

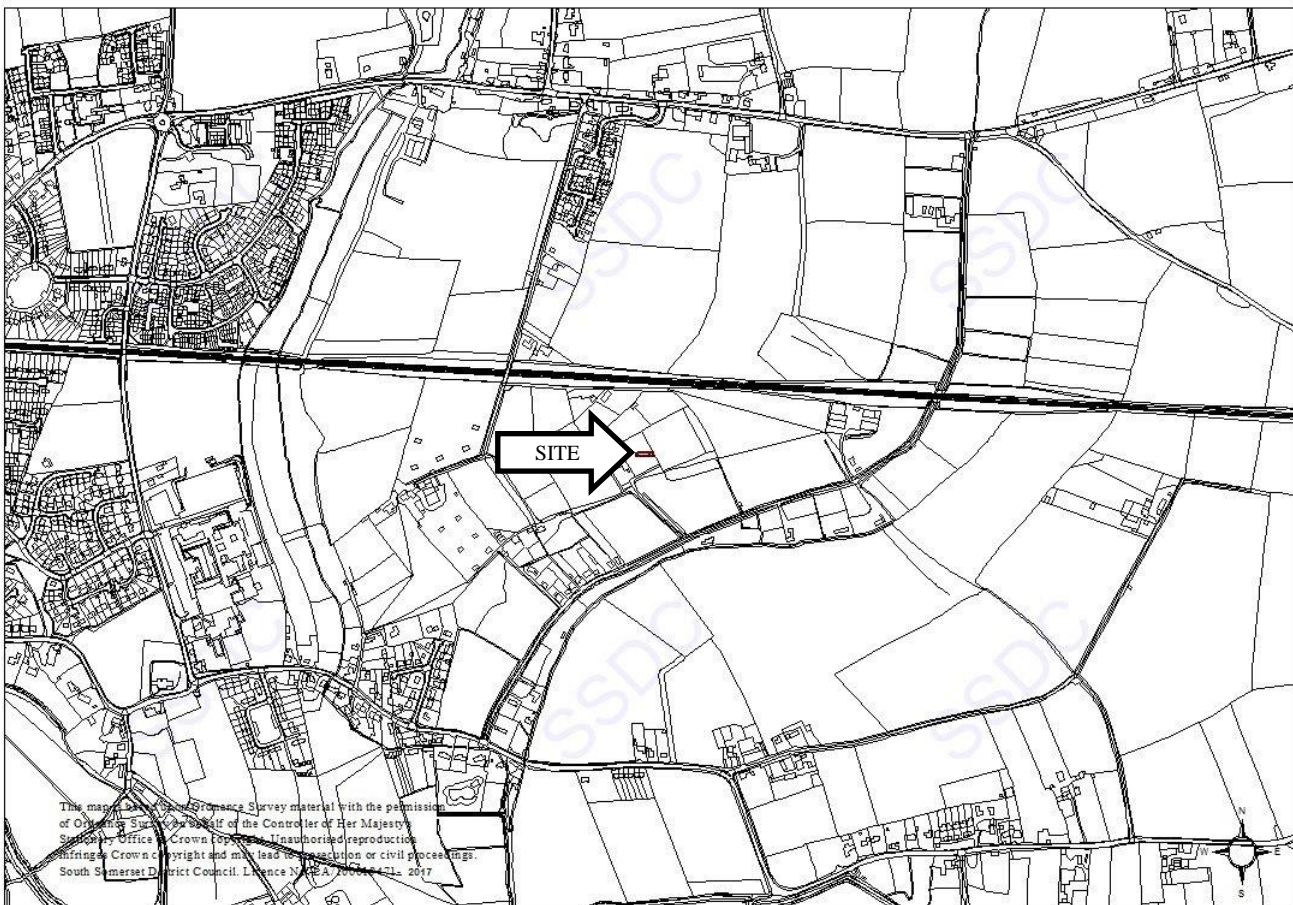
Officer Report On Planning Application: 17/00479/FUL

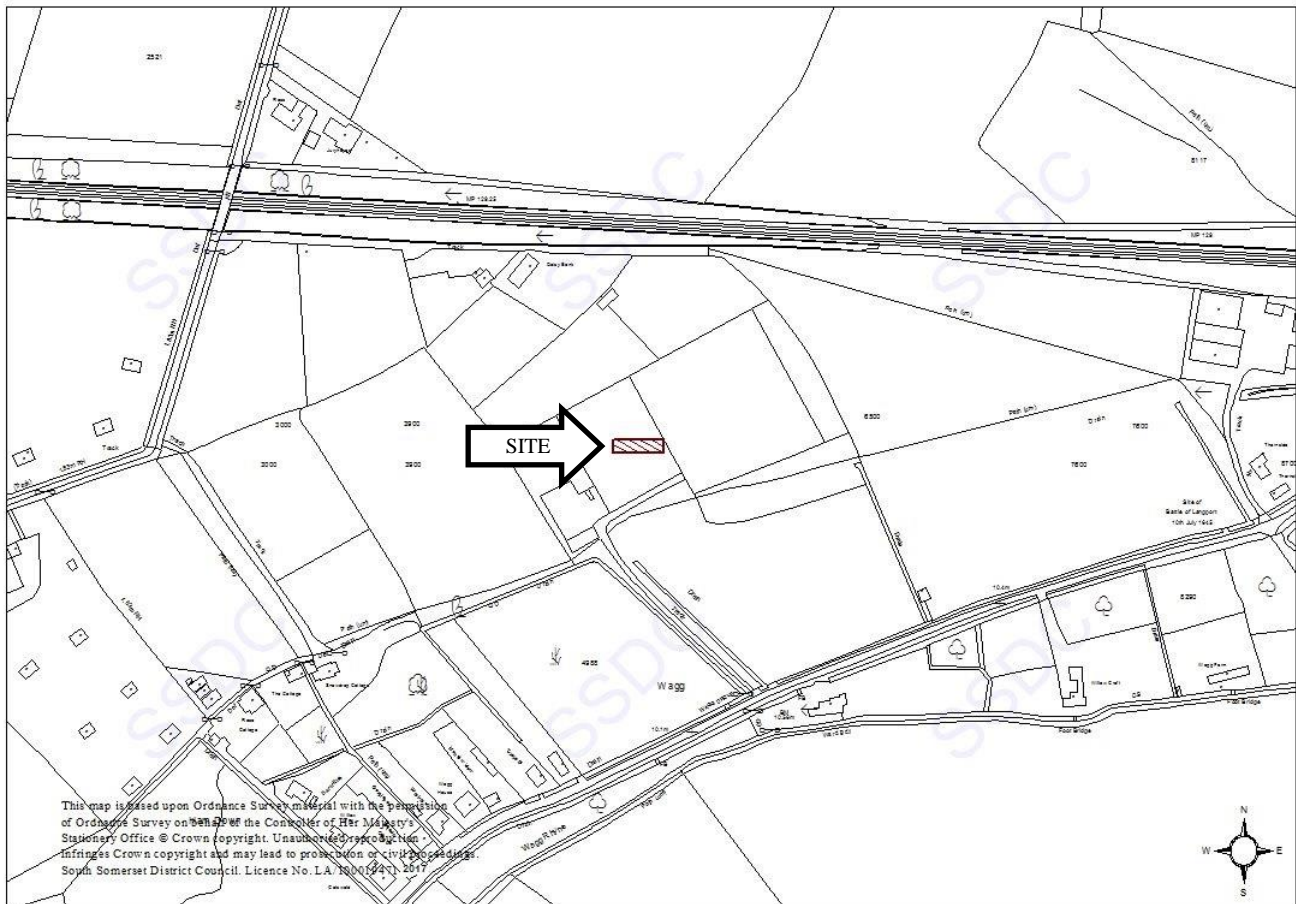
Proposal :	Erection of a brooder/duck house.
Site Address:	Wagg Meadow Farm, Wagg Drove, Langport.
Parish:	High Ham
TURN HILL Ward (SSDC Member)	Cllr Gerard Tucker
Recommending Case Officer:	Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk
Target date :	23rd March 2017
Applicant :	Mr Simon Davis
Agent: (no agent if blank)	Paul Dance, Foxgloves, 11 North Street, Stoke Sub Hamdon TA14 6QR
Application Type :	Minor Other less than 1,000 sq.m or 1ha

REASON FOR REFERRAL TO COMMITTEE

The application is before the committee at the request of the ward member, and with the agreement of the area chair (at that time), in order to allow the economic viability of the business to be considered in detail by councillors.

SITE DESCRIPTION AND PROPOSAL





The proposal seeks permission for the erection of a brooder/duck house. The site consists of an area of agricultural land, containing a variety of buildings and structures and a large barn with a permitted use for the processing of poultry. The proposed will be finished in concrete blocks with a profiled sheet roof. The site is close to various residential properties and open countryside. The site is not located within a development area or direction of growth as defined by the local plan.

HISTORY

17/00413/FUL - Erection of temporary dwelling for agricultural worker - Application refused 14/03/2017

16/00434/FUL - Erection of a field shelter, erection of a grain silo, concrete screed surfacing of farm yard and erection of a water storage tank - Application permitted with conditions 19/04/2016

13/00012/REF - Retention and use of unauthorised structure for staff facilities, storage, packing and activities associated with the processing of poultry (B2 use), erection of an agricultural barn and siting of a temporary agricultural worker's dwelling - Appeal allowed subject to conditions 29/07/2013

12/04366/FUL - Retention and use of unauthorised structure for staff facilities, storage, packing and activities associated with the processing of poultry (B2 use), erection of an agricultural barn and siting of a temporary agricultural worker's dwelling - Application refused 05/02/2013

11/01567/COL - Application for a certificate of lawfulness for existing use of building and land as dwelling and residential curtilage - Application refused 11/07/2011

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF state that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006 2028 (adopted March 2015).

The policies of most relevance to the proposal are:

Policies of the South Somerset Local Plan (2006-2028)

Policy SD1 - Sustainable Development
Policy SS1 - Settlement Strategy
Policy EQ2 - General Development
Policy TA5 - Transport Impact of New Development
Policy TA6 - Parking Standards
Policy EQ4 - Biodiversity

National Planning Policy Framework

Chapter 1 - Building a Strong, Competitive Economy
Chapter 7 - Requiring Good Design

Other Material Considerations

None

CONSULTATIONS

High Ham Parish Council - No objection providing existing buildings are removed.

County Highway Authority - Refers to standing advice

SSDC Highways Consultant - No significant issues particularly in the new building would be replacing existing structures.

SSDC Landscape Architect-

"I recollect the site to be characterised by intermittent linear development along the drove, as well as scattered smallholdings/buildings adjacent and above the drove, to thus create a landscape that is loosely populated by sporadic domestic and agricultural units, of which this farm is one of the latter. Within the site, the main building cluster lays to the southwest side of the proposed duck house, within an area that is primarily open, and adjacent smaller associated temporary structures. In such a context, the introduction of a new building to the east of the main farm building group will aggregate built form across the site, and the permanence of the proposed structure (fair face blockwork and timber windows) will markedly increase building mass within the site. The orientation of the duck house, which is sited east-west, and thus at variance with the grain of the adjacent units, also appears a little incongruous.

Providing there is an acceptance of the need for this building, then in landscape terms, it is capable of being accommodated. However, a building that is more agricultural in its expression, with a compatibility of finish with adjacent structures, and orientated to align with the adjacent farm buildings, will better correspond to context. If minded to approve, I would suggest that such fine-tuning of finish and siting is sought, along with the bulking-up and management of the existing woody surround as a condition of planning consent."

SSDC Economic Development - In reference to the submitted financial figures, he noted:

- Losses were made in 2014 and 2015, a small profit in 2016 and possibly a larger profit in 2017.
- As with most small holdings, income derived from a variety of sources. Eggs, asparagus etc. etc. Difficult to see what was "ducks" and what not.
- There was a large capital injection in 2016. This allowed significant "drawings" in that year, as opposed to minimal drawings in previous years.

- In reference to the submitted business plan he made the following observations:
 - Very basic plan. Not enough detail to really determine whether this is viable or not.
 - Much emphasis on the "new building". No indication of cost of construction. No repayment of building costs in financial plan.
 - Much emphasis on solar power and potential savings. Again no costs or comparison figures given.
 - No indication of where their market is. Local? Mail order? Local retailers?. They are looking to double sales each year with no explanation as to who is going to buy the ducks.
 - No slaughter/packaging costs included
 - Talk of a new "cold store" Again no details.
 - No indication of mortality rates amongst the ducks.
 - No indication how the initial production will be financed. (Cash Flow)
 - Selling price appears OK
 - Cannot comment on feed costs

He states that he thinks overall the "duck" business would not stack up on its own, and it is only when included with other activities that the business breaks even with a modest profit.

REPRESENTATIONS

Letters of objection have been received from the occupiers of four neighbouring properties. Objections have been raised in the following areas:

- Increase in traffic
- Exacerbating risk of flooding
- Existing buildings should be sufficient
- Location and orientation out of keeping with existing local character
- Lack of evidence of need

CONSIDERATIONS

History and Principle of Development

The site is outside of any defined development area or significant settlement, where local plan and national policy indicates development should be strictly controlled. An agricultural building reasonably necessary for the purposes of agriculture would normally be considered to be acceptable in this type of location. In this case, the proposed building is of a significant size and permanent construction and as such, a cautious approach should be taken to ensure that the proposal is properly justified. The overall size of the agricultural holding is small and already benefits from a significant amount of floor space within existing buildings. The applicant was therefore asked to put forwards a full case, explaining the need for this additional building in terms of the agricultural needs of the existing and proposed agricultural enterprise. The financial accounts put forwards are unaudited and, in any case, show that the business has made very little profit in the last three years. The submitted business plan is sketchy,

with several unexplained areas - as highlighted above by the SSDC Economic Development Officer. It has not been fully explained what the existing accommodation is being used for, and why this cannot be adapted to serve the needs of the enterprise.

As such, the applicant has failed to prove that the proposed building is reasonably necessary for the purposes of agriculture and that there would be benefit to economic activity which might form the basis for relaxing the strict control on such development that local plan and national policy imposes. The NPPF requires local plans to "...support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings". However as stated above the applicant has failed to demonstrate that the proposed building will benefit economic activity in the countryside.

Residential Amenity

It is not considered that the proposed works will have any significant adverse impact on the residential amenity of adjoining occupiers in accordance with policy EQ2 of the local plan and the aims and provisions of the NPPF.

Visual Amenity

The SSDC Landscape Architect was consulted as to the impact on the character of the wider landscape. He accepted that, in landscape terms, a building of the proposed size could be accommodated on site, if there is an acceptance of the need of the building. However, he raised concerns with the design and the proposed orientation of the building in its current form, suggesting that it would markedly increase building mass within the site and, by reason of its materials and orientation, would appear somewhat incongruous.

As such, it is considered that there will be an adverse impact on the character of the area, contrary to policy EQ2 of the South Somerset Local Plan. Furthermore, the proposal would represent an unjustified residential incursion into open countryside.

Highways

The county highway authority was consulted and referred to their standing advice. The SSDC Highways Consultant raised no objections to the scheme.

Therefore, notwithstanding local concern in regard potential increase in traffic, it is considered that there will be no severe adverse impact on highway safety in accordance with policies TA5 and TA6 of the local plan and the aims and provisions of the NPPF.

Other Matters

Concerns have been raised locally as to the possibility of the proposal increasing flood risk. However, the proposed building is not located within an Environment Agency flood zone and is largely surrounded by greenfield land. As such, it is not considered that the proposed building is likely to have any significant impact on flood risk.

Conclusion

It is considered that the applicant has failed to prove that the proposed building is reasonably necessary for the purposes of agriculture and that there would be benefit to economic activity which might form the basis for relaxing the strict control on such development that local plan and national policy indicates. Furthermore, the proposed building by reason of its design, size and position is not considered to satisfactorily respect the character of the landscape contrary to policy EQ2 of the South Somerset Local

Plan.

RECOMMENDATION

Refuse

FOR THE FOLLOWING REASONS:

01. The proposed building by reason of its design, size and position is not considered to satisfactorily respect the character of the landscape contrary to policy EQ2 of the South Somerset Local Plan.
02. The applicant has failed to prove that the proposed building is reasonably necessary for the purposes of agriculture and that there would be benefit to economic activity which might form the basis for relaxing the strict control on development in the open countryside. The proposal is therefore contrary to policies SD1 and EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of chapters 3, 7, 11 and the core planning principles of the National Planning Policy Framework.

Informatives:

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;
 - offering a pre-application advice service, and
 - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this case further information to demonstrate the economic viability of the proposed enterprise was requested from the applicant, but what was provided was not considered sufficient to overcome the significant objections to the proposal.
