

## TEWKESBURY BOROUGH COUNCIL – DEVELOPMENT CONTROL

<b>Committee:</b>	Planning
<b>Date:</b>	15 September 2020
<b>Site Location:</b>	Pamington Farm Pamington Lane Pamington Tewkesbury Gloucestershire GL20 8LX
<b>Application No:</b>	19/00998/FUL
<b>Ward:</b>	Isbourne
<b>Parish:</b>	Ashchurch Rural
<b>Proposal:</b>	Erection of an agricultural building to be used as cubicle housing for dairy herd.
<b>Report by:</b>	Mr James Lloyd
<b>Appendices:</b>	Site location plan Site layout plan Elevations & roof plan
<b>Recommendation:</b>	Permit

### 1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1. Pamington Farm is located just off of Pamington Lane which is an adopted highway running the village of Pamington. The farm is located approximately 1 mile from Ashchurch and approximately 3 miles to the east of the town of Tewkesbury. The proposed site for the new cubicle building consists of a flat corner of a pasture field located next to the existing farm building complex. The site is not identified as a 'valued' landscape in the development plan and is situated within Flood Zone 1.
- 1.2. Pamington Farm is a dairy farm extending to just under 200 acres (80 ha) together with a range of modern and traditional farm buildings as well as Pamington Farmhouse. The applicants farm Pamington Farm together with another farm in the locality, taking the total farmed area to approximately 350 acres.
- 1.3. The dairy herd consists of approximately 100 Pedigree dairy cows which are milked twice a day through a 10 a side parlour with milk being sold to Cotteswold dairy. Cows are calved on an all year round system with all dairy herd replacements being reared on the farm.
- 1.4. The proposal is for the erection of a new agricultural building which will be used to provide cubicle housing for the farms dairy herd. Initially the proposed building was sited further west in the plot and measured a height of 10m.

- 1.5. Further to discussion with the Council the applicant has moved the proposed building further to the west (along the field boundary) and has reduced the height to approximately 7.9 metres. The building would be of steel portal framed construction with concrete panels with space boarding above to eaves height. The central feed passageway would remain open at either end. The cubicle building will have a concrete floor throughout and would have a fibre cement roof covering. The building would measure 30.48 m by 36.57 m. An additional concrete track would lead to the existing field track which, in turn, leads out onto an existing access to the B4079.

## 2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
64/00251/OUT	Outline application for a bungalow.	CONSENT	22.04.1964
65/00215/FUL	Bungalow with garage	PER	17.11.1965
65/00216/FUL	Resiting of garage.	PER	19.01.1966
67/00204/FUL	Extension to covered yard	PER	22.11.1967
73/00349/FUL	Erection of a simplex sealed forage store	PER	19.12.1973
73/00351/FUL	Construction of two agricultural accesses	CONSEN	19.12.1973
93/00213/FUL	Erection of livestock building with underground chambers for slurry storage.	PER	29.06.1993

## 3.0 RELEVANT POLICY

- 3.1. The following planning guidance and policies are relevant to the consideration of this application:

### National guidance

- 3.2. National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG)

**Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) - Adopted 11 December 2017**

3.3. Policies:

SD6 (Landscape)

SD14 (Health & Environmental Quality)

INF1 (Transport Network)

INF2 (Flood Risk Management)

**Tewkesbury Borough Local Plan to 2011 - March 2006 (TBLP)**

3.4. Policies:

AGR5 (New Agricultural Buildings)

**Tewkesbury Borough Plan 2011-2031 – Pre-Submission Version (October 2019)**

3.5. Policies:

AGR1 (Agricultural Development)

ENV2 (Flood Risk & Water Management)

**Neighbourhood Plan**

3.6. None

3.7. Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)

3.8. The First Protocol, Article 1 (Protection of Property)

**4.0 CONSULTATIONS**

**Ashchurch Rural Parish Council** – Objection on the grounds of landscape impact and impact upon residential amenity of neighbouring properties.

**Environmental Health** – No objections

**County Highways** – No objection

**Minerals & Waste (GCC)** - No objection

**Land Drainage Officer** – No objection in principle – further details required

**Tree Officer** – No objection to the removal of three trees.

**County Archaeologist** - There is a low risk that archaeological remains will be adversely affected by this development proposal. No archaeological investigation or recording need be undertaken in connection with this scheme.

## **5.0 PUBLICITY AND REPRESENTATIONS**

5.1. The application has been publicised through the posting of a site notice for a period of 21 days. In response, 4 representations have been received and the comments raised are summarised below:

### **Object**

- The proposal will have an unacceptable visual impact on the landscape.
- The proposal will have an unacceptable impact on neighbour amenity in terms of outlook, noise pollution, odour and pests.
- The proposed access, being a narrow farm track, (that is currently used infrequently) is inadequate for the likely increased use by tractors and delivery trucks and this use will result in unacceptable traffic noise close to residential properties.
- The building will block outlook from the rear of the Pamington Lane properties, of Bredon Hill. Domestic properties or smaller farm buildings would not have this level of impact. No screening is proposed.
- Impact upon the vision of the Garden Town
- A noise report and an odour report should be submitted to support this application.
- Other locations would be better suited to avoid impact on residential properties
- Question the herd size, appears to be less than stated in the supporting information.
- Relocation would be better than reducing the size of the building.
- The revised building, albeit smaller, would still have a negative impact upon the landscape and would not accord with Policy AGR5.
- Landscaping proposals would take years to mature to see any benefits.
- Issues still remain around residential amenity (noise, smell etc).
- The use of the access would still have a noise impact upon residential properties.
- The latest amendments do not alleviate the overall impact of the proposed development

### **Support**

- No objection to this planning application as this has always been a working farm and a newer building will be more environmentally friendly and will reduce noise.
- There is no right to a view.
- Should be supporting the farming industry.

## **6.0 POLICY CONTEXT**

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals 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.
- 6.2. The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), saved policies of the Tewkesbury Borough Local Plan to 2011 (March 2006) (TBLP), and a number of 'made' Neighbourhood Development Plans.
- 6.3. The Pre-Submission Tewkesbury Borough Plan was submitted to the Secretary of State for Housing, Communities and Local Government on 18 May 2020 for examination. On the basis of the stage of preparation it has reached it is considered that the plan can be afforded at least moderate weight. However, the weight to be attributed to individual policies will be subject to the extent to which there are unresolved objections (the less significant the unresolved objections, the greater the weight that may be given) and their degree of consistency with the NPPF (the closer the policies to those in the NPPF the greater the weight that may be given).
- 6.4. The relevant policies are set out in the appropriate sections of this report.

## **7.0 ANALYSIS**

### **Principle of development**

- 7.1. Paragraph 83 of the National Planning Policy Framework states planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.
- 7.2. Policy AGR5 of the Local Plan states that the erection of new agricultural buildings will be permitted provided that the proposed development is well sited in relation to existing buildings and landscape features in order to minimise adverse impact on the visual amenity of the locality, the proposed development is sympathetically designed, that there is adequate operational access and that suitable provision is made for all waste products.
- 7.3. Policy AGR1 of the pre-submission TBP is similarly supportive of new agricultural development subject to appropriate siting, design, landscape impact and impact upon neighbouring amenity. This Policy also requires development to be necessary and designed for the purposes of agriculture.
- 7.4. The application advises that the applicant's family have been milking at Pamington Farm since 1945. Pamington Farm is a dairy farm extending to just under 200 acres (80 ha) together with a range of modern and traditional farm buildings as well as Pamington Farmhouse. The applicant farms Pamington Farm together with another farm in the locality, taking the total farmed area to approximately 350 acres.
- 7.5. The dairy herd consists of approximately 100 Pedigree dairy cows which are milked twice a day through a 10 a side parlour with milk being sold to Cotteswold dairy. Cows are calved on an all year-round system with all dairy herd replacements being reared on the farm.
- 7.6. The supporting information advises that the cubicle housing on site is currently provided in a traditional brick building which has limited headspace and ventilation. The layout of the building impedes the flow of cows through the building with the space per cow not achieving that expected by modern cubicle building standards. In addition, the layout of the cubicle building

means additional time is spent in scraping out the slurry produced than if a building purposefully designed for cubicle accommodation was used.

- 7.7. The requirement for a purpose designed cubicle building is that the existing cubicle housing system is no longer fit for purpose or in line with best practice guidance which is accepted within the industry such as those from AHDB Dairy and The Red Tractor Dairy Scheme.
- 7.8. The application is supported by a breakdown of the existing farm buildings on site and their suitability for redevelopment. The information advises that all the buildings on site are already accounted for and therefore could not be removed or redeveloped without impacting on the business.
- 7.9. It is therefore proposed by the applicant that a new purpose-built cubicle building located to the east of the existing farmstead would be the most practical solution to providing better welfare for their stock.
- 7.10. The applicant has demonstrated that there is a requirement for better standards within the farming enterprise and that the existing buildings on site are not adequate. A supporting survey undertaken by "CowPlan" concludes that the existing building on site is not considered to be fit for purpose for modern dairy farming and would advise significant updates in terms of environment, cubicle design, space and comfort for the animals.
- 7.11. As set out above, the NPPF states that decisions should enable the sustainable growth and expansion of all types of business in rural areas, including through well-designed new buildings. With this in mind it is considered that the applicant has demonstrated that there is a long-standing agricultural enterprise operating from this site and there is a requirement to update the buildings in line with modern farming standards and to continue to enable the growth of the business. The principle of the development is therefore acceptable subject to an assessment of other material considerations.

### **Landscape impact**

- 7.12. Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural environment by protecting and enhancing valued landscapes in a manner commensurate with their statutory status or identified quality in the development plan.
- 7.13. The application site is not identified as a 'valued' landscape in the development plan.
- 7.14. JCS Policy SD6 sets out that development will seek to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social wellbeing which should have regard to the local distinctiveness and historic character of the different landscapes.
- 7.15. The proposed site for the new cubicle building consists of a flat corner of pasture field located to the east of the existing farm complex. The two sites are physically separated by a boundary of mature trees and hedgerows. The site is boarded to the north and east by the pasture field, to the south is the existing concrete track and beyond that an additional area of pasture and then a collection of residential properties (the rear of these properties face towards the application site). Ashchurch Footpath (45) is located to the north of the application site, running from east to west, the application site is highly visible from this public vantage point. The site is not located within any statutorily designated areas.
- 7.16. The proposal would result in a large building (measuring 30.48 m by 36.57 m. Height to ridge 7.92m) located in a currently level area of undeveloped pastureland. The building would be sited outside of the existing farm building complex and would effectively extend the farmstead

east into the adjacent field. Objections have been raised by neighbouring residents that the building would be sited in close proximity to their properties. As a result, the applicant has re-sited the building further west, against the existing boundary line.

- 7.17. Given the large foot print of the building (approximately 1,113 sqm) its siting would project the northern end of the building further north than the existing farm buildings, and whilst sited in the 'corner' of the field would have a dominant appearance when viewed from public vantage points such as the footpath.
- 7.18. The applicant has sought to justify the positioning of the building by advising that the size and type of accommodation required for their enterprise could not be provided within the existing farm complex. The existing complex is a collection of buildings that form a defined block of agricultural development with the main Farmhouse sited to the north. This proposal would break that defined block pushing development into an undeveloped area of land. It is noted however, that the building would be sited adjacent to existing farm buildings (to the west) and additional built form (by way of residential properties) are sited to the south. It would therefore effectively be bound on two sides by built development.
- 7.19. It is judged that the main vantage points of the site are from the north (looking south) around clockwise to the east (looking west) along the B4079. Any views from public viewpoints (i.e Pamington Lane) to the south and from the west would be screened by existing development (albeit given the height the ridgeline maybe visible). When viewed from the main vantage points the building would be prominent. At approximately 7.9 metres high it would exceed that of the surrounding residential units and existing farm buildings. At 30.48 m by 36.57 m the eastern and northern elevations would appear as a stark, long continued mass of building, whereas currently views of the buildings are broken up and softened by existing field boundaries. The building is proposed to be constructed using materials associated with modern agricultural units, whilst this is an acceptable approach the building would be highly visible from the main viewpoints.
- 7.20. Policy AGR5 of the Local Plan states that the erection of new agricultural buildings will be permitted provided that the proposed development is well sited in relation to existing buildings and landscape features in order to minimise adverse impact on the visual amenity of the locality.
- 7.21. The proposed building would be sited adjacent to the existing farm buildings, however, would not necessarily be 'well related' given the existing intervening boundary treatments and its size in comparison to the nearby buildings. It would however be sited along the western boundary of the field, minimising its impact from wider views from the south and west.
- 7.22. The applicant proposes further native hedge planting along the eastern and northern boundaries. The precise details of species, size, mix and density could be secured by condition. Additional planting would not fully screen the building and could not be relied upon to provide justification or mitigation for a large building in this location. Nevertheless, additional planting would help break up and soften the appearance of the building, especially given the length of the unit. There is also an ecological benefit to providing more planting around the site.
- 7.23. Whilst efforts have been made to reduce the height of the building it would remain large in size and scale and would be a prominent feature from public vantage points in the north and east. The proposal is sited adjacent to existing buildings, however, would not relate well to them. It is therefore judged that the proposal would cause a level of landscape farm given its size and scale and would conflict with JCS Policy SD6, Policy AGR5 of the LP and Policy AGR1 of the pre-submission TBP.

## **Design and layout**

- 7.24. Section 12 of the NPPF sets out that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.25. Policy AGR5 of the Local Plan states that the erection of new agricultural buildings will be permitted provided that the proposed development is sympathetically designed. Policy AGR1 of the pre-submission TBP is similarly supportive of new agricultural development subject to it being designed for the purposes of agriculture.
- 7.26. The proposed building would consist of a central feed passage with feed barriers, cubicles and standing/loafing areas for the cows. Externally the building would be of steel portal framed construction with concrete panels and space boarding above. It would have a fibre cement roof and concrete floor.
- 7.27. The proposed materials and design of the building are typical of a modern farming enterprise. With this in mind the design and layout are considered appropriate and for the purposes of agriculture in this instance.

### **Residential amenity**

- 7.28. The NPPF states at paragraph 180 that planning decisions should 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 the impacts that could arise from the development.
- 7.29. Policy SD14 of the JCS states that new development must cause no unacceptable harm to local amenity including the amenity of neighbouring occupants.
- 7.30. The proposal seeks to 're-house' the existing dairy herd from one building on site into a new purpose building to the east of the farm. There are several residential properties already located within close proximity to the application site, most of which have back gardens backing onto the field associated with the site. The nearest residential building (Waveney) would measure approximately 37m from the proposed cubicle building and the boundary of the rear garden would measure approximately 27 metres away. Other residential properties are of similar distance but are located further to the south east.
- 7.31. Objections have been raised by neighbouring properties in terms of the noise and odour impacts and the potential for an increase in pests (such as flies and rats). The applicants supporting information has advised that the herd will remain at the same size that it already exists and given that the current cubicle building is situated approximately 33m away the noise impacts should remain the same. They also add that the purpose-built building would have a better standard of noise attenuation than the existing and that no plant or machinery would be permanently installed in the building.
- 7.32. In terms of odour, the applicants have advised that there will be a decrease in odour as a result of the new building. This is as a result of the new building being designed in line with modern standards which incorporates ventilation throughout, including roof ventilation. In terms of any slurry produced, this would be handled via a pump/channel system which feeds into a slurry lagoon which is already located on the other side of Pamington Farm away from the residential properties.
- 7.33. Concerns have been raised that an odour and noise assessment should be submitted with the application. The Council's Environmental Health team have been consulted and advise that

given the distance of the nearest receptors and the fact that the herd would remain the same size there are no concerns regarding noise or odour issues emanating from the proposal. It is however recommended that an odour management plan is submitted prior to first use of the building to ensure that the proposed practices are acceptable. It is also advised that, in relation to noise, any nuisance could potentially be controlled by the provisions of the Environmental Protection Act 1990.

- 7.34. The Environmental Health Officer has advised that controlling the numbers of cattle may be a way at further reducing any impacts. However, it is considered that limiting the number of livestock would be tantamount to controlling the growth of a business and would therefore not meet the 'reasonable' test which planning conditions must meet. Notwithstanding this the applicant advises that the building can only house a maximum of 116 cubicles to allow for a herd size of 1100 cows, which is the size of herd that is currently on site.
- 7.35. It is therefore judged that whilst the building would be in close proximity to the nearby residential units, this distance is similar to the existing set up on the farmstead. The proposed building would provide a more modern level of odour and noise protection and the Environmental Health Officer raises no objections to the scheme.
- 7.36. Objections have also been raised in terms of the overbearing impact that the building would have upon neighbouring properties. Whilst the building would be large in size and scale, it would be sited approximately 37 m from the nearest residential building. It is judged that this is an acceptable distance between the two receptors and proposed additional planting would be secured to soften the visual appearance of the building. It is not therefore deemed that the building would have an overbearing impact given the intervening distance.

#### **Arboricultural implications**

- 7.37. The application is supported by details regarding the trees and hedges along the western boundary (between the site and the existing farm). There are a selection of mature trees along this boundary and the supporting details identify 3 trees (all Black poplars) that need to be either removed or pollarded as a result of the siting of the proposed new building. The supporting information advises that the Black poplars were planted sometime between 1976 – 1980 but now need to come down as they are overhanging the existing building and causing damage. The other Black Poplar, Chestnut and Ash trees would be unaffected by the development and would remain.
- 7.38. The Council's Tree Officer has assessed the supporting tree information and advises that whilst the Black Poplars are mature trees and add to the overall amenity value of this section of the field, they are considered dangerous given the proximity to the existing buildings. In this instance it is found that the three trees could be removed rather than pollarded as they would only grow back and continue to cause safety issues. It is therefore considered that the removal of these three Black poplars would not significantly impact on the local or wider landscape. The supporting information also demonstrates that the additional trees within the site can be retained.

#### **Drainage and flood risk**

- 7.39. Policy INF2 of the JCS seeks to prevent development that would be at risk of flooding. Proposals must not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment either on the site or elsewhere.
- 7.40. The site is located within Flood Zone 1 and is therefore at a low risk from flooding and the proposal does not meet any requirements for the provision of a flood risk assessment.

- 7.41. In terms of surface water drainage, the scheme would provide rainwater goods on the building to collect surface water. The rainwater goods would direct water to the downpipes located on the western elevation of the building. The downpipes would direct the surface water into the channel and pump located at the west of the building which would pump the surface water into the existing stormwater/slurry system.
- 7.42. The process of foul drainage would be addressed by scraping clear the cubicle building twice a day. Manure would be directed to the channel located at the west of the building which would pump the slurry into the existing system. A new channel would connect into the existing pipe network which pumps the slurry to the farms lagoon located on another parcel of owned land.
- 7.43. This is the system that is currently adopted and with no significant increase in cow numbers means that a similar level of slurry will be produced and handled in the same way as it is currently. The farms slurry lagoon is built in accordance with the relevant legislation and is fully compliant with environmental regulations, ensuring there is no risk of water pollution.
- 7.44. The Council's Flood Risk Management Engineer has assessed the supporting information and advises that management of the flood risk is achievable. However, limited information has been provided to conclusively demonstrate it. Notwithstanding this the information could be provided by way of an appropriate condition to finalise the details. This approach is considered appropriate and would meet the required condition tests should permission be granted.

#### **Access and highway safety**

- 7.45. JCS Policy INF1 'Transport Network' states that developers should provide safe and accessible connections to the transport network.
- 7.46. It is proposed to use an existing field access off the B4079 to provide vehicular access to the building. An existing concrete farm track runs from this access, along the southern boundary of the field, to the application site. A short section of concrete would be laid to the west of the proposed building to provide access for tractors into the building. This concrete track will also allow for machinery to turn and vacate the field in a forward-facing motion. The supporting planning statement advises that the main farm access will remain and there will be no changes to the arrangements for the collection of milk from the farm.
- 7.47. Objections have been raised in terms of the intensification of use of this access and track. In terms of highway safety, the erection and use of the proposed building may intensify farm machinery movements along this track. However, it is judged that these movements could still take place given the access and agricultural land use already exists. The scheme would also provide for turning and manoeuvring in order to allow vehicles to enter the highway in a forward gear.
- 7.48. Gloucestershire County Council Highway Authority have been consulted and raise no objections to the proposal.
- 7.49. For the above reasons, it is considered that the proposed new agricultural building would have an acceptable impact on the highways network, and would pose no detriment to highway safety, in accordance with the JCS and the provisions of the NPPF.

### **Other matters**

- 7.50. Concerns are raised in relation to the proposed building screening any views from the neighbouring properties and their residential gardens. The loss of a view is not a material planning consideration and would not be protected.
- 7.51. Points have been raised about the existing electricity pole that would require moving as a result of the development. The applicant has advised that they are aware of this and are in discussions with Western Power to move it. This is a civil matter and would not form part of the planning judgement.

### **CONCLUSION AND RECOMMENDATION**

- 7.52. The proposal would enable an existing agricultural business to improve the standards of working and welfare for the dairy herd. The building is large in scale and size and would be located outside of the existing farm complex within open pastureland. The building would be of appropriate design for an agricultural unit, however, would be highly visible from public vantage points to the north and east. It is judged that the modern building would not give rise to unacceptable levels of amenity harm. The proposal could support acceptable levels of foul and surface water drainage and is not deemed unsafe in terms of highways impact.

### **Benefits**

- 7.53. Weight should be given to the economic benefits arising from the improvements of agricultural buildings associated with an operational enterprise. The requirement to deliver high welfare standards for livestock is also important.

### **Neutral**

- 7.54. The design and layout, whilst large in size, would be consistent with a modern agricultural building. There are no adverse Highways or neighbouring amenity issues resulting from the proposal.

### **Harms**

- 7.55. Given the size and scale of the proposed building and its siting into an undeveloped parcel of pastureland there would be an element of landscape harm when viewed from public vantage points to the north and east.
- 7.56. The proposal would introduce built development within a rural landscape setting. While the proposal would result in some adverse impact to the landscape this is likely to be minor subject to concerns related to lighting being addressed. Subject to this being addressed in an acceptable manner it is considered that the economic benefits arising as a result of securing the certainty of agricultural buildings for an existing, viable agricultural business would outweigh this landscape harm.
- 7.57. It is considered that on balance whilst the proposal would result in some adverse impact to the landscape this is likely to be minor and landscaping to soften the impact of the building would assist in mitigating its visual impact. Subject to this being addressed in an acceptable manner (by way of condition) it is considered that the economic benefits arising as a result of securing the certainty of agricultural buildings for an existing, viable agricultural business would outweigh this landscape harm. The proposal would therefore be acceptable, and it is recommended that planning permission is **Granted subject to conditions set out below.**

1. The works hereby permitted shall be begun before the expiration of five years from the date of this consent.

Reason: Required to be imposed by 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 carried out in accordance with the following approved documents:

- Proposed Elevations – Ref: 250620ECA Dated 25.06.2020
- Proposed Elevations & Roof Plan - 250620ECA Dated 25.06.2020

Except where these may be modified by any other conditions attached to this permission.

Reason: To ensure that the development is carried out in accordance with the approved plans.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no external lighting shall be erected on site without the written express consent of the local planning authority.

Reason: In the interests of visual amenity.

4. Prior to the commencement of the development hereby approved (including all preparatory work), tree protection must be in place for the retained trees, in accordance with BS 5837:2012, this is to safeguard trees during the construction phases and to ensure no storage of materials is in proximity of the trees.

Reason: In the interest of the visual amenity of the area.

5. The building hereby permitted shall not be brought into use until a landscaping scheme setting out precise details of the position, size, species and mix of new planting to screen the development has been submitted to and approved in writing by the Local Planning Authority. The Landscaping shall be implemented in accordance with the approved details no later than the first planting season following the completion of the development. The landscaping shall thereafter be

maintained for a period of 10 years. If during this time any trees, shrubs or other plants are removed, die, or are seriously diseased these shall be replaced during the next planting season with others of similar size and species unless the local planning authority gives written consent to any variation. If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 10 year maintenance period.

Reason: Interest of the visual amenity of the area.

6. Throughout the construction period of the development hereby permitted provision shall be made within the site that is sufficient to accommodate the likely demand generated for the following:
  - i. parking of vehicles of site operatives and visitors;
  - ii. loading and unloading of plant and materials;
  - iii. storage of plant and materials used in constructing the development;
  - iv. wheel washing facilities

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods.

7. No construction above slab level shall take place until a detailed design, maintenance & management strategy and timetable of implementation for the surface water drainage strategy have been submitted to and approved in writing by the Local Planning Authority. The maintenance and management strategy shall demonstrate the technical feasibility/viability of the drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the life time of the development. The scheme for the surface water drainage shall be carried out in accordance with the approved details before the development is first put in to use/occupied.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage, flood risk and water quality in the locality.

8. No development shall be brought in to use/occupied until a SuDS management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime, has been submitted to and approved in writing by the Local Planning Authority. The approved SuDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding.

9. The development shall not commence until a scheme for minimising odours, has been approved in writing by the Local Planning Authority. The means of treating the fumes/odour shall be operational before the development is brought into use or occupied, and maintained in accordance with the approved details thereafter unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure that any concentration of air pollutants in the vicinity is minimise and a nuisance is not caused.

### **INFORMATIVES:**

1. In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.
2. Your attention is drawn to guidance regarding the Storing silage, slurry and agricultural fuel oil set out on the following webpage  
<https://www.gov.uk/guidance/storing-silage-slurry-and-agricultural-fuel-oil>
3. any development must be in accordance with our adopted Flood and Water Management Supplementary Planning Document:  
<https://www.tewkesbury.gov.uk/local-plan#flood-and-water-management-spd>