

APPLICATION NO.	P23/S2689/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	8.8.2023
PARISH	BECKLEY
WARD MEMBER(S)	Tim Bearder
APPLICANT	Mr A. Howard
SITE	Ten Acre Farm New Inn Road Beckley, OX3 9SS
PROPOSAL	Proposed agricultural barn. (As amended by drawing re-siting the building and amplified by supporting information received 8 November 2023).
OFFICER	Paul Bowers

1.0 **INTRODUCTION AND PROPOSAL**

1.1 This report sets out the officer’s recommendation that planning permission should be granted having regard to the material planning considerations and the development plan.

1.2 The application is referred to planning committee because the recommendation to grant planning permission conflicts with the views of the Beckley and Stowood parish council.

1.3 The application site comprises an existing area of grazing land to the south of the existing access track which connects to the public highway on New Inn Road to the east.

The wider site to the east comprises a group of four agricultural buildings set around a courtyard. Planning permission has been granted in May 2023 (Application Ref. P23/S0291/FUL) for the demolition of this group of barns and their replacement with a single dwelling house.

Further to the east, lies part of the Ten Acre Farm site which is in separate ownership and in a mix of agricultural, equestrian and holiday let use.

A plan showing the location of the site can be found at **Appendix 1**.

1.4 The application seeks planning permission to erect an agricultural building measuring 18.2 metres long, 12 metres wide and 8.5 metres high to the ridge constructed in green corrugated steel cladding.

1.5 The application has been amended at the request of the applicant to move the building away from the boundary to the west to ensure that the neighbouring farmer has unrestricted access to his adjoining barns.

The application has also been amplified by additional information relating to the need for the building.

1.6 Reduced copies of the plans accompanying the application are attached as **Appendix 2** to this report. All the plans and representations can be viewed on the council's website www.southoxon.gov.uk under the planning application reference number.

2.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

2.1 Beckley Parish Council – Objection.

Object to the development as originally submitted on the basis that it is not appropriate to build another barn as the applicant is already knocking down four barns as a consequence of a recent planning permission.

Object to the development in its amended form for the same reasons in addition they are concerned that the barn is not intended to serve an agricultural use.

Neighbour responses –

1 x letter of objection to the plans as originally submitted for the following reason;

- Concern over the ability of the occupants of the adjoining agricultural building and land to access it due to the proximity of the proposed building.

No responses received in relation to the amended plans.

Drainage – No objection subject to a surface water condition.

3.0 RELEVANT PLANNING HISTORY

3.1 [P23/S0291/FUL](#) - Approved (23/05/2023)

Proposed Demolition of Barns and Erection of Single Dwelling. As clarified by energy statement received 15 May and as amended by drawings received on 16 May 2023.

4.0 ENVIRONMENTAL IMPACT ASSESSMENT

4.1 N/A

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

ENV1 - Landscape and Countryside

ENV3 - Biodiversity

EMP10 – Development in rural areas

EP4 - Flood Risk

INF4 - Water Resources

STRAT1 - The Overall Strategy

STRAT6 - Green Belt

TRANS5 - Consideration of Development Proposals

5.2 Neighbourhood Plan

Beckley and Stowood Parish Council is working on a neighbourhood plan which has recently been submitted to South Oxfordshire District Council.

The publicity period on the draft plan concluded on 2 March 2023. The draft plan documents and comments received during the publicity period have now been submitted for independent examination. At this stage the plan carries limited weight.

5.3 Supplementary Planning Guidance/Documents

South Oxfordshire and Vale of White Horse Joint Design Guide 2022

5.4 National Planning Policy Framework and Planning Practice Guidance

5.5 Other Relevant Legislation

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 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.

The development plan comprises the South Oxfordshire Local Plan 2035 (SOLP).

6.2 The main issues to consider in relation to this proposal are as follows;

- **The principle of development.**
- **Impact on the Green Belt.**
- **Impact on the landscape.**
- **Impact on the amenities of nearby properties.**
- **Carbon reduction.**
- **Drainage.**
- **Ecology.**

6.3 **The principle of development.**

There is no specific policy within the local plan that relates to the erection of agricultural buildings however Policy EMP10 of the SOLP seeks to support sustainable growth in rural areas.

The application contends that the existing holding is used for grazing and the applicant is an agricultural contractor for several larger farms in the area. The barn is needed for the storage of hay from this holding and the applicant's equipment.

The hay derived from the land is currently stored outside as shown by the applicant's photographs below;



- 6.4 In your officers view this development allows for an existing agricultural business to function in an improved way and subject to it conforming with other development plan policies the principle is in my view acceptable.
- 6.5 The parish council has expressed concern that the building is being proposed at the same time as existing buildings are being lost to residential development.

There is nothing in national or local plan policy that would justify the council in refusing planning permission for this reason. In addition, the buildings being lost were a collection of much smaller buildings of varying age and condition. This provides for a single building of more appropriate proportions for agricultural storage and machinery.

6.6 Impact on the Green Belt.

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. This is set out in Section 13 of the advice from Central Government in the National Planning Policy Framework (NPPF). The advice contained within the NPPF is filtered down on a more local level in the development plan specifically Policy STRAT6 of the SOLP

- 6.7 Paragraph 138 f the NPPF sets out the five purposes of the green belt;
- to check the unrestricted urban sprawl of large built up areas;
 - to prevent neighbouring towns merging into one another;
 - to assist in safeguarding the countryside from encroachment;
 - to preserve the setting and special character of historic towns; and
 - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

In addition, there is a presumption against inappropriate development. Paragraph 147 states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 148 requires that substantial weight should be given to any harm to the Green Belt. It goes on to say that ‘very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Paragraph 149 advises that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt except for the following purposes;

a) buildings for agriculture and forestry;

- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority

- 6.8 Agricultural buildings are the first exception to erecting new buildings in the Green Belt as set out in paragraph 149. The development is not therefore inappropriate.

The exception of paragraph a) does not require an assessment of the impact on openness. The erection of an agricultural building is not therefore considered to adversely affect openness.

I am satisfied that the proposal accords with both national and local Green Belt policy.

6.9 Impact on the landscape.

Policy ENV1 of the SOLP states that South Oxfordshire's landscape, countryside and rural areas will be protected against harmful development. Development will only be permitted where it protects and, where possible enhances, features that contribute to the nature and quality of South Oxfordshire's landscapes.

- 6.10 The building is a typical agricultural building in appearance which is not an uncommon sight within the landscape of a rural area. In wider views it will be seen in the context of the nearby agricultural buildings.

In my view it will not be overly prominent and will not cause any material harm to the wider landscape character of the area.

6.11 Impact on the amenities of nearby properties.

Policy DES6 of SOLP relates to residential amenity and requires that development proposals should demonstrate that they will not result in significant adverse impacts on the amenity of neighbouring uses, when considering both individual and cumulative impacts in relation to loss of privacy, day light and sunlight, dominance or visual intrusion, noise or vibration, smell dust, heat, odour or other emissions, pollution and external lighting.

- 6.12 The nearest building is the adjacent agricultural building not operated by the applicant. The position of the building has been adjusted to address issues of access which were the subject of an initial objection. The relationship between the two buildings within the same use does not in my view result in a harmful impact.
- 6.13 In addition, the building is sufficiently far away from both existing and permitted residential buildings that it will not create an unneighbourly impact and consequently complies with Policy DES6 of SOLP.

6.14 Carbon reduction.

Policy DES10 relates to carbon reduction. It states that non-residential proposals are required to meet BREEAM 'Excellent standard'. This proposal is for a non-residential building and would be caught by this requirement.

However, this is an agricultural building which is exempt from the building regulations and the energy efficiency that is required through that legislation. The building is purely for storing grain and is simple in form and construction materials. It will not be heated, and the applicant has confirmed that the building will not have power. Energy efficiency options for buildings like the one proposed are limited and it would not be able to achieve the standard required by the policy. To resist this development on these grounds would restrict the ability of the farm to function. This then has to be weighed in the balance against the wider impact of a rural business which other policies within the plan seek to support.

Overall, I believe there are material physical and wider policy considerations that outweigh the requirement for BREEAM excellent standard in this particular instance.

6.15 Drainage.

Policy EP4 of the SOLP relates to matters of flooding and requires that the risk of flooding will be minimised through;

- i) directing new development to areas with the lowest probability of flooding;
- ii) ensuring that all new development addresses the effective management of all sources of flood risk;
- iii) ensuring that development does not increase the risk of flooding elsewhere; and
- iv) ensuring wider environmental benefits of development in relation to flood risk.

Policy INF4 of the SOLP relates to water resources and requires that all new development proposals must demonstrate that there is or will be adequate water supply, surface water, foul drainage and sewerage treatment capacity to serve the whole development.

6.16 The council's Drainage Engineer has considered the development in relation to surface water flooding. They do not object to the development subject to a condition that requires a detailed drainage scheme to be submitted before development commences. Accordingly, and in conjunction with this condition, the proposal will comply with Policy INF4 of the SOLP.

6.17 Ecology.

Policy ENV2 of the SOLP seeks to protect ecological receptors (designated sites, protected species, priority habitats, etc.). Where adverse impacts are likely to occur, development must meet the criteria outlined under the policy.

Policy ENV3 of the SOLP seeks to secure net gains for biodiversity.

6.18 There are unlikely to be any impacts to protected species from this development however to ensure an overall net gain in biodiversity a bird box is required through a planning condition.

7.0 CONCLUSION

7.1 Your officers recommend that planning permission is granted because the building provides for a simple agricultural building that is not inappropriate development and does not harm the openness of the Green Belt, the wider landscape or cause a harmful impact to highway safety. In conjunction with the attached conditions the proposal accords with development plan policies.

8.0 RECOMMENDATION

8.1 That Planning Permission is granted subject to the following conditions;

8.2 Standard conditions -

1 : Commencement 3 years - Full Planning Permission

2 : Approved plans *

Prior to commencement condition –

3 : Surface water drainage works (details required)

Compliance conditions -

4 : Materials as on plan

5 : Agricultural use

Prior to first use condition –

6 : Bird box

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