

Design & Access and Planning Statement

Fry's Bottom, Clutton, BS39 5QN.



Planning Statement

To support a retrospective full application for a forestry building to store felled trees / logs and timber (resubmission).

Fry's Bottom, Clutton, BS39 5QN.



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Table of Contents

1. Executive summary	1
2. Site background	2
2.1 <i>The site</i>	2
2.2 <i>Site location</i>	2
2.3 <i>Local and National Designations</i>	4
2.4 <i>Surrounding developments</i>	4
2.5 <i>Relevant planning history summary</i>	4
3. The proposed development	5
3.1 <i>Proposal summary</i>	5
3.2 <i>Justification</i>	5
3.3 <i>Material schedule</i>	5
4. Site photographs	9
5. Addressing the reasons for previous refusal	10
6. Local Planning Policy	12
7. National Planning policy	14
8. Conclusion	17

Documents Submitted Alongside This Statement:

Document	Produced By
Floor plans and designs of proposed development	Jonathan Hanford
Felling License to fell growing trees	Forestry Commission
A map of the land allocated for the felling of trees at Fry's Bottom Wood.	Forestry Commission Public Register for England
Letter of confirmation as actors of accountants for the forestry business at Fry's Bottom.	AJM Accountants
Protected Species Survey Report	Stark Ecology

1. EXECUTIVE SUMMARY

1.1.1 Arena Global Management Limited (AGM Ltd) is an independent and specialist town planning consultancy in the Bath region. AGM Ltd has prepared this Design & Access and Planning Statement on behalf of Mr S. Wilcox.

1.1.2 This application forms part of a retrospective full-application with regard to the proposal for a forestry building to store felled trees / logs and timber (resubmission).

1.1.3 The proposed development consists of;

- The erection of a retrospective forestry building for the storage of felled trees / logs and timber (resubmission).

1.1.4 This statement is set out to the chapters laid out in the contents.

1.1.5 This statement should be read in conjunction with the accompanying documentation listed below;

- Site Location Plan
- Existing Site Plan
- Proposed Site Plan
- Front Elevation Plan
- Side Elevation Plan
- Roof Plan
- Structural Detailing Drawing
- Site Photographs
- Felling Licence
- Machinery Photographs
- Protected Species Survey

1.1.6 Both Local and National Planning Policy has been carefully considered in developing the proposal and it is understood that the proposed development is in accordance with all relevant planning policy. Therefore, it should be found permissible.

2. SITE BACKGROUND

2.1 The site

2.1.1 The site was purchased by Steve Wilcox in 1995, with the business, known as Fry's Bottom Timber, being set up within the year. In 1995, Mr Wilcox also acquired his first Felling License and Woodland Grant Scheme from the Forestry Commission. Since then, Mr Wilcox has held three Felling Licenses at Fry's Bottom Wood.

2.1.2 During Mr Wilcox's ownership of Fry's Bottom Wood, Mr Wilcox has harvested 600 mature trees; the tree trunks are sold as milling timber and the remaining limbs and branches of each tree (equates to 50 percent of the tree) are processed into logs for the local market. The selling of the felled trees have been from Fry's Bottom Timber. Every year, accounts have been submitted to HMRC and can be used as evidence of the forestry business.

2.1.3 As a result of Mr Wilcox's regeneration of the wood, Fry's Bottom Wood has an estimated 10,000 trees which are at various stages of growth.

2.2 Site location

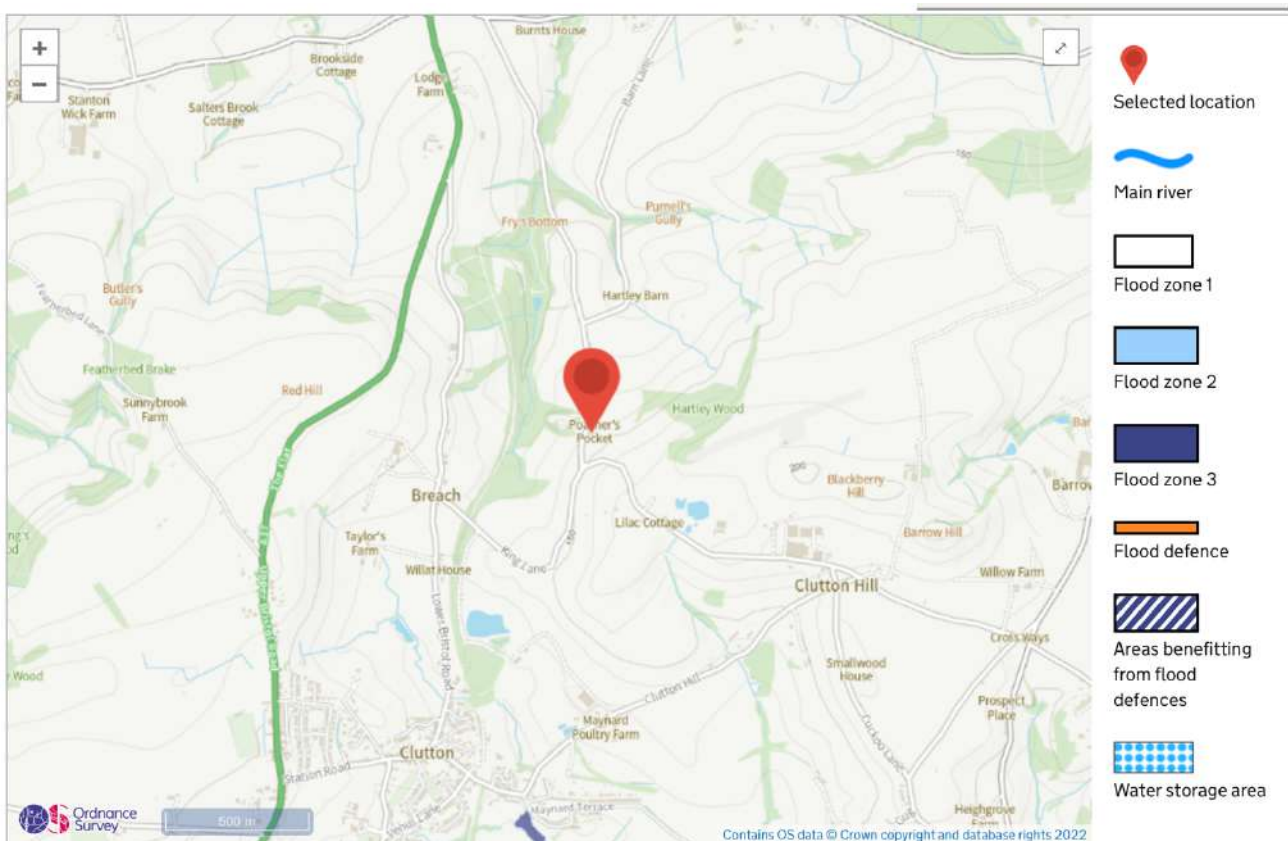
2.2.1 The Application Site is located to the north east of Clutton and is accessed by King Lane, which connects the Site to the village of Clutton, as well as Chelwood and the A368 to the north.

2.2.2 Construction began in December 2020 and under normal circumstances, such a development could be constructed through Prior Approval and Permitted Development rights. However, due to the fact the application site is located within 3km of an airfield, a full application has been sought.

2.2.3 Google maps:



2.2.4 OS map:



2.2.5 The application site is located within Flood Zone 1 and therefore no FRA is required.

2.3 Local and National Designations

- Green Belt
- Ecological Network
- Sites of Nature Conservation

2.4 Surrounding developments

2.4.1 The application site is surrounded by a variety of existing agricultural fields and the nearby Fry's Bottom Trails wood and camping ground. The closest residential property is approximately 20m from the application site.

2.5 Relevant planning history summary

2.5.1 99/02213/AGRN: Detached forestry building. Decision: Application Permitted. It is worth noting that Mr S. Wilcox has previously gained consent via Prior Notification for a forestry building in the proposed location. Although the hardstanding was laid out, the building was never constructed.

3. THE PROPOSED DEVELOPMENT

3.1 Proposal summary

3.1.1 The erection of a retrospective forestry building for the storage of felled trees/logs and timber (resubmission).

3.2 Justification

3.2.1 Mr. Wilcox owns around 30 acres of woodland and has, over a number of years and with the necessary licenses, felled a variety of trees within his ownership for general maintenance of the woodland. Mr. Wilcox also runs a small-scale forestry business and is now needing purpose-built storage to ensure that the felled logs are appropriate for custom.

3.2.2 Currently, these logs are stacked in piles throughout the woodland due to a lack of appropriate storage (as the photographs demonstrate within the next section). From the 1st of May 2022, it is now required that logs that are designated for sale must be dried to a 20% moisture content. To achieve this, the logs have to be stored inside or undercover to avoid rain cover. The forestry building will be used all year round for this purpose.

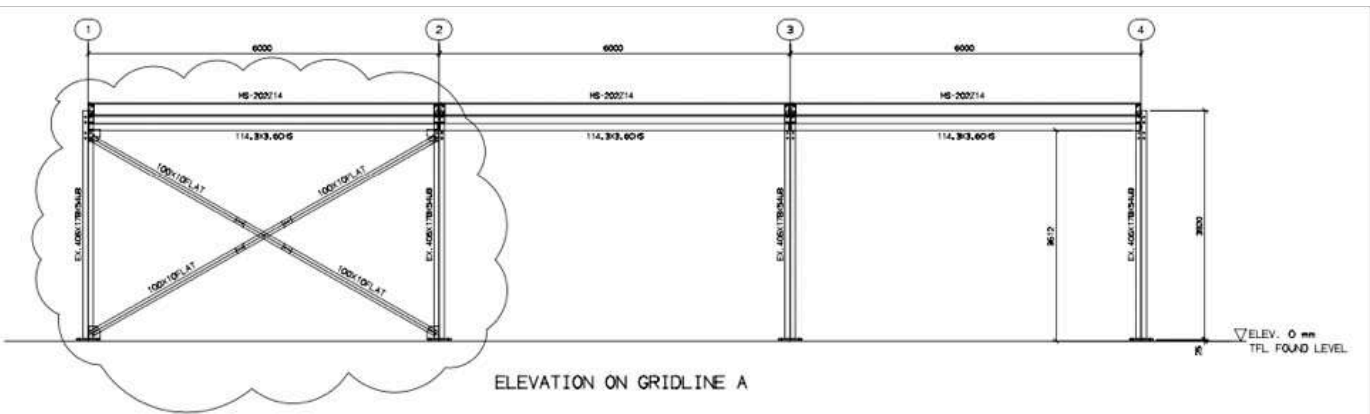
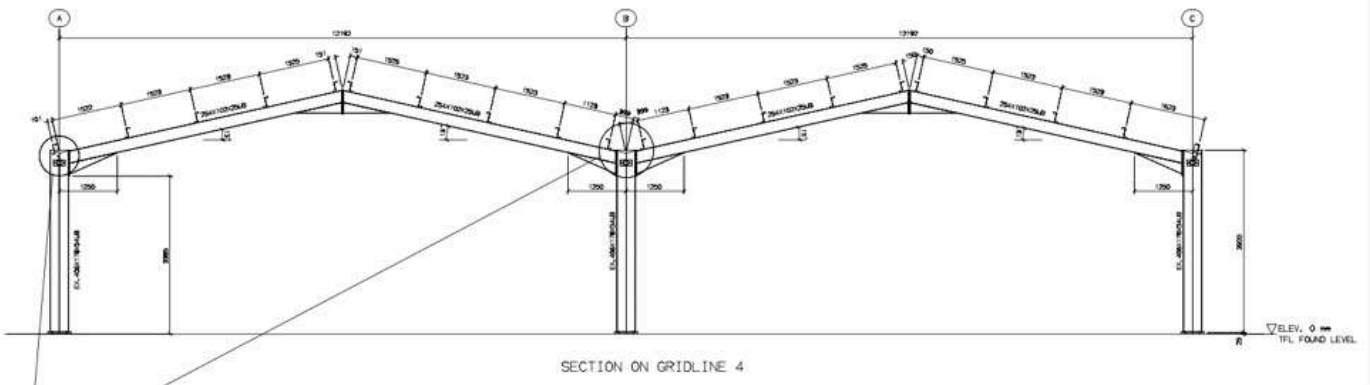
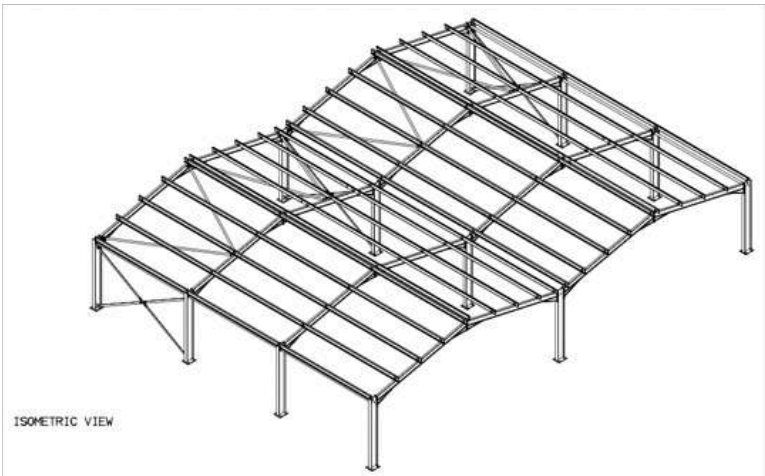
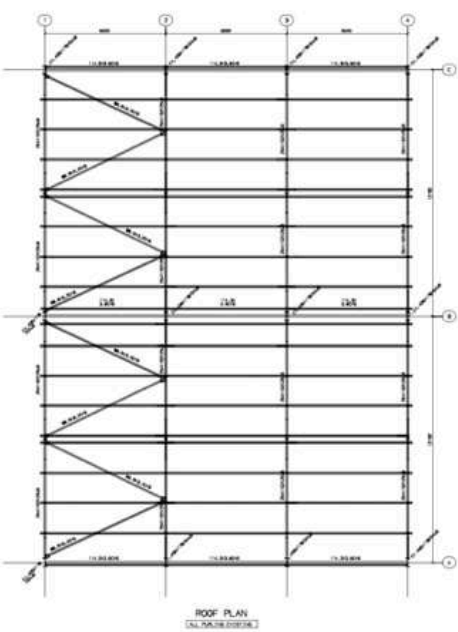
3.2.3 As a result of maintenance of the wood and the felling and sale of logs at Fry's Bottom Timber, Mr Wilcox has developed a collection of essential harvesting machinery over time. To maintain the condition of the machinery and ensure their safety, Mr Wilcox aims to store the machines within the proposed development, alongside felled logs (please refer to photographs below). Additionally, the proposed development will house upwards of 1,000 tree guards and strakes, plus 6-foot wire and fencing stakes for the protection of deer.

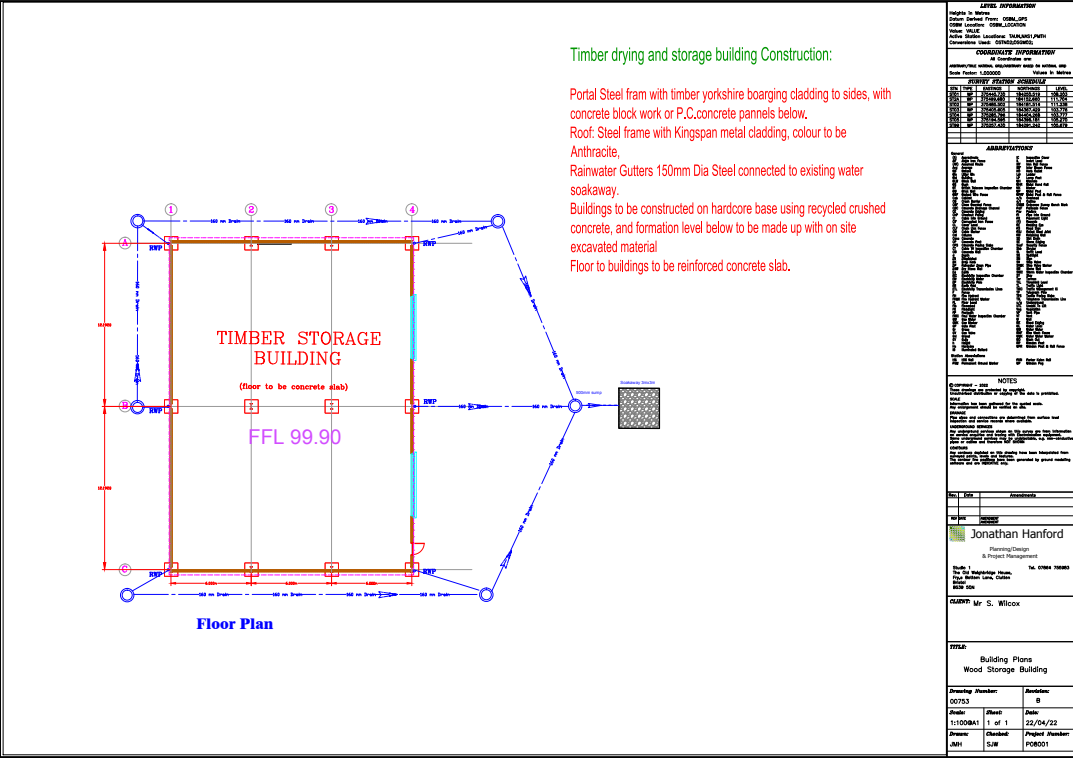
3.2.4 The approval of this retrospective forestry building would enable the felled trees to be dried and processed into logs. Furthermore, the forestry building would ensure that the woodland remains clear of current and future felled timber, as well as improving the quality of the timber for prospective clients.

3.2.5 The forestry building is located on an existing hardstanding surface.

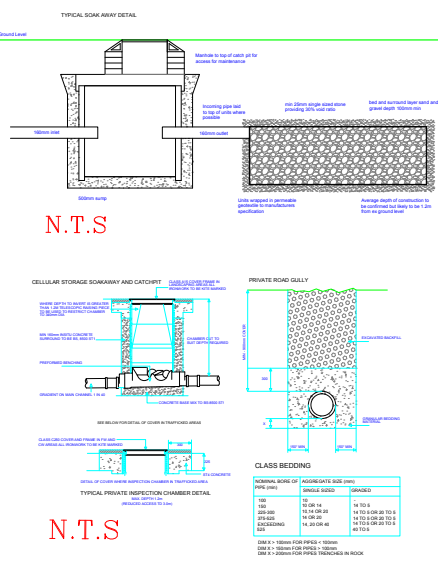
3.3 Material schedule

3.3.1 The proposal has been designed in such a way to minimise its visual impact to the surrounding locality. The forestry building is constructed of structural steel and will be clad by concrete panels (to be stained green), as well as natural stained Yorkshire





Drainage Details:



1. * = 160mm FOR PIPES DIAMETER UP TO 300mm,
* = 200mm FOR PIPE DIAMETERS OVER 300mm
BASED ON NARROW TRENCH THEORY. DESIGNER TO CONFIRM FOR SPECIFIC PIPELINE.

2. BACKFILL MATERIAL TO BE SELECTED EXCAVATED MATERIAL WHERE THIS MATERIAL COMPLIES WITH CE391. ADDITIONAL MATERIAL TO MAKE UP ANY DEFICIENCY TO BE GRANULAR SUB-BASE TYPE 1 UNLESS STATED OTHERWISE

3. IN WET, SOFT, OR SILTY SOILS, WHERE LATERAL SUPPORT IS NOT OBTAINED OR WHERE FINES MAY MIGRATE, THE GRANULAR BEDDING MATERIAL SHALL BE SURROUNDED BY GEOTEXTILE FABRIC WITH MIN 200mm OVERLAP.

4. SITE PHOTOGRAPHS



5. ADDRESSING THE REASONS FOR PREVIOUS REFUSAL

- 5.1.1 This section addresses the reasons for the previous refusal of the application and provides additional supporting evidence for the erection of a forestry building to felled trees / logs (resubmission).
- 5.1.2 Point one of the refusal decisions stated that there is an insufficient justification to prove that the proposed development is required for the forestry business at Fry's Bottom. To address this, a Felling License to fell growing trees, has been presented by the Forestry Commission in June 2022 (please see supporting information). This has been presented alongside a map, indicating the proximity of the land that can be felled (please see appendix). Additionally, AJM Accountants have provided a letter of confirmation that they have acted as accountants for Mr Wilcox, trading as Fry's Bottom Timber from the 1st of May 2006 to date (please see supporting information). All pieces of evidence provide legitimisation of the business as Fry's Bottom Timber, at Fry's Bottom Wood, and confirms the need for the proposed development to assist in the running of the business.
- 5.1.3 Additionally, the need for the felling of trees at Fry's Bottom Wood has been supported by Assured Trees, an Arboricultural Consultancy, in October 2021. The consultancy has completed a survey and consequently provide evidence that Ash Dieback Disease is prevalent throughout Fry's Bottom Wood. They state that a significant number of trees are dead or severely impacted, a high quantity of trees are likely to die in the short term and that the remainder of ash trees are likely to be infected in the next 1-5 growing seasons. This arboriculture letter provides evidence that the felling of infected trees is essential to allow the wood at Fry's Bottom to survive. Additionally, it was stated that the felling of trees to the east, near the public highway, and to the south, surrounding the car park is essential to ensure that safety requirements are met. Therefore, it is clear that a forestry building is required for the storing of felled trees and logs on the edge of the wood.
- 5.1.4 Point two of the refusal decision states that there was insufficient information submitted to demonstrate that the proposed site is capable of being developed without adversely affecting the stability of the development or neighbouring land. The Coal Authority later withdrew their objection to the previous application in November 2021. This was changed due to the possibility that the feature (bell pit) may not be locatable as a result of the significant depth of spoil present.

5.1.5 In addition, Mr Wilcox has discussed with The Coal Authority, ways in which to reduce potential risks that could be posed by the development. The Coal Authority has supported the laying of a reinforced concrete slab, linked around the 12 stanchions already bolted to the footings of the storage building. This would be adequate to span any void that may be present beneath the 12m spoil heap on which the building sits. Consequently, the withdrawal of the objection and support for mitigating potential risks, indicates that the proposed development poses no threat to the site or neighbouring land. It is therefore clear that development on the application site should be permissible in relation to these grounds (please see supporting documents).

5.1.6 Point three of the refusal decision addresses the need for greater understanding of the ecological harm that the proposed development may have on the surrounding area. To understand the implications and limit the effect that it may have, Mr Wilcox has commissioned two ecology surveys which were conducted in July 2022. The ecology surveys address the issues raised by the LPA ecology report in December 2021. The assessments concluded that there would be limited to no impact on the application site and the surrounding area due to the location and design of the proposed development. Both surveys have highlighted appropriate measures which can be undertaken to help biodiversity in the area, and Mr Wilcox is happy to support these measures, through the introduction of bat boxes and the preservation of animal habitats within Fry's Bottom Wood.

5.1.7 It is clear that steps have been taken to address the previous reasons for refusal and evidence has been provided to support these points. Due to the limited impact the development would have on the surrounding area, and the essential need for the forestry building for the business at Fry's Bottom Wood, the development should be permissible.

6. LOCAL PLANNING POLICY

6.1.1 The following policies from the B&NES Core Strategy (adopted July 2014) document and Placemaking Plan (adopted July 2017) document have been taken into consideration when assessing the principle of development.

- Policy SD1: Presumption in favour of sustainable development
- Policy CP8: Green Belt
- Policy D2: Local Character and Distinctiveness
- Policy NE2: Conserving and Enhancing the Landscape and Landscape Character
- Policy NE3: Sites, Species and Habitats
- Policy NE6: Trees and Woodland Conservation

6.1.2 **Policy SD1: Presumption in Favour of Sustainable Development** - This policy states that “When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework”. The proposed development conforms to this objective, supporting the economic development within the rural economy.

6.1.3 **Policy CP8: Green Belt** - This policy states that “The openness of the Green Belt will be protected from inappropriate development in accordance with national planning policy”. Considering Paragraph 149(a) of the NPPF states that buildings for agriculture and forestry are exceptions to Green Belt policy, the proposed development should be found acceptable.

6.1.4 **Policy D2: Local Character and Distinctiveness** - This policy states that “Development proposals will be supported where they contribute positively to and do not harm local character and distinctiveness”. The proposed development is situated within an agricultural setting and would respond positively to the existing site context. The forestry building is to be finished with concrete panels (stained green) as well as natural stained Yorkshire boarding. Additionally, the roof is to be constructed from composite sheeting, also coloured green. As this demonstrates, the proposed forestry building seeks to blend harmoniously into the existing woodland, adopting colours similar to the surrounding context, positively reflecting the local landscape.

6.1.5 **Policy NE2: Conserving and Enhancing the Landscape and Landscape Character** - The proposed development will continue to conserve the local landscape, having an associated

use within forestry. Without the felling of trees infected by Ash Dieback, the woodland will not be able to be maintained and will consequently suffer as the disease spreads. This will consequently impact the whole landscape surrounding Fry's Bottom Wood. Additionally, the proposed development is well screened and not visible from outside the site.

6.1.6 Policy NE3: Sites, Species and Habitats - This policy sets out the Council's strategy for the protection and conservation of sites, species and habitats. The proposed development would not have an impact to the Nature Conservation site and Ecological Network and therefore should be found permissible.

6.1.7 Policy NE6: Trees and Woodland Conservation - This policy states that "Development will only be permitted where "it seeks to avoid any adverse impact on trees and woodlands of wildlife, landscape, historic, amenity, productive or cultural value". The proposed development would remove the current felled timber from the woodland space and ensure that future felled trees can be stored in a way that does not interrupt the woodland floor. Furthermore, as Ash Dieback is impacting all Ash Trees throughout the UK, the maintenance and felling of these are crucial in maintaining the existing forest. To help the conservation of the woodland, the Forestry Commission felling license ensures that permission is allocated to replant thousands of new mixed leaves trees.

7. NATIONAL PLANNING POLICY

7.1.1 Legislation and the National Planning Policy Framework (NPPF) require that planning applications are to be decided in accordance with the statutory development plan for an area unless other material planning considerations indicate otherwise. As a matter of policy, the Government has stated in the NPPF (Paragraph 11) that this means approving development proposals that accord with the Development Plan without delay.

7.1.2 The National Planning Policy Framework (NPPF) (updated in July 2021) sets out the Government's planning policies for England and how these are expected to be applied. The NPPF must be taken into account in the preparation of Local Plans and is a material consideration in planning decisions.

7.1.3 The following Chapters have been deemed relevant to this application:

- Part 2: Achieving Sustainable Development
- Part 6: Building a strong, competitive economy
- Part 13: Protecting Green Belt Land
- Part 15: Conserving and Enhancing the Natural Environment

7.1.4 **Part 2: Achieving Sustainable Development** - Paragraph 11 states that "Plans and decisions should apply a presumption in favour of sustainable development". Paragraph 8, which precedes this point, considers that sustainable development has been accomplished when three overarching objectives have been achieved. These objectives are: economic, social, and environmental in principle. Paragraph 9 follows, stating that "Planning policies and decisions should play an active role in guiding development", taking the local circumstances into account. The proposed development conforms to this objective through its use of sustainable materials within construction and supporting the rural economy.

7.1.5 **Part 6: Building a Strong, Competitive Economy** - Paragraph 84(a) states that "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". The proposed development conforms to this objective, allowing an existing rural business to expand and grow their services in the local area.

7.1.6 **Part 13: Protecting Green Belt Land** - Paragraph 137 states that "the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential

characteristics of Green Belts are their openness and their permanence”. However, Paragraph 149(a) states that buildings for agriculture and forestry are exceptions within this Policy. Therefore, the proposals should be found permissible. The proposed development is also designed to blend with its surroundings, and it is not visible from outside the site, due to the high coverage of surrounding vegetation.

7.1.7 Part 15: Conserving and Enhancing the Natural Environment – This policy states that planning policies and decisions should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

7.1.8 The proposed development allows the owner of Fry’s Bottom Wood to maintain and care for the biodiversity of the area, through the management of the forest. The felling of trees is essential in this process, particularly due to the current issue of Ash Dieback Disease. Additionally, Mr Wilcox aims to enhance the biodiversity of the area, through the conservation of ecological networks. The location of the proposed development is situation on hardstanding, which had previously been laid due to the approval of a former planning application. The position of the proposed development is therefore not impacting on untouched land, habitats or hedgerows. As the development aims to conserve and enhance

the natural environment at Fry's Bottom Wood to ensure its future, the proposed application should be found permissible.

8. CONCLUSION

8.1.1 This application forms part of a retrospective full application to support the erection of a forestry building to store felled trees / logs and timber at Frys Bottom, Clutton (resubmission).

8.1.2 The proposed development consists of;

- The erection of a retrospective forestry building for the storage of felled trees / logs and timber (resubmission).

8.1.3 Supporting documents have provided evidence that the proposed development is required to assist the forestry business at Fry's Bottom Wood and therefore continue the business. The land at the application site has been reviewed to ensure that it is of sound nature and quality to be built on, and ecological surveys have been undertaken to ensure that the proposed development poses no harm to the surrounding area and supports the habitats within it. The proposed forestry building is designed to be well integrated and blend harmoniously into its surroundings, limiting its visual impact on the landscape.

8.1.4 As demonstrated within this statement, any impacts arising from the proposed development have been suitably mitigated through the design and provision of specific measures identified within the supporting material.

8.1.5 The proposed development is therefore in accordance with the National Planning Policy and the adopted Local Development Plan and should be granted permission.

9. APPENDIX

