

2.8 REFERENCE NO - 16/507030/FULL			
APPLICATION PROPOSAL Replacement of fire damaged western building with alterations to its external appearance to include an increase in ridge height to 14.5m. Extension of existing bund to the south with landscaping to screen views into the yard; additional bund with landscaping to west of Wallend Farmhouse. Minor widening and realignment of access track to Sheppey Way.			
ADDRESS Wallend Farm Lower Road Minster-on-sea Kent			
RECOMMENDATION Grant, subject to no objection being raised by Highways England.			
SUMMARY OF REASONS FOR RECOMMENDATION The change to the design of the building has been assessed as having an immaterial impact on visual amenities and the character and appearance of the landscape, subject to the provision of appropriate landscaping and bunds offering some screening. The alterations to the access track would be minor and would have an insignificant impact on visual amenities and landscape character and appearance in my view. The extension to the bunds and provision of the new bund will offer mitigation to the development and would be the subject of a tree and shrub planting.			
REASON FOR REFERRAL TO COMMITTEE Parish Council objection			
WARD Sheppey Central	PARISH/TOWN COUNCIL Minster-On-Sea	APPLICANT S W Attwood And Partners AGENT Paul Sharpe Associates LLP	
DECISION DUE DATE 04/01/17	PUBLICITY EXPIRY DATE 20/01/17		
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
16/506716	Variation of condition 12 and 14 attached to SW/13/0394 to facilitate the use of two barns for general agricultural purposes and for the storage of grains grown on and off the holding and to amend the list of approved drawings respectively; amendment to external appearance of eastern barn including an increase in ridge height to 14.5m	Current	Also on this agenda.
14/501044/FULL	Variation of condition 3 of application SW/09/1038 to allow the inclusion of servicing vehicles and an MOT station (unit 4)	Approval	October 2014
SW/13/0394	Variation of condition 2 to allow the landscape mounds to be constructed within 2 years of the first use of the agricultural buildings approved under SW/12/0165	Approval	July 2013
SW/12/0165	2 no: general purpose agricultural buildings and erection of landscaping mounds	Approved	April 2012
SW/10/0470	Replacement building for fire damaged dutch barn and for B2/B8 use together with a work at home office unit replacing an existing pole barn at same location.	Approved	June 2010
SW/09/1038	Retrospective change of use of former redundant agricultural buildings to B2/B8 as part of agricultural diversification scheme. Unit D – car/van bodyshop and spraying. Unit E – general storage.	Approved	December 2009

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 Wallend Farm lies to the east of Cowstead Corner roundabout and is visible when coming onto the Island from the A249, Sheppey Way and Lower Road. Members will have no doubt seen the large fire-damaged building within the landscape. There are two accesses to the farm, one from Lower Road and one from Sheppey Way. Currently, the Lower Road access is used most frequently.
- 1.02 As well as the fire-damaged building (known as the western building), there are a number of other smaller former agricultural buildings within the farm complex currently used as an MOT testing centre, general storage and B2 uses. Wallend Farmhouse, a residential property, lies to the south of the main farm complex and the buildings the subject of this application. The resident of this property is not connected to the farm operations but does own the land opposite that is used as a storage yard and office for his double glazing business.
- 1.03 The concrete base for the eastern approved building is currently under construction and the 4m high earth bunds that were also approved under SW/12/0165 and SW/13/0394 appear to have been largely completed (although not landscaped).
- 1.04 A Special Landscape Area lies to the east of the site with the eastern building and eastern bund lying within it. The site also lies 400m to the north of the SPA and RAMSAR site and is outside of the SSSI impact zone.

2.0 PROPOSAL

- 2.01 The proposal is for the re-building of the fire-damaged 'western' building which sits within a cluster of buildings at Wallend Farm. Planning permission is required for this because the replacement building would be of a materially different design to that which was approved under the original application – SW/12/0165. The changes to the design include an increase in the ridge height by 1.5m to 14.5m above ground level as a consequence of a slightly steeper pitch to the roof. In addition, the building would be provided with grain elevators resulting in a small box projection above the ridge and a central projection to the front of the buildings. There would also be some minor alterations to elevations in respect of the position of the roller shutter doors and vents and there would be a small ancillary office would be provided to the eastern building.
- 2.02 The proposal is also to widen, in two places, an existing access track from the farm which leads out onto Sheppey Way. The widening is required to provide two passing places. The track would also be re-routed where it runs close to Wallend Farmhouse to minimise the impact on this resident. This access would be mainly used in connection with the use of the buildings by Glencore (the world's largest commodity trader) as part of their supply chain. Members will note that there is another planning application on this agenda (16/50716/FULL) that overlaps this application in respect of the variation of the condition which restricts the use of the western and eastern buildings the subject of the original planning application (SW/12/0165) and also the minor changes to the design of the building.
- 2.03 As part of this application there would be an additional 3m high bund provided between the access track and Wallend Farmhouse as well as an extension to the larger bund surrounding the western building. This extension would add 50m in length to the bund at its southwest end and would be the same height as the existing bund at 4m.

3.0 SUMMARY INFORMATION

	Approved	Proposed	Change (+/-)
Approximate Ridge Height (m)	13m	14.5m	+ 1.5m
Approximate Eaves Height (m)	8.3m	8m	+ 300mm
Approximate Depth (m)	61m	61m	0
Approximate Width (m)	50.8m	50.8m	0
Net Floor Area	3,099m ²	3,172.5m ²	+ 73.5m ²

4.0 PLANNING CONSTRAINTS

The site is located partly in Environment Agency Flood Zone 2 and partly in Flood Zone 3.

Special Landscape Area (covering the eastern building and eastern bund).

5.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF) paragraphs: 7 (sustainable development); 14 (presumption in favour of sustainable development); 17 (core planning principles); 28 (supporting a prosperous rural economy); 32 (Transport Assessments) 56 (good design); 109 (conserving and enhancing the natural environment); 123 (noise); 186-187 (decision taking); 203 & 206 (conditions).

National Planning Practice Guidance (NPPG) – Design; Determining a planning application; Natural Environment; Noise; Travel Plans, Transport Assessments and Statements and; Use of Planning Conditions.

Swale Borough Local Plan 2008 – E1 (general development criteria); E6 (countryside); E9 (protecting the quality and character of the borough's landscape); E9 (high quality design); RC1 (helping to revitalise the rural economy); T1 (safe access to new development).

Bearing Fruits 2031: The Swale Borough Local Plan June 2016 – DM3 (rural economy); DM6 (managing transport demand and impact); DM14 (general development criteria); DM24 (conserving an enhancing valued landscapes);

Supplementary Planning Documents: Swale Landscape Character and Biodiversity Appraisal 2011. The application site lies within the Elmley Marshes Character Area with a Marshland landscape type. Its condition is 'good' and sensitivity to change is high. The guidelines for this landscape type are to conserve.

6.0 LOCAL REPRESENTATIONS

6.01 No representations have been received from local residents.

7.0 CONSULTATIONS

7.01 Minster-on-Sea Parish Council comment that their support is subject to improvements being made to the design of the entrance to Sheppey Way to accommodate passing vehicles to avoid congestion at this point. This should include reconfiguration of the access road by virtue of bunding to protect the quality of life of the occupant of Wall

End Farm. They also ask for a condition to prohibit all use of the access road onto Lower Road for the purpose of the Glencore activities. Without these safeguards, an objection applies.

- 7.02 KCC Archaeology comment that no archaeological measures are required for the site.
- 7.03 Kent Highways and Transportation have no objection noting that the site is in the immediate proximity of the strategic highway network and is well situated to handle the additional HGV movements between the site and Sheerness.
- 7.04 Natural England have no objection to the proposal noting that the proposal is not likely to have a significant effect on the interest features for which the Swale SPA and Ramsar sites and the Medway Estuary and Marshes SPA and Ramsar have been classified. An Appropriate Assessment is not required.
- 7.05 Kent Flood Risk and Drainage consider the scheme to be acceptable providing that the detailed drainage design is as per the approved details under 14/503227/SUB.
- 7.06 The Environment Agency were consulted, but no response has been received.
- 7.07 The comments of Highways England are awaited, and I will update Members at the meeting.

8.0 BACKGROUND PAPERS AND PLANS

Existing and proposed plans and elevations; Transport Statement (with addendum); Planning, Design and Access Statement and; Flood Risk Assessment.

9.0 APPRAISAL

Principle of Development

- 9.01 The proposal is for a replacement building that would be slightly taller than the original building and with other minor alteration as detailed above and at paragraph 9.02 below. The principle of the siting of a building in this position and its general scale has already been accepted under the original application SW/12/0165 (approved in April 2012 and with the benefit of input from the Agricultural Consultant, who raised no objection) and I see no reason why this should change. The existing bund surrounding the proposed building would need to be extended to the southwest by 50m to account for a gap that is required to continue using the track that leads onto Sheppey Way. This was not necessary for the original permission because all traffic would have used the Lower Road access. There would also be a new bund provided to the west of Wallend Farmhouse. The bunds are necessary to lessen the impact of the proposed building and the increased use of the access track and in this case, I consider that they would be acceptable in principle. The proposal also includes alterations to an existing access track onto Sheppey Way. This track has historically been used in association with the farm, although it is acknowledged that the majority of vehicles visiting the farm use the Lower Road access. The use of the track does not therefore require planning permission in its own right. It is simply the alterations to it, which are minor, that require the permission. I therefore see no objection in principle to this element of the proposal.

Visual and Landscape Impact

- 9.02 This proposal would see minor changes to the approved building in the form of a slightly higher ridge, a small box projection above the ridge, a front projection to house the grain elevator and very minor alterations to the elevations. The impact on visual amenities and the character and appearance of the landscape was given careful consideration under the original application – SW/12/0165. It is only the eastern building that lies within a Special Landscape Area, not the building the subject of this planning application. However, the Swale Landscape Character and Biodiversity Appraisal 2011 identifies that the landscape within which the proposed building sits is identified as being sensitive to change. However, the original application includes the creation of 4m high earth bunds which will be planted with trees including Oak, Ash, Sycamore and Field Maple and other vegetation. These bunds wrap around the buildings so that in the medium to long-term, the buildings would be heavily screened from view. The extension of the bund and the smaller new bund would have some impact on the character and appearance of the landscape, even though they are required as mitigation measures, because they introduce unnatural features within this flat landscape. However, I am of the view that set within the context of the existing bunds and large buildings already on this site, the proposed extension to the bund and new bund would have an insignificant visual and landscape impact. I am of the view that the visual impact of the bunds will be reduced with the implementation of a good landscaping scheme and I have suggested a suitably worded condition to ensure that this provided.
- 9.03 It is acknowledged that the current fire-damaged building is very conspicuous within the landscape at present. However, once the bunds have been planted and given time to mature, the impact on the landscape would be reduced. I consider that the proposed change to the height of the building would be imperceptible from long and medium-range views given the large size of the buildings as originally approved. The other changes to the appearance of the buildings would be largely screened by the earth mounds and tree planting. I therefore consider that the changes to the design and height of the building would be acceptable.
- 9.04 The access track would be realigned for a length of 130m so that there is an increased separation between the track and Wallend Farmhouse. The realignment is therefore along the part of the track close to the existing buildings, thereby limiting the impact on the open countryside as far as possible. The remaining 160m length of track would continue along the same alignment as existing and the junction onto Sheppey Way would remain the same. Two passing places would be provided at 20m and 105m from the Sheppey Way access. The track would be widened by 2.5m and 1.7m at these points respectively. They would be surfaced with type 1, as per the existing surface of the track. These changes would have little impact on the wider landscape in my view and no undue harm to visual amenities.

Residential Amenity

- 9.05 I have explained above that the use of the access track does not require planning permission and I have assessed the impact of the proposed use of the buildings, with resulting increase in HGV movements, under the linked application for the variation of conditions – 16/506716/FULL. This application on its own does not lead to any harm to residential amenities in my view.

Highways

- 9.06 The proposal considered under the other application – 16/506716/FULL would change the pattern of activity at the site from the use envisaged under the original application – SW/12/0165. The highway discussion for the linked application (16/506716/FULL) is set out in detail in the corresponding report. The proposed alterations to the access track are required as a consequence of the anticipated increased use of it. The existing access onto Sheppey Way is already very wide and the Transport Assessment (TA) considers that there are no safety concerns and that visibility would be adequate. As such, it is not necessary to make any improvements to the access where it meets Sheppey Way, despite the comments from the Parish Council. The TA considers that the proposed passing places will be sufficient to cater for peak usage.
- 9.07 Kent Highways and Transportation accept the findings of the TA and do not consider that the impact on the highway network would be harmful. Kent Highways and Transportation have no objection to the access improvements and changes and note that there are not changes required to the junction with Sheppey Way.
- 9.08 As noted above, the comments of Highways England in respect of possible impacts on traffic flow on the trunk road network (notably the A249) are awaited, and I will update Members at the meeting.

Other Matters

- 9.09 I have considered the imposition of a condition that would only allow this permission to be implemented if the variation of the condition application (16/506716/FULL) is implemented. However, I am not convinced that this is necessary as there would have to be harm arising from this application that would otherwise not be accepted unless associated with the Glencore use. I have not identified such harm and moreover, consider that the use of the track onto Sheppey Way as an alternative to the Lower Road access would be advantageous in respect of allowing direct access onto the strategic highway network and taking traffic off Lower Road.
- 9.10 I have suggested conditions which relate to the current proposal but also cover the proposed new use as set out in the other application.

10.0 CONCLUSION

- 10.01 Having considered the comments of the Parish Council and consultees as well as the relevant planning policies, I am of the view that the development would be acceptable in principle. This is because the building was approved under the 2012 application and the current proposal would simply alter its height and appearance in a minor way. In addition, the use of the access track does not require planning permission, it is simply the realignment and the passing places that require planning permission. The alterations to the building, changes to the access track, extension to the bund and provision of a new bund would have an insignificant impact on visual amenities and landscape character and appearance in my view. The alterations to the access track have been assessed by Kent Highways and Transportation as being acceptable and I therefore consider that the proposal would not cause any harm to highways safety or amenity. This proposal on its own would not cause any harm to the residential amenities of the residents of Wallend Farmhouse, although the impact of the linked application - 16/506716/FULL has given this due consideration.

11.0 RECOMMENDATION – GRANT Subject to no objection being raised by Highways England and to the following conditions:

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

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the following approved drawings: WM/444/BS/251; WM/444/BS/100; WM/444/BS/30; WM/44/BS/03; WM/44/BS/01; H-01 rev P1 and; WM/44/BS/02.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The landscape mounds hereby permitted shall be constructed and completed within one year of the date when the general purpose agricultural buildings are completed.

Reason: To minimise the impact of the development on the landscape.

4. The scheme of tree planting and landscaping shown on the submitted plan – WM/444/BS/100 shall be carried out within 12 months of the completion of the development. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority.

Reasons: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

5. The details of surface water drainage submitted and approved under 14/503227/SUB must be implemented and fully operational before water from the development discharged into it.

Reason: To minimise flood risk and in the interests of water quality.

6. The details of wheelwashing facilities submitted and approved under 14/503227/SUB must be implemented for the entire period of construction of the development hereby approved.

Reason: In the interests of highway safety and amenity.

7. No floodlighting, security lighting or other external lighting shall be installed or operated at the site, other than in accordance with details that have first been submitted to and agreed in writing by the Local Planning Authority. These details shall include:

- A statement of why lighting is required, the proposed frequency of the use and the hours of illumination.
- A site plan showing the area to be lit relative to the surrounding area, indicating parking or access arrangements where appropriate, and highlighting any significant existing or proposed landscape or boundary features.
- Details of the number, location and height of the lighting columns or other fixtures.
- The type, number, mounting height and alignment of the luminaries.
- The beam angles and upwards waste light ratio for each light.

- An isolux diagram showing the predicted illuminance levels at critical locations on the boundary of the site and where the site abuts residential properties.

Reason: In the interests of visual amenity.

8. No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:- Monday to Friday 0730 – 1900 hours, Saturdays 0730 – 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity

9. The buildings hereby approved shall be used for purposes ancillary to the agricultural activities taking place at SW Attwood and Partners holdings on the Isle of Sheppey, with an area of no less than 570m² reserved for this specific use within each building, and for the storage of raw grains, oil seeds and pulses grown on farms in the South East region.

Reason: To retain control over the use of the buildings in the interests of amenity and highway safety.

10. The delivery and dispatch of grains, oil seeds and pulses at the permitted buildings (grown off the SW Attwood & Partners holdings) via the access track to Sheppey Way (within the blue land) shall not take place between 2300 hours and 0700 hours. Between these times deliveries or dispatches shall take place via the access track to Lower Road. At all other times, deliveries or dispatches to the permitted buildings of grains, oil seeds and pulses (grown off the SW Attwood & Partners holdings) shall not take place other than via the access track to Sheppey Way.

Reason: In the interests of highway safety and the residential amenities of Wallend Farmhouse.

11. The use of reverse alarms to vehicles associated with the delivery or dispatch of grains, oil seeds and pulses (grown off the SW Attwood & Partners holdings) to the buildings hereby approved shall be strictly prohibited between the hours of 2300 hours and 0700 hours.

Reason: In the interests of the residential amenities of Wallend Farmhouse.

12. The habitat enhancements set out in paragraph 4.9 of the ecological scoping survey relating to the provision of bird/bat boxes and planting a grassland mix for the proposed bunds shall be carried out within 12 months of completion of the approved development.

Reason: In the interests of biodiversity.

Informative:

1. The applicant is advised to consider the contents of the letter from Kent Highways and Transportation dated 31st October 2016.

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Offering pre-application advice.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance: The applicant/agent was advised of minor changes required to the application and these were agreed.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.