 This application is referred to Planning Committee at the request of Councillor Lorraine Hillier due to the sensitivity of the application site within the Chilterns Area of Outstanding Natural Beauty.
- 1.2 The application site, which is shown on the OS extract **attached** as Appendix A forms the northern part of a 0.8ha rectangular parcel of land within the applicant’s ownership. The site slopes gently down from south to north with the northern boundary running alongside Well Place Road. There are a row of protected lime trees along this boundary within the application site. The site lies within a shallow valley bottom in the heart of the Chilterns AONB.
- 1.3 The application seeks planning permission for the erection of an agricultural storage barn, which would also be used to provide shelter during the lambing season. A copy of the proposed plans, as amended to address the impact on the adjacent protected trees, is **attached** as Appendix B. Other documentation associated with the application can be viewed on the council’s website, www.southoxon.gov.uk.

2.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

- 2.1 Ipsden Parish Council – Whilst the Parish wish to support the farming community wherever possible the proposal does raise some concerns:
- The position immediately abutting the road with its avenue of mature trees, and in an AONB with its several well-used paths is not ideal. The applicant has advised a limited choice, but a site inspection is recommended so that a judgement can be made.
 - The size of the proposed barn would enable other business uses, but the applicant has advised that he would accept a covenant restricting use to sheep farming. Ipsden Parish Council recommends such a covenant.

Forestry Officer – There should be no level changes or hardstanding within the root protection areas of the adjacent trees.

Highways Liaison Officer (Oxfordshire County Council) – No objections subject to the improvement of the existing access to highway standards.

Countryside Access – No objections

Chiltern Society Planning Field Officer – Holding objection. There is no explanation to justify the overall size of the building, its location, nor any information on measures that might be necessary for the disposal of effluent when sheep are held there during the lambing season. Additional screen planting suggested.

CPRE South Oxfordshire District Committee - The barn seems to be a rather large for the purposes laid out in the Design Statement and such a large structure will inevitably have a negative impact on the landscape of this part of the Chilterns AONB. The barn will be visible from the several footpaths near the site and will appear very conspicuous to walkers looking down into the valley, where at the moment no buildings exist.

Third Party Representations – 9 representations raising objections to the proposal on the following grounds:

- Visual impact of the development within the AONB
- Conflict with users of the adjacent public rights of way
- Building excessive in size
- Potential for further development within the site
- Impact on adjacent trees
- The barn should be built amongst existing development
- Potential for use as part of an agricultural contracting business

5 representations of support have also been received.

3.0 RELEVANT PLANNING HISTORY

3.1 None

4.0 ENVIRONMENTAL IMPACT ASSESSMENT

4.1 The site is within a sensitive area (AONB) but is not EIA development having regard to its scale and nature.

5.0 POLICY & GUIDANCE

5.1 Development Plan Policies

South Oxfordshire Local Plan 2035 (SOLP) Policies:

DES1 - Delivering High Quality Development

DES10 - Carbon Reduction

DES2 - Enhancing Local Character

EMP10 - Development in Rural Areas

ENV1 - Landscape and Countryside

5.2 Supplementary Planning Guidance/Documents

South Oxfordshire Design Guide 2016 (SODG 2016)

Chilterns AONB Management Plan 2019 - 2024

5.3 National Planning Policy Framework and Planning Practice Guidance

5.4 Other Relevant Legislation

Countryside and Rights of Way Act 2000

Human Rights Act 1998

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

Equality Act 2010

In determining this planning application the Council has regard to its equalities obligations including its obligations under Section 149 of the Equality Act 2010.

6.0 PLANNING CONSIDERATIONS

6.1 The main considerations in relation to this proposal are:

1. The principle of the development
2. The impact on the character and appearance of the site and surrounding area
3. Other material considerations

The Principle of the Development

- 6.2 Policy EMP10 of the SOLP is a permissive policy relating to development in rural areas, including the promotion of sustainable development and the diversification of agricultural businesses whilst Para. 3 of Policy ENV1 of the SOLP states that development which supports economic growth in rural areas will be supported provided it conserves and enhances the landscape, countryside and rural areas.
- 6.3 Recognising the needs and importance of the farming industry, the majority of new agricultural buildings (up to 1000m²) fall within permitted development rights granted through the Town and Country Planning (General Permitted Development) Order 2015 (as amended), and do not require a formal grant of planning permission. These rights apply irrespective of whether the site is within the AONB or not. In this case planning permission is required because of the relatively small area of the agricultural holding. However, in my view the principle of the development is acceptable having regard to Policy EMP10 provided that the building is necessary to support the agricultural enterprise.
- 6.4 The agricultural enterprise comprises a small area of land within the applicant's direct ownership but it is apparent that the applicant has access to other grazing land in the locality for the sheep flock. The applicant has explained that due to circumstances outside his control there will be no longer term options available for the storage/lambing needs of his business, and therefore, he requires the new barn on the only land within his ownership. I consider that there is sufficient justification for the proposed building to meet the future needs of the agricultural business. The barn is relatively modest in size with a footprint of approximately 240m², which I consider is proportionate to the functional requirements of the enterprise.

The Impact on the Character and Appearance of the Site and Surrounding Area

- 6.5 Section 85 of the CROW Act 2000 states that ‘in exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.’ This duty is carried through in to planning policy within Para. 176 of the NPPF and Policy ENV1 of the SOLP.
- 6.6 The proposed barn would be sited within an undeveloped area of land, and would evidently alter the appearance of the site, and would not conserve the natural beauty of the AONB in this respect. However, agricultural buildings are an established and necessary feature of the countryside, whether within or outside of an AONB. The appearance of the barn in this rural location would not be incongruous and would support the continuation of a small farming enterprise, which are characteristic of the Chilterns and an important element of its economy and maintaining it as a working landscape.
- 6.7 The proposed barn is relatively small in scale and height and would be positioned on the lower part of the surrounding land with the valley sides rising to both the north and south of Well Place Road. The building would clearly be prominent in short range views from the nearby public rights of way but would be viewed as part of the agricultural landscape and would also be viewed in context with nearby development, particularly that along Well Place Road to the east and within Hailey on the ridge to the north. Furthermore, views of the development would be softened within the surrounding area by the retention of the protected lime trees on the northern boundary of the site, the proposed new planting around the building and the general mosaic of woodland in the surrounding area, which is characteristic of the locality. The proposal has been amended to ensure that there is no conflict with the root protection areas of the adjacent protected trees.

Other Material Planning Considerations

- 6.8 There are no close neighbours to the proposed development. The proposal does not necessitate the removal of any trees and will not generate any significant additional traffic over the existing situation. The access to the site would be via an existing gated access off Well Place Road, which would be improved in line with the requirements of the Highway Authority. The agricultural use of the site in connection with the small scale farming enterprise would not generate any significant increase in traffic along the road and would not compromise highway safety.
- 6.9 The applicant also runs an agricultural contractor business and some concern has been expressed about the use of the building in connection with this business. I do not consider that this would be appropriate given that such a business is not locationally constrained and would not justify development in this sensitive and relatively remote location. The applicant has stated that the building is required only in connection with the farm enterprise and would accept a condition preventing any wider use.

6.10 Policy DES10 of the SOLP requires new development to demonstrate carbon reduction measures, including meeting the BREEAM excellent standard for non-residential development. However, as the building is open fronted and to be used for agricultural purposes with limited energy usage, I do not consider that the requirements of this Policy are relevant.

7.0 CONCLUSION

7.1 The application proposal is in accordance with relevant development plan policies and national planning policy, as it is considered that, subject to conditions, the proposal would support a local farming enterprise and be in keeping with the character and appearance of the site and surrounding area and would not cause any overriding harm to the special landscape qualities of the Chilterns Area of Outstanding Natural Beauty.

8.0 RECOMMENDATION

8.1 Grant Planning Permission subject to the following conditions:

- 1 : Commencement of development within three years**
- 2 : Approved plans**
- 3 : Materials as on plan**
- 4 : Landscaping implementation prior to first use**
- 5 : Tree protection measures**
- 6 : Improvement of existing vehicular access**
- 7 : Gate to be set back from highway**
- 8 : Details of any external lighting to be agreed**
- 9 : Agricultural use only**

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