

Our ref; MW/SA/Payne/Building/Retro

24<sup>th</sup> October 2023

Planning Services,  
South Gloucestershire Council,  
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*Willis & Co.*

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Dear Sir,

**Town and Country Planning Act 1990  
Erection of a general purpose rural building (retrospective) at  
Peopleton Brook Farm, Mill Lane, Old Sodbury, BS37 6SH**

1. Our client, Mr J. Payne, instructs us to submit a retrospective planning application for the erection of a general purpose rural building on land at Peopleton Brook Farm, Mill Lane, Old Sodbury, BS37 6SH.
2. Please find enclosed in support of this planning application;
  - The relevant application forms and certificates;
  - The Design and Access Statement (this document);
  - Existing plans and elevations of general purpose rural building numbered JP-JH-200;
  - The location plan numbered JP-JH-201;
  - The site plan numbered JP-JH-202;
  - A detailed calculation and list of machinery - **Confidential and not to be uploaded onto the Council's website;**
  - Invoices for bales and shavings - **Confidential and not to be uploaded onto the Council's website;**
  - An article on thefts; and
  - The relevant planning application fee of £96 made payable to South Gloucestershire Council.

Introduction.

3. Willis & Co. are instructed by Mr J. Payne to prepare and submit this retrospective full planning application for approval for the erection of a general purpose rural building (retrospective) at Peopleton Brook Farm, Mill Lane, Old Sodbury, BS37 6SH.
4. The building that is the subject of this application was approved under application ref; PK08/1635/F which was submitted in May 2008.

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5. In this respect, the first thing to re-iterate is that the applicant truly believed he built the building as approved, that the barn measured 18m x 12m (60ft x 40ft) and not 14m x 9m (45ft x 30ft) and that any mistake was human error and, just that, a mistake.

6. At the time of submitting this application the applicant's, then, agricultural consultant Mr Mike Warren, submitted a report which clearly stated that the building measured 18m x 12m (60ft x 40ft). It was to be used for the storage of machinery, equipment, hay and straw used in relation to the enterprise as well as livestock when needed. I quote his report:

### 7. "10. The Building

*10.1 ...Mr and Mrs Payne need to erect an additional building on site. The intended structure measuring 18m ( 60 feet ) x 12m (40 feet ), a total of 216 sq.m (2,400 sq.ft)...."*

8. Point 10.2 then detailed why the building was needed which stated:

*10.2 It is essential that covered and dry storage facilities are available for all feed (forage and concentrate feeds) and bedding materials, fibre storage, sick animals and veterinary treatment area. Although field shelters will suffice for normal animal housing, sick animals will require warm and dry conditions. Machinery and equipment storage is also better achieved within a dry area and out of the sight of intruders and the general public and contributes to the general tidiness of the site."*

9. With the application, the applicant also submitted specification and an estimate from Worman Construction Ltd. which was date stamped by South Gloucestershire Council on 9<sup>th</sup> June 2008. This specification and estimate was also included in Mike Warren's report.

10. As far as the applicant can recall he didn't and hasn't submitted any other size barn in the application. This application was approved on 15<sup>th</sup> Aug 2008.

11. A planning application was submitted in Jan 2012, and approved, for the retention of a rural workers dwelling.

12. What is of interest is the agricultural appraisal prepared by South Gloucestershire Council's agricultural consultant on 3<sup>rd</sup> February 2012.

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13. In the Council agricultural appraisal, section 2.03, Buildings and Equipment, it states:

14. *"There are stables on site together with field shelters, and there is permission to erect at some stage a 60ft x 40ft general purpose building in accordance with an application that was made back in 2008."*

15. And again in section 3.03, Buildings and Equipment, it states:

*"The proposal is to erect the 60ft x 40ft building with 12ft eaves to mainly for storage purposes."*

16. The applicant considered it clear that the building is built as approved and that the applicant, my agricultural consultant of the time and, importantly, the Council agricultural consultant considered the agricultural building to measure 60ft x 40ft (18m x 12m) to provide a floorspace of 2,400 sq.ft (216.sq.m).

17. Based on this, it seems quite clear that the applicant was understandably confused when he was questioned as to the size of the building he had built, the building has been built larger than permitted not by malice but human error. It is also clear that the as-built barn is justified with the space, plus more, now being needed.

18. Despite this the applicant understands the Council's concerns which is why this application has been submitted.

19. The as-built general purpose rural building is built on the same location on the site as it was approved in 2008.

20. The site plan and elevations show the as-built location of the building in relation to the approved building to highlight the differences.

### 21. Justification for the proposed agricultural building and proposals

22. There was a clear justification for the proposed building when applying for application that was approved. When approving the application the Council agreed that there was a clear need for the building and that it was justified. This is still the case in relation to this application and to re-iterate the proposal is to retrospectively approve the as-built building.

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23. The rural enterprise continues to be the applicants sole and main focus and continues to provide a working environment for young adults to work outdoors.

24. On the whole rural enterprise, the applicant currently uses approximately 1,830 small bales of hay per year and 1,500 small bales of straw per year which both measure 1.4m x 0.8m x 0.5m high. Around 300 of these bales are kept in the existing building

25. In addition they use 90 large bales of 6 string hay which need to be stored. These measure 2.3m x 1.5m x 1m high. Around 8 of these bales are kept in the existing building.

26. In respect of this application purchasing 90 large bales at £60 per bale delivered (see invoice attached) means a yearly outlay of £5,400 per year and the purchasing of 1,830 small bales at £4 per bale (see invoice attached) amounts to a yearly outlay of £7,440 which means in total that is £12,840 worth just of bales on the rural enterprise. The straw was £3 for a small bale and has risen in the last week to £3.50 per bale. This means that the applicant spends a further £5,250 on straw with 8 bales of shavings and fodder also needing to be bought at further cost. These all need to be stored in a secure and weatherproof building.

27. Hay prices are higher in the winter as demand is higher at this time than in the summer when there is greater supply. Hay is cut in the summer months at a time which is dependent on the weather. In late winter/early spring it is the most expensive time to buy due to shortage from suppliers. Purchasing hay 'off the field' is also cheaper and not only guarantees good quality hay but ensures we have enough for the year and this will reduce the price when demand is high.

28. To further re-iterate the importance of the proposed buildings, the hay prices will further rise in the winter as the demand is higher than in the summer.

29. In addition to the hay and straw being needed, the Farm has a lot of machinery used for the upkeep of the farm and some are stored in the existing building. You will see from the attached document that lists all of the items of machinery and equipment that the applicant has and that there is not currently enough space in the current building.

30. Climate change is becoming a daily concern with almost daily reports showing that homes and businesses worldwide needing to reduce admissions. The Government have targets that they need to meet. June

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of this year was a very good month and good quality hay was produced. The applicant has spoken to a local farmer and he stated that this has been the worst year that he can remember for bad weather. The hay produced since June has been of a lower quality due to the rain. There is a shortage of hay produced in June and the price per bale is already starting to rise and the applicant is having to plan ahead by purchasing enough hay, straw and bedding for the following year. This further shows that a weatherproof storage area is a necessity.

31. The applicant has obtained an article in reference to Climate Change and 2023's weather which noted:

*"However, despite above average temperatures for the season, it has also been a wetter than average summer, with July leading the way in terms of rainfall; which was provisionally the UK's sixth wettest July on record. Interestingly, of the ten warmest summers on record by mean temperature, summer 2023 is the wettest.*

*Met Office Senior Scientist Mike Kendon said: "The lion's share of fine and settled weather in summer 2023 for the UK occurred in June, when high pressure was widely established bringing many dry days of warm summer sunshine. After that, however, the jet stream shifted much further to the south, with low-pressure systems often bringing rather wet and windy conditions to the UK through much of July and August.*

*"The characteristic variability of the UK's climate has once again been illustrated by this summer: the season's temperature figures are influenced by how significantly hot June was, but the result is that summer 2023 will go down as a warm and wet one for the UK, with plenty of rainfall in the second half of the season."*

32. Considering the essential need for the machinery on the site and their high cost it is essential that they are stored inside to protect them from the elements and the risk of theft and vandalism.

33. There has been thefts from the properties along the lane with some 50% of the properties being victims. In a recent planning application it was noted by the applicant that a secure building is needed for the safety of farm machinery. Security in the area is a concern and there has been, in 2019, a theft of a horse trailer, as an example.

34. There was also an article prepared by the NFU entitled "*Rural crime soaring as gangs target farms.*" I will not quote the article, but and it is enclosed, but I will note that a table is included within the article which shows that in the worse affected counties by cost to crime and theft

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the % change in cost to the enterprises has risen from a minimum of 5.5% to 107.5% between 2021 and 2022. This is a clear issue and concerns.

35. In addition the local Sodbury news letter recently reported of a property that was broken into. It seems clear that the articles further support the need for a safe and secure building for all equipment and machinery to be stored as theft is on the rise in rural areas and in the locality.

36. Security lightning has been installed on the barn. This is important from a health and safety point of view but also from a security point of view to deter trespassers.

37. The building also has moveable livestock pens within, which are used by the livestock usually during poor weather conditions, when in distress or when ill. The vet would see them in the building. When the livestock pens are not all or in part not used by the animals they will offer additional areas for storage within the building.

38. When applying for application in 2008 a detailed justification for the building was included on the agricultural appraisal as:

- Fodder and bedding materials = **55m<sup>2</sup>**
- Animal handling and housing sick animals = **30m<sup>2</sup>**
- Veterinary and medicine and specific equipment storage = **20m<sup>2</sup>**
- Tools and fencing material = **40 m<sup>2</sup>**
- Tractor, trailer and topper housing = **70m<sup>2</sup>**
- Overall total space required = **215m<sup>2</sup>**

39. The as-built building is provided with 216m<sup>2</sup> of floor space so this meets with the requirement. However, not only does the applicant require far more space now but the previous calculation did not allow for the 20% expected too allow easy movement of people, machinery, livestock and machinery within the building. This means that, when approved, the building should have been 43m<sup>2</sup> larger providing a total floor area of 258m<sup>2</sup>.

40. It is agreed that the building is justified and this application seeks to obtain approval for the slight retrospective alterations/extension to the existing building from that approved..

41. To be clear this application only relates to a small extension of the approved barn. This is shown on the attached floor plan (approximate

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sq.m listed not volume). It will be a flexible building with the enclosed list detailing the list of machinery, equipment, hay, straw etc. that is and needs to be stored on the site. This provides justification for the as-built building, that is the subject of this application, and we refer the officer to this document.

42. In addition to this there is the mezzanine which is half office and half arts and crafts which measures 7.9m x 11.6m but does not impact the floor area proposed in regard to this table, only the overall, volume used.

43. A needed farm office and arts and crafts area has been added on a mezzanine floor.

44. The sizes listed for the uses of the building re-iterates the fact that the existing as-built building is still not large enough for all of the items stored when considering the 20% required for walkways and movement of machinery and equipment and/or space in the building for general movement and aeration, thus, easily justifies the need for it's as-built size. When visiting the site and entering the building, it is clear that the building is fully utilised, with more space required.

45. It is quite clear that the rural business has a large amount of machinery and equipment, of great expense, that is used on and around the site and needs to be stored internally. In addition, there is a large amount of straw and hay that is used on the enterprise and needs to be stored inside a building to ensure that it is protected from the elements and is usable.

46. A list of all of the equipment with photographs found on the site is attached with this submission with those stored in the building the subject of this application cleared marked. This list fully justifies the as-built building.

47. The applicant does not have any spare space inside the building to carry out essential maintenance and service any of the vehicles used on the enterprise.

48. In addition to this the applicant needs to use the barn to store shaving bales as well as animal bedding and feed and these must be stored within a building.

49. What the enclosed list also shows is that the existing building is not large enough, even as-built, to store the additional straw, hay, fodder bedding and machinery and equipment. It is fully justified.

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50. In summary, the building will continue to be required for the general storage of machinery, equipment, hay and straw as well as creating livestock pens, when needed for animals in distress or in severe weather situations, but it will also continue to provide an art and craft area as well the enterprise's office. The building is a necessity from the needs of the enterprise, a security and animal and human welfare point of view.

### 51. Scale, Siting and Layout

52. The applicant requires the continued use of the general purpose rural building which will is well related to the other buildings currently found on the site.

53. The building is found centrally on the site and is well-related to the other buildings, the access and the fields found on the farm and be in the same location as approved under the 2008 permission.

54. The as-built building measures 18m x 12m, with a height of 3.6m to the eaves and 5.4m to the ridge, and provides a floor area of approximately 216sq.m.

55. The as-built agricultural building will continue to be easily accessible from all areas of the farm and, due to being in closer proximity to the existing building, will allow ease of movement between the structures.

56. An area of hardstanding will be retained around the barn as shown on the site plan.

### 57. Appearance

58. The approved and as-built general purpose agricultural building will remain the same as approved in 2008. It is has sliding doors for easy entrance and is built from a grey fibre cement sheet roof and concrete panelled walls with galvanised green box profiled cladding above.

59. The site covers an area of land which amounts to approximately 7.15 ha (17.65 acres). Although the site is not found within an Area of Outstanding Natural Beauty, it is found within the Green Belt. Some 20 years ago, the applicant planted trees as screening at the bottom of their field. There are a verity of trees including oak which are now approximately 30 foot high. These trees, long with the high hedgerow,



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are a good natural screen to minimise views in and out of the site to and from neighbouring properties and to preserve the setting and appearance of the Green Belt.



60. The building will continue to meet the needs of the applicant and the enterprise and be extremely vital for security reasons.

61. The building will be extremely flexible to be used in relation to all aspects of the rural enterprise now and in the future. The building is provided with large doors to provide entry for larger farm vehicles into the enclosed part of the building.

### 62. Off-grid energy provision

63. The applicant's rural enterprise is off-grid with all of the electricity being generated through solar power and a generator. It is their intention to be as sustainable as possible which will be positive from a climate change point of view.

64. It is a desire of the Government for off-grid energy provision to become the norm by 2035 at the earliest. Please refer to this useful link <https://www.greenpeace.org.uk/challenges/climate-change/how-will-climate-change-affect-the-uk/>

65. For this reason the applicant intends to include solar panels on the roof of the rural building which will provide the following (as noted by Steve Menadue of Gemsolar Ltd):

*"A typical PV system can produce 913Kwh per year for each kW of panels installed.*

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*A 60x40ft barn can fit around 18kW of solar PV on the southerly roof.*

*This can potentially produce an average of:*

*16,452 kWh per year*

*90 kWh per day in the peak if the summer*

*18kWh per day in the depths of winter*

*A typical house uses between 4,000-6,000kWh of electricity per year. (11-16kWh per day)*

*The applicant's current battery will hold 15kWh.*

*Batteries are modular, so as many as needed can be installed with the general recommendation being to install enough batteries to run the site/house for 1 day."*

66. It is clear that the rural barn will provide an additional amount of sustainable energy. It is the intention of the applicant to use electric vehicles on the site to further reduce their carbon footprint. All the energy will be produced sustainably on-site.

67. Relevant Planning Policy Guidance.

68. **National Planning Policy Framework – July 2021**

69. The NPPF encourages local planning authorities to support sustainable development. The following paragraphs from the NPPF are considered to be particularly relevant to the determination of this planning application.

70. **Paragraph 11** of the NPPF states that '*Plans and decisions should apply a presumption in favour of sustainable development*'. It suggests that planning permission should be granted unless any adverse impacts would be so significant as to outweigh the benefits of the development, when assessed against the policies in this Framework taken as a whole. It is considered that the proposed development accords with this paragraph.

71. **South Gloucestershire Local Plan Core Strategy 2006 - 2027**

72. **Policy CS1** of the Core Strategy and Policy PSP1 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments

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should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

73. We consider that, as with the 2008 planning permission, the proposals fully accord with this local policy.

### **74. Policy CS5 - Location of Development (Summary)**

75. Comment: This policy is consistent with the NPPF setting out that in the open countryside development will be strictly limited. The building is found on an existing and established rural enterprise and will be well-related to the existing buildings on the farm.

### **76. Policy CS34 - Rural areas (Summary)**

77. Comment: This policy suggests that development should protect and conserve and enhance rural areas and also protect the best agricultural and rural land. It is quite clear that the proposed development; a rural building; already permitted, fully accords with this policy.

### **78. South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017)**

**79. Policy PSP7 – Development in the Green Belt (Inter Alia)  
*Inappropriate development is harmful to the Green Belt and will not be acceptable unless very special circumstances can be demonstrated that clearly outweigh the harm to the Green Belt, and any other harm.***

80. Comment: When reading this policy in reference to the relevant paragraph of 149 of the NPPF, it is clear that the proposed (retrospective) general purpose rural/agricultural building is suitable. The benefits of the building are clear to see and the building has been designed with not only the surrounding area in mind but the Green Belt. Additional planting has also been made by the applicant over the past 20 years.

### **81. Policy PSP29 – Agricultural Development**

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***Development proposal(s) for agricultural development outside the defined urban areas and settlement boundaries will be acceptable providing that in the case of new buildings:***

***1) there are no existing suitable underused buildings, reasonably available; and***

***2) the proposal(s) is reasonably necessary for the purposes of the use and is clearly designed for that purpose.***

Comment: There are not any suitable underused buildings found on the site for the proposed use and the building is reasonably necessary for the purposes of the use it is designed for purpose. The building is currently found on the site

82. The site is found within the Green Belt. The NPPF encourages use of the Green Belt to be used for outdoor sport and recreation as a positive benefit. This was the opinion of the Council when approving the existing agricultural building in 2008 and is a view that must also be taken in this instance.

83. The retrospective erection/extension of the existing general purpose rural/agricultural building at the application site would not affect the openness of the green belt in this location, and would continue fulfil a positive use of the Green Belt by serving the applicants business. As such, we do not consider that the proposal is not in conflict with green belt policy and is considered appropriate.

84. I trust that the Council have all the information required to register and determine this application. Please do not hesitate to contact me should you require any further information or clarification.

Yours faithfully,



Stuart Anderson BTP MRTPI MBIAC