

MR A GOTHARD

Erection of an agricultural building for the housing of livestock at Lower Huntham Farm, Huntham Lane, Stoke St Gregory

Location: LOWER HUNTHAM FARM, HUNTHAM ROAD, STOKE ST GREGORY, TAUNTON, TA3 6EY

Grid Reference: 334035.126084 Full Planning Permission

Recommendation

Recommended decision: Refusal

- 1 Whilst the submitted plans, and description of development, indicate that a stand-alone building is to be constructed, the Applicant has confirmed the intention to link the structure to existing/permitted structures on the site. This would have a significant detrimental effect on the character and appearance of the rural area, contrary to policies DM2 and CP8 of the adopted Taunton Deane Borough Council Core Strategy.

- 2 Lack of information

The Local Planning Authority has requested information in regards to:

- a) lack of accurate drawings and plans encompassing entirety of development to demonstrate how the proposal fits in with other approvals and planning permissions, notably (i) block plan detailing entire development, and (ii) including credible internal floor plan
- b) information on total numbers of cattle to be housed within the entirety of the building (including other consents/applications/notifications) and on how cattle will be managed in terms of issues such as whether they will be turned out in summer months, entirely kept indoors, and other related matters, will they be housed and put to pasture only at this site or at others and associated questions
- c) management of slurry and arising waste products, how will it be managed and disposed of, where, and related issues
- d) transport assessment detailing expected vehicle movements for movement of cattle, feedstuffs, waste materials and related matters
- e) ecological assessment
- f) landscaping scheme for entire site
- g) details of internal and external lighting
- h) drainage details

None of this information has been supplied and it is therefore considered that the Local Planning Authority do not have information to support the proposed development.

- 3 The proposed development is considered, when evaluated as a cumulative whole building, to represent significant harm to the landscape and rural

character of the area, and the additional building would be a prominent feature in the landscape, exacerbated by its position on elevated ground, when viewed from public footpaths to the south of the site, and would add to the bulk and massing of the existing building, and to be out of scale with size of the landholding at the site, and to be contrary to adopted Core Strategy policies CP8 (Environment) and DM2 (Development in the Countryside)

- 4 The proposed building, seen as a cumulative whole, is considered to be out of keeping and at an overly large scale in comparison with the current intensity of land use, buildings, and local character. It could give rise to negative impacts on residential amenity, biodiversity, and could cause light pollution, and considered cumulatively could cause significant increases in traffic accessing the site. It is therefore considered to be contrary to the adopted Taunton Deane Borough Council Core Strategy policies CP8 and DM2.

Recommended Conditions (if applicable)

Notes to Applicant

- . In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has looked for solutions to enable the grant of planning permission. However in this case the applicant was unable to satisfy the key policy test and as such the application has been refused.

Proposal

Erection of an agricultural building for the housing of livestock at Lower Huntham Farm, Huntham Lane, Stoke St Gregory. Building would have pitched roof with mainly open sides with timber space-boarding to the gable ends. This application represents the north-east end of the complete building. The developer has partially built-out a structure so this application is in part retrospective

Site Description

The proposed development site is an open agricultural field bordered by a mature hedgerow to the western road boundary. The main farm is located to the south of the site with various extant agricultural buildings located to the north-east, including livestock sheds. The site is relatively level and is on raised ground above the Sedgemoor marshes to the east. There is a slurry lagoon next to the site proposed for development, and the site benefits from a pre-existing access to the highway

Relevant Planning History

- 36/18/0016/AGN - Agricultural Building - No Objection - 9/7/2018
- 36/18/0017/AGN - Agricultural Building - No Objection - 9/7/2018

- 36/18/0018/AGN - Agricultural Building - Planning Permission Required - 21/8/2018
- 36/18/0025/AGN - Agricultural Building - Planning Permission Required - 21/8/2018
- 36/18/0026/AGN - Agricultural Building - Planning Permission Required - 21/8/2018
- 36/18/0044 - agricultural building for storage of farm machinery (Baileys Farm) - C/A - 26/02/2019
- 36/19/0008 - agricultural livestock building (stage 1) (Lower Huntham Farm) - C/A - 13/05/2019
- 36/19/0009 - agricultural livestock building (stage 2) (Lower Huntham Farm) - current

Consultation Responses

STOKE ST GREGORY PARISH COUNCIL - We support this application provided that it is adequately screened by trees since the site is very visible from West Sedgemoor. We also feel that thought should be given to excavating the site in order to lower the profile of the building within the landscape

SCC - TRANSPORT DEVELOPMENT GROUP - no observations

SWT LANDSCAPE - *I have commented on the building as it current sits in the landscape (it is still under construction).*

I walked the public right of way following the course of the Sedgemoor Old Rhyne, to the south of the site, as was keen to understand local views from the recreational route of the East Deane Way. One field separated the PRow from the location of the building and this field was planted with maize crop - limiting views to a large extent from this lower level. The building was however visible on the ridgeline from points on the route - principally the roof.

I also looked to the site from local roads including those across the lower-lying West Sedge Moor (around Fivehead) to understand visibility in the wider landscape context. From the north-south facing lane to the east of Upper Fivehead views were permitted to the site from the edge of the Moor. The building was clearly discernible on the ridgeline - principally the roof structure (the roof covering on this side was not yet in place).

In close proximity to the site, specifically the view from Huntham Lane, the development forms an extensive, uninterrupted building mass on the skyline and has blocked previous contextual views across West Sedge Moor to the prominent wooded scarp beyond.

The main concerns relate to the scale of the building and its position - visible on the sensitive ridgeline and appearing oversized in its small-scale, overtly rural context.

The site occurs within the Landscape Character Area of the north Curry Sandstone Ridge. The following is taken from the adopted Taunton Deane LCA:

"The strength of landscape character of the North Curry Sandstone Ridge is judged to be strong. The Ridge has a number of characteristic features that combine to

create a very distinctive landscape - the uninterrupted and pronounced landform rising above the Moors, the scattering of farms, the distinctive sandstone and red brick villages, the prominent churches and the landmark feature of Thorn Hill".

The Landscape Strategy for the North Curry Sandston Ridge states, "...the landscape strategy for this area is to conserve and enhance the simple, small-scale nature, and largely uninterrupted, character of the ridge. The dramatic juxtaposition between the ridge and adjacent Moors should be protected".

I do not believe the siting, scale or design of the building protects, conserves or enhances landscape character as outlined in Core Policy CP8 Environment.

I trust these comment inform your assessment of the site.

ENVIRONMENTAL HEALTH - NOISE & POLLUTION - no comments received

Representations Received

4no. letters of representation has been received, 3 objecting to the proposal and one which raised concerns but did not directly object, citing possible traffic impacts and mud on the road.

Issues raised are:

What has been built is not same as approved plans, notably pitch of roof, height

Landscape impacts

Traffic impacts

Disposal of slurry and waste materials

Industrial farming

Drainage and flooding

Noise and amenity impacts

Not enough land at the site

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

CP8 - Environment,

This takes into account the recent adoption of the SADMP.

Local finance considerations

none (reg 6 exempt)

Determining issues and considerations

The main issues are the principle of development, unauthorised development at the site, design and materials, landscape impacts, waste disposal, residential amenity, and access/traffic issues

Principle of development

This application seeks to erect stage 3 of a 3 stage livestock building, with two (almost) concurrent applications reference 36/19/0008 and 36/19/0009. Application reference 36/19/0008 was approved conditionally on 13 May 2019 for use as a livestock shed. There is another planning approval at the site which is a material consideration, reference 36/18/0044 for a machinery storage shed, and two prior approvals references 36/18/0016/AGN and 36/18/0017/AGN, which are also material considerations.

The site has witnessed the building out of one large building, in part representing external dimensions which may match up closely to the two consented developments (as full planning applications) except for the fact that the approved schemes had end elevations which are not included in the development. However the local planning authority has not taken any onsite measurements or conducted a survey of the extant building so it is not possible to confirm, at this stage, if any part of the structure, as built, matches up to approved drawings. Additionally at no stage was the application described as being a singular element of a large building, all of the applications thus far have been for what could be stand-alone buildings, including the two prior approvals granted at the site

The applicant has implemented what the planning authority do not consider to be an authorised development, even excluding the sections represented by the two current applications of which this is one.

The application is assessed by the planning authority in terms of its cumulative impacts as one sixth of a large building, and inseparable from the wider, and largely built-out structure. In this context, as the developer has chosen to build a structure before the granting of planning permission for this application and related application 36/19/0009, the evaluation is based upon the cumulative impacts of one large stand-alone building, not as discreet 'stand-alone' entity, in its own right. Whilst the planning authority acknowledge that the impacts of the development, as applied for, if it was to be a stand-alone and relatively short building (12m approx. length to north and south side elevations) in comparison to its width (33m approx. east and west elevations) to the front and rear elevations, would be very different in terms of landscape and visual impacts, and impacts from the intensity in use of the site, the authority cannot evaluate the application in isolation and ignore empirical evidence of what is being built-out on the site. This application seeks to regularise a section of

the as-built development and will be viewed as such. A block plan has been submitted (undated, email received 21/6/2019) showing the relative positions of the various applications, permissions and notifications at the site. This shows the proposed building under this reference 36/19/0010 as being in the centre of the larger building. However submitted plans in respect of this application show the position as being at the north-east end of the larger building.

Main issues

It is proposed to be sited in a field between two parts of the enterprise, with a range of agricultural buildings, including livestock buildings and silage clamps, located to the north and served by the same access.

The application site is not subject to any landscape or heritage designations and, taken as a singular, stand-alone building the proposed is unlikely to have significant impacts on biodiversity. However as part of a much larger structure with what could amount to one section (two bays) of the larger building (equivalent to twelve bays, each two bays equivalent in length to one planning unit, as applied for or consented) then the biodiversity impacts could be much greater. No information has been supplied in regards to existing flora and fauna at the site and potential impacts on biodiversity.

No details of internal or external lighting have been supplied. Additionally no information has been supplied on expected trip generation to and from the site which would result from the erection of a twelve bay, part storage-part livestock building.

No information has been supplied indicating how waste matter would be dealt with except in so far as the site is in close proximity to an extant slurry lagoon, however the planning authority have been provided with no information demonstrate that this lagoon has the capacity to cope with the intensification in the use of the site for housing cattle and attendant waste, that this application and the related, concurrent application 36/19/0009 would generate.

Email correspondence between the applicant and case officer from the LPA clearly shows that further information was requested and has not been supplied. It is therefore not possible for the LPA to make a robust evaluation of potential impacts of the individual application and, of greater material significance, the cumulative development. Accordingly the application must be refused due to lack of necessary information.

Design and Landscape impacts

The submitted drawings include elevations represented for west and east elevations which show timber boarding gable ends with five openings and metal gates, to both gable ends. As one would be internal it is not considered reasonable to associate the elevation labelled as 'west' to represent would be likely to be no internal elevation as it would be seamlessly joined to another part of the building, or very limited internal partitioning at the most. Seen in isolation, as a stand-alone building, the proposed development has limited impacts to the side elevations (labelled as 'north' and 'south'). Seen as a cumulative whole however the scale, massing and sheer volume of the development is disproportionate to the setting, overbearing and out of character with the surrounding countryside.

There is a public right of way across the field to the north of Huntham Road towards Stoke Road. The site is within the Open Countryside outside of defined settlement limits to North Curry and Stoke St Gregory. Core Strategy policy DM2 (Development in the Countryside) states that outside of defined settlement limits, that developments for agricultural uses will be supported subject to the buildings being 'commensurate with the role and function of the agricultural ...unit'. Core Strategy policy CP8 'Environment' supports development provided that it protects habitats and biodiversity, protects and conserves the landscape, and natural and historic assets, and is appropriate in terms of scale, siting and design.

The current proposal is not considered to be commensurate in scale and function with the landholding at the Huntham Lane site, taking into account the extant permissions for a livestock building and machinery store, and the two prior notification approvals.

The justification given for the proposed building is that it would allow for livestock to be kept in well-ventilated conditions thereby improving animal welfare and production. Additionally the justification cites the fact that it would also reduce travel between various sites serving the agricultural enterprise and allow the business to function in a more efficient manner.

Whilst this explanation was accepted for the related earlier application 36/19/0008 the continuing succession of applications, both prior approvals and planning applications would enable, if all were approved and built-out, the establishment of an extremely large part-cattle, part-general purposes agricultural building, as has been partially constructed at the site. At some point the scale and intensity of use of the land will have more significant impacts in terms of the landscape, traffic movements, waste generation, amenity impacts and potential adverse impacts on biodiversity. There has to be a point beyond which proposed development cannot be considered to be at scale which is acceptable, this application is therefore considered to represent that point.

The landscape officer has commented that when seeing the site in "close proximity... specifically the view from Huntham Lane, the development forms an extensive, uninterrupted building mass on the skyline and has blocked previous contextual views across West Sedge Moor to the prominent wooded scarp beyond". Further commenting that in terms of "siting, scale..." and "design of the building" it does not protect, conserve or enhance the landscape character, as required under policy CP8.

Conclusion

The planning authority consider that whilst this application, if seen individually and as a stand-alone building, would not, by itself, have significant detrimental impacts, when viewed holistically as part of a much more significant scheme, which is what is being implemented on the ground, then it does represent over-development of the site, potentially detrimental impacts on residential amenity, unwarranted visual and landscape impacts, significant potential for a marked increase in traffic generation despite the justification of a consolidation of operations, and a series of potential risks to biodiversity, and flooding and drainage risks from a lack of details regarding sustainable surface water management, and risks from the disposal or management

of arising waste materials such as slurry which have not been adequately accounted for or detailed in the submitted documentation, despite direct requests for such information. It is therefore recommended that the application is refused due to inconsistencies between the submitted drawings and the actual development, as being built-out on site, the building being at a scale, when considered in its entirety, which is not commensurate with the size of the landholding at the site and existing or consented facilities, detrimental impacts on amenity and visual impacts, and a lack of information with which to fully evaluate impacts on the entire development.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998.

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