

TEWKESBURY BOROUGH COUNCIL – DEVELOPMENT CONTROL

Committee:	Planning
Date:	15 December 2020
Site Location:	Overton Farm Maisemore Gloucester Gloucestershire GL2 8HR
Application No:	20/00270/FUL
Ward:	Highnam With Haw Bridge
Parish:	Maisemore
Proposal:	Retrospective application for the erection of a cement storage silo.
Report by:	Mrs Sarah Barnes
Appendices:	Site Location Plan Site Plan Landscape Assessment Plan Landscape Context Plan
Recommendation:	Permit

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1. The application relates to 'Overton Farm' located approximately 1.5km north of the village of Maisemore. The site covers approximately 2.4 hectares and is irregular in shape (see site location plan).
- 1.2. The current application is for the retention of a cement storage silo. The cement storage silo is located at the utilities depot which is situated in the middle of the site. The utilities depot is an open yard with various buildings, processing plants, areas for the storage of materials and equipment as well as parking areas for vehicles.
- 1.3. Access is gained from the A417. The site is not subject to any landscape, heritage or ecological designations and is located in Flood Zone 1. The utilities depot is generally well screened from public view, other than glimpsed views from the main public highway (A417). There is a public footpath (EMA6/2) along the north-eastern boundary of the site.
- 1.4. A committee decision is required as the Parish Council have objected on the grounds that there is an unacceptable visual intrusion into the landscape. The continued uncontrolled growth at Overton Farm must be resisted.

2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
89/91504/FUL	Extraction of clay and restoration to agriculture by the tipping of imported inert naturally occurring materials.	PER	01.03.1990
01/00815/FUL	Erection of three agricultural buildings	PER	19.03.2002
03/00684/FUL	Variation of condition 8 of planning permission 02/11001/0691/FUL to enable the amalgamation of office units 3 and 4	PER	09.07.2003
07/00131/FUL	Erection of entrance gates, improvement to road access and surfacing to field track (Retention of works).	PER	24.04.2007
13/00738/PDD	Conversion of offices into 6 dwellings.	CEGPD	03.09.2013
18/00766/FUL	Change of use to utilities depot, including ancillary recycling operations, retention of existing office/storage buildings as built, erection of new maintenance building, landscaping and drainage (part retrospective)	PER	26.03.2019

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. Policy SD1 (Employment)

3.4. Policy SD4 (Design Requirements)

3.5. Policy SD6 (Landscape)

3.6. Policy SD14 (Health and Environmental Quality)

3.7. Policy INF1 (Transport)

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

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

3.8. Article 8 (Right to Respect for Private and Family Life)

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

4.0 CONSULTATIONS

4.1. Parish Council – Object.

The Parish Council have submitted a lengthy objection to the proposal which includes a series of photographs taken from 16 different locations along the A417 and Over Old Road. In summary the Parish consider there is an unacceptable visual intrusion into the landscape and this application must be refused. Furthermore, that the continued uncontrolled growth at Overton Farm must be resisted.

4.2. Environmental Health – No objections.

4.3. Landscape Officer – Overall no objections.

4.4. Gloucestershire Highways Officer – No objections.

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.

5.2. Two letters of objection have been received from local residents. The reasons for objection are as follows:

- The silo has been erected without planning permission as appears to be the accepted way in which additional structures are built on this site.
- No attempt has been made to site the structure so that it has no impact on the surrounding landscape, why has it not been located at a lower level? The silo can be plainly seen from virtually 360 degrees in the surrounding areas and is a blot on the landscape.
- This development is part of an ongoing growth of a business. It will start to become an industrial area with inappropriate growth such as this. The development of Overton Farm is becoming less of a farm and more industrial.

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

PROPOSAL / THE NEED FOR THE SILO

- 7.1. JCS Policy SD1 supports employment related development in certain circumstances. This includes proposals which allow for the growth or expansion of existing business, especially in the key growth sectors, and where it would encourage and support the development of small to medium size enterprises, subject to all other policies of the plan.
- 7.2. The application is for the retention of a cement storage silo. The silo is a cream coloured vertical steel tank, 10.6 metres high to the top of the tank. The supporting statement sets out that the silo is essential to the applicant's trenching works to allow him to store cement at the site and run his own volumetric concrete lorry to supply concrete for his trenching works. The applicant uses relatively small amounts of concrete to backfill trenches dug during utilities work.
- 7.3. Prior to the silo's installation, the applicant had to source concrete from third party concrete batching plant sites, but often there have been delays. Any delays in getting concrete causes the applicant operational problems and creates inefficiencies in managing the workforce. This can for example, lead to trenches being left open longer than necessary and this can result in traffic disruption. By having a supply on site the applicant would avoid such problems. The Council's Environmental Health Officer has been consulted and has raised no objections.
- 7.4. The applicant is happy for a condition to be attached to the decision requiring the removal of the silo once it's no longer required at the site. An appropriate condition would be attached to the decision.

Landscape Impact

- 7.5. Policy SD6 advises that development should seek to protect landscape character for its own intrinsic beauty and development proposals should protect or enhance landscape character and avoid detrimental effects on the type pattern and features which make a significant contribution to an area.
- 7.6. The application site lies in open countryside on the crest of a small hill, approximately 70 AOD, to the north of Maisemore. The site is not subject to any landscape designations but is considered to occupy a prominent location in views from the south, including Lassington and Roadway Hill.
- 7.7. The Parish Council and local residents have objected on the grounds that there is an unacceptable visual intrusion into the landscape. The Parish Council's and local residents concerns were taken into consideration and a landscape appraisal (LVIA) was requested.

- 7.8. A Landscape and Visual Appraisal (LVIA) prepared by Bridges Design Associates was subsequently submitted on the 13th August 2020. The LVIA states that ‘although sited on a hill, the silo is located within an active established utilities depot and close to large-scale agricultural buildings, where agricultural silos of similar scale and appearance are an accepted part of the farming landscape. The presence of the silo has no significant effect on the existing landscape features or character of this existing mixed-use site and does not significantly extend any existing effects of the utilities depot further into the surrounding rural landscape character.’
- 7.9. The visual appraisal demonstrates the limited nature of the largely fleeting, glimpsed views of the site from local and middle-distance views around the site. Where visible, the silo generally integrates into the skyline of mature trees, with the exception of views from the south-east where the light colour of the silo reduces its visibility when seen against the sky and it is also seen in the context of other farm buildings.
- 7.10. The LVIA considers that the silo is barely perceptible to the naked eye in long-distance views and that the silo integrates well with the existing local land uses and does not have any significant detrimental effect on local landscape character. The visual effect of the silo is generally very limited as in the largely glimpsed views it generally integrates within the tree canopies which form the skyline or recedes visually against the background of the light-coloured sky.
- 7.11. The LVIA concludes that the proposal integrates satisfactorily within the landscape and visual character of the area.
- 7.12. The Council's Landscape Officer was consulted and has advised the following:
- 7.13. *“Whilst it is unfortunate that the concrete silo has already been installed without the benefit of planning consent, its existence does enable it to be studied in the context of visual impact on the surrounding landscape, and in particular in views from public land such as rights of way, highways or other public realm spaces, as recommended by GLVIA3. Although there may be closer or clearer views of the site from private residential properties, these have not been considered as part of the LVIA. Other than the views from the PROW EMA/6/2 that runs directly through the storage depot, the majority of views are glimpsed, filtered or fleeting when seen in the context of a person walking, riding or driving in the vicinity of the site.”*
- 7.14. The Landscape Officer has concluded that ‘Whilst there are clearly some views of the silo from points in the surrounding countryside, the impact on landscape character is minimal and the visual effect is restricted to glimpsed, filtered or longer distance views and does not significantly detract from the largely rural setting of the site.’

Effect on the Living Conditions of Neighbouring Dwellings

- 7.15. Policy SD14 of the JCS requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants.
- 7.16. Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2018 and the emerging Tewkesbury Borough Local Plan (Preferred Options Consultation) 2011-2031.
- 7.17. There are no nearby residential dwellings that would be adversely affected by the proposal.

8.0 CONCLUSION AND RECOMMENDATION

- 8.1. It is considered that the benefits the silo would bring to the efficient operation of the utilities depot and would outweigh the harm to the landscape in this case. A condition would be attached to the decision requiring its removal in the future once it is no longer required at the site. Therefore, the application accords with the relevant planning policies and is recommended for permission.

CONDITIONS:

1. The silo hereby permitted shall be removed from the site once it is no longer required.

Reason: In the interests of visual amenity.

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.