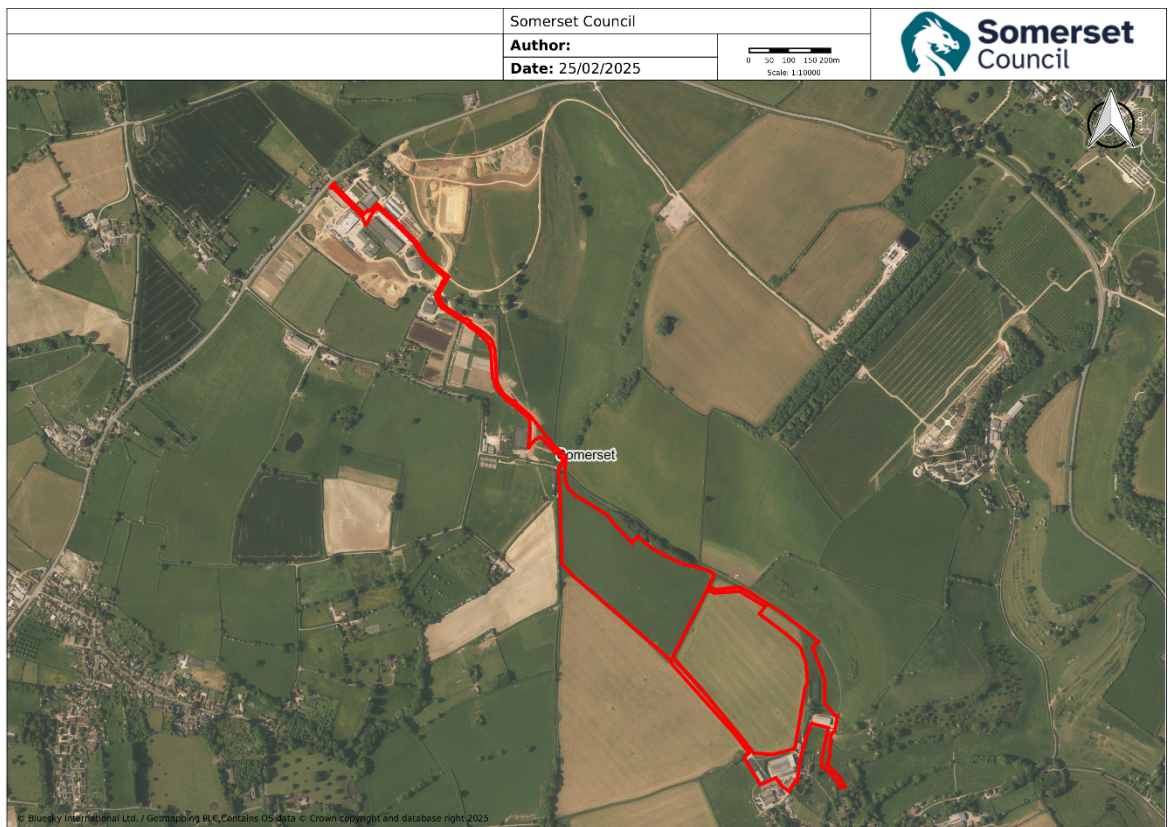
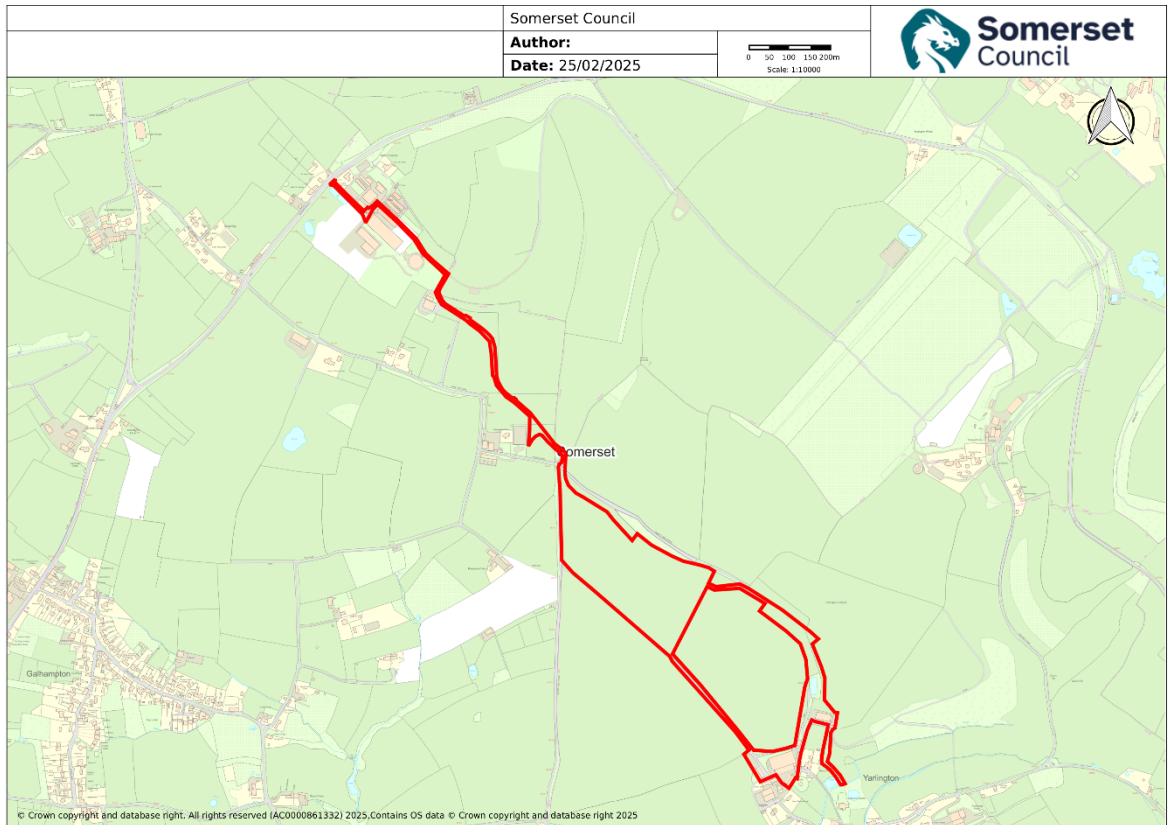


PLANNING SOUTH COMMITTEE

Application Reference Number:	24/01203/FUL
Application Types:	Full Application
Statutory Start Date:	25 June 2024
Expiry Date:	24 September 2024
Extension of Time:	30 April 2025
Description:	Demolition of existing agricultural buildings and associated yards and landscape restoration of cleared area; replacement farm buildings and yard area with associated new access link to existing farm track, drainage infrastructure, and landscape works
Site Address:	Manor Farm, Pound Lane, Yarlington, Wincanton, Somerset, BA9 8DG
Parish:	North Cadbury and Yarlington PC
Ward:	Castle Cary
Conservation Area:	No
Somerset Levels and Moors RAMSAR Catchment area:	Yes
AONB:	No
Case Officer:	Mr Simon Fox MA BA (Hons) MRTPI Major Projects Officer (Planning) 07392 316159 simon.fox@somerset.gov.uk
Agent:	Mr Martin Harradine – AZ Urban Studio
Applicant:	Mr Paul Rawson – Emily Estate UK
Reason for reporting application to Members:	This major application is referred to the Planning Committee at the request of both Divisional Members plus North Cadbury and Yarlington Parish Council. A committee site visit is planned to take place prior to the meeting.

Location Plan



1. Recommendation

For application 24/01203/FUL:

That planning permission be **GRANTED** subject to the prior completion of a section 106 agreement and the stated planning conditions, to be delegated to the Head of Planning in consultation with the Area Chair (South).

2. Executive Summary of key reasons for recommendation

- 2.1 The proposal for a new farmyard would replace a historic farmstead which is no longer fit for purpose. The application represents modern agricultural development on agricultural land and has been improved during the determination period through increased mitigation and its response to local and national policy.
- 2.2 It is concluded that the benefits of the scheme would significantly and demonstrably outweigh any perceived harm identified when assessed against the policies of the Development Plan, when taken as a whole. There are no residual matters that cannot be covered by planning conditions or a legal agreement

3. Planning Obligations, conditions and informatives

3.1 Obligations

To secure Biodiversity Net Gain.

3.2 Conditions (see Appendix 1 for full wording)

- 1) Time limit for commencement of works
- 2) Approved plans
- 3) Phosphates – Demolition
- 4) Phosphates – Drainage plan
- 5) Phosphates – Manure management plan
- 6) Phosphates – Herd size
- 7) Biodiversity Net Gain plan
- 8) External materials
- 9) Tree and hedgerow protection
- 10) Landscaping
- 11) Hedgerow management
- 12) Public rights of way viewpoints
- 13) Construction Stage Drainage Plan
- 14) Surface water Management and maintenance
- 15) Outfall and discharge rate details
- 16) Construction Environmental Management Plan (CEMP) – Highways and Pollution Control
- 17) Construction Environmental Management Plan (CEMP) – Biodiversity
- 18) Construction Environmental Management Plan (CEMP) – Biodiversity compliance
- 19) Landscape and Ecological Management Plan (LEMP)
- 20) Bat and European Protected Species Licence

- 21) Toolbox talk – Bats
- 22) Badger survey
- 23) Biodiversity Enhancement and Mitigation Plan
- 24) Lighting design – Dark skies
- 25) Lighting design – Bats
- 26) Public Rights of Way
- 27) Soil Resource Plan

3.3 Informatives (see Appendix 1 for full wording)

- 1) Statement of positive working
- 2) The Biodiversity Net Gain condition
- 3) Protection of ecology and wildlife
- 4) Public Rights of Way legislation
- 5) LLFA – Land Drainage Act
- 6) EA – foul drainage
- 7) EA – pollution control

4. Proposed development, Site and Surroundings

Details of proposal

- 4.1 The site comprises the majority of the existing Manor Farm which is located at the end of Pound Lane, on the periphery of the village of Yarlington. It was formally a dairy unit of 200 cows plus 250 calves and heifers before the herd was dispersed and the owner sold the holding to the Emily Estate (Newt in Somerset) in 2021. The applicant considers the buildings and associated infrastructure to be of poor condition and poor functional value to operate a modern viable farm from. It is suggested the topography, village setting, existence of public footpaths and vehicular access make redeveloping the existing site untenable and so a relocation is proposed to create a modern replacement farm on land to the north of the current site, below the escarpment (known as Yarlington Sleights).
- 4.2 The proposed farm will include the following:
- Four roundhouses (described by the applicant as (state of the art) for milking and overwintering cattle, stated to improve the environment for the cattle and the efficiency and ease of handling;
 - Office facilities for farm staff, improving security and aiding management of the farm;
 - Ancillary buildings including storage of straw, silage hay and machinery;
 - Surface water (clean) and dirty water storage systems, and
 - Vehicle linkage via a new track to Avalon Farm and Whitewoods Farm (also in the estate).
- 4.3 This will accommodate 668 beef and dairy animals, 100 will be milked twice daily in one roundhouse. The livestock would be housed within straw-bedded loose housing for five months of year in the other three roundhouses.

- 4.4 Once the replacement farm is complete the vast majority of the existing farm buildings and yards at Manor Farm will be demolished and the area re-landscaped. In total there are five identifiable modern agricultural buildings of varying sizes to be removed plus the silage clamps and slurry pit. One area of the yard containing one large stone barn (partly converted to residential), a further stone barn, and one large modern building are being retained, are not within the application red line and may form part of a future residential led redevelopment scheme.

Site and surroundings

- 4.5 The existing Manor Farm lies on the periphery of the village accessed at the end of Pound Lane which connects directly into the village centre crossroads. Pound Lane is a single vehicle width adopted road.
- 4.6 There is no Conservation Area in Yarlington, but the village centre is particularly attractive, framed by the village pub (The Stag's Head) and the Church of St Mary (Grade II* listed), Rose Cottage and Corner Cottage (Grade II listed). The village lies in a bowl with land rising in all directions. There are no landscape designations, Yarlington Sleights are located to the north and part formed a historic deer park from 1320.
- 4.7 There are several public rights of way which go through the existing Manor Farm complex. A restricted byway (WN31/10) extends from near the end of Pound Lane through the yard to the northeast, following the foot of the Yarlington Sleights and passing the northern edge of the replacement farm site. A public footpath (WN31/9) extends from the end of Pound Lane north through the yard following a surfaced trackway which leads to several fields and passing the southern edge of the replacement farm site.
- 4.8 Both the restricted byway and public footpath then join Hicks Lane, a surfaced trackway which accommodates a north south orientated bridleway (WN19/97 and WN22/16), this bridleway is also the convergence of the Monarch Way, Leland Trail and Macmillan Way.

5. Relevant Planning History

- 5.1 There is no planning history in the field where the replacement farm is proposed. There is a history of planning applications associated with h existing farm.

Existing Stone Barn – to be retained, not in the red line		
07/01786/FUL	Conversion of barn to 2 No. holiday lets	Approved June 2007
08/05264/FUL	Conversion of barn to dwelling	Approved March 2009

Manor Farm Cottage – Previously connected to the farm		
820789 and 822168	Erection of an agricultural workers dwelling	Approved May and December 1982
21/02068/DPO	Discharge of s52 agreement dated Sept 1982 – to remove non-fragmentation agreement that ties the dwelling to the associated farmland through an occupancy clause	Approved August 2021
22/02892/COL	Application for a Certificate of Lawful Development for Existing Use; Occupation of a dwellinghouse without compliance with Condition 3 on planning permission ref. 820789 dated 24th September 1982 (agricultural occupancy condition)	Approved January 2023
23/00555/S73A	Application to remove Condition 03 (occupancy restriction) to allow the dwelling to be occupied as an unrestricted C3 dwelling relating to planning consent 820789 (dated 24/09/1982)	Approved April 2023
Manor Farm, Yarlinton		
96/00844/FUL	Erection of an agricultural building	Approved June 1996
09/00060/FUL	Construction of slurry lagoon	Approved March 2009
10/02095/FUL	Conversion of small barn to form a holiday cottage	Approved August 2010
Manor (Castle) Farm, Broadway Lane, Castle Cary		
21/03466/FUL	Construction of new agricultural buildings and yard areas, rainwater harvesting reservoir, and associated landscape and infrastructure	Withdrawn, January 2025

	works; demolition of existing agricultural buildings and slurry pit, and restoration of landscape to pre-development form	
<p>This last application on the list has been included because it proposed a similar new farm as this application, but was submitted prior to the Estate acquiring Manor Farm, Yarlinton. The new farm at Yarlinton is far preferred by the applicant from a locational point of view and so as not to be seen as riding two horses the applicant willingly agreed to withdraw the older application. The likelihood is that a new application will be submitted for Manor Farm, Castle Cary to rationalise the deteriorated buildings and will include landscape enhancements.</p>		

6. Environmental Impact Assessment

- 6.1 The Environmental Impact Assessment process and procedure is governed by the Town and Country Planning (Environmental Impact Assessment Regulations 2017/571 (“the 2017 Regulations”). Regulation 2 defines “EIA development” as either (a) Schedule 1 development or (b) Schedule 2 development likely to have significant effects on the environment by virtue of factors such as its nature size or location”.
- 6.2 With input from the applicant the Council undertook EIA Screening, that screening is not replicated here but a summary can be given. The full screening can be viewed on the online case file.
- 6.3 The Planning Application does not propose development of a scale or nature equivalent to that described in Paragraph 17 of Schedule 1 and so it is adjudged the development does not fall within Schedule 1.
- 6.4 To constitute Schedule 2 development, the development comprised within the Planning Application must both (a) fall within one of the categories in Schedule 2 itself and (b) be likely to have significant effects on the environment by virtue of factors such as its nature size or location.
- 6.5 Whilst the floor area threshold is exceed, it is the Council’s position that the development comprised within the Planning Application does not constitute an “Intensive livestock installation”; the threshold for which is far more excessive and caters for intensive indoor pig and poultry installations often of small holdings of land because the animals are not grazed.
- 6.6 It is only if you consider that the planning application constitutes “Intensive livestock installation” that you must then consider the environmental effects listed at Schedule 3 of the Regulations, but in this case, it is not found that the planning application constitutes “Intensive livestock installation”. Even if one did take a contrary view and assessed the environmental effects listed at Schedule 3 then it has been found that the proposed development is not likely

to have significant effects on the environment by virtue of factors such as its nature size or location.

- 6.7 In terms of cumulative impacts Schedule 3 includes a requirement for consideration of cumulation of the proposed development with other existing development and/or approved development. Future plans at the part of Manor Farm not to be demolished are still to come to fruition but are likely a small-scale residential scheme and are very unlikely to bring about significant effects on the environment by virtue of factors such as its nature, size or location.
- 6.8 It is not considered that the development comprised within the Planning Application in combination with the existing and approved development within the Emily Estate farming business will give rise to any significant cumulative effects. Likewise, it is not considered that there is any relationship with existing or approved development within the wider Emily Estate such that in combination, the development comprised within the Planning Application will give rise to any significant cumulative effects. Finally, the Council is not aware of any third party existing or approved development which in combination with the development comprised within the Planning Application will give rise to any significant effects on the environment.
- 6.9 The Council has concluded therefore that no Environmental Impact Assessment is required. The application is supported by a host of technical reports will allow assessment of relevant environmental issues.
- 6.10 There is a suggestion by objectors that given Emily Estate past approvals, and future plans means that an estate wide EIA should be undertaken now. This is not an agreed point as the EIA regulations are not to be used by LPAs nor objectors to frustrate development (as seems to be the intention of the objectors). The Objectors have not expressed what an EIA would achieve other than making a (incorrect) procedural point.

7. Habitat Regulations Assessment

- 7.1 In a letter, dated 17 August 2020, Natural England advised the Council that whilst the Somerset Levels and Moors Special Protection Area ('SPA') could accommodate increased nutrient loading arising from new development within its hydrological catchment that the Somerset Levels and Moors Ramsar Site ('the Ramsar Site') could not. The difference, NE state, is that whilst such increased nutrient deposition is "...*unlikely, either alone or in combination, to have a likely significant effect on the internationally important bird communities for which the site is designated*" as regards the SPA such a conclusion cannot be drawn in relation to the Ramsar Site.
- 7.2 The typical consequence of such excessive phosphate levels in lowland ditch systems is "*the excessive growth of filamentous algae forming large mats on the water surface and massive proliferation of certain species of Lemna*" NB: (Lemna refers to aquatic plants such as duckweed).

- 7.3 This excessive growth *“adversely affects the ditch invertebrate and plant communities through... shading, smothering and anoxia (absence of oxygen)”* which in turn allows those species better able to cope with such conditions to dominate. The result is a decline in habitat quality and structure. NE state that *“The vast majority of the ditches within the Ramsar Site and the underpinning SSSIs are classified as being in an unfavourable condition due to excessive phosphate (P) and the resultant ecological response, or at risk from this process”*.
- 7.4 NE identify the sources of the excessive phosphates as diffuse water pollution (agricultural leaching) and point discharges (including from Waste Water Treatment Works (‘WWTWs’)) within the catchment noting that P levels are often 2-3 times higher than the total P target set out in the conservation objectives underpinning the Ramsar Site. In addition, NE note that many of the water bodies within the Ramsar Site have a phosphate level classed as significantly less than ‘Good’ by reference to the Environment Agency’s Water Framework Directive and that the river catchments within the wider Somerset Levels are classed as having a *“Poor Ecological Status”*.
- 7.5 At the time of the letter the issue in terms of the Ramsar Site was that the conservation status of the designated site was ‘unfavourable’ but the SSSI Condition Change Briefing Note for the Somerset Levels and Moors dated May 2021 the overall condition across all Somerset Levels and Moors SSSI’s is ‘Unfavourable Declining’ due to evidence of failing water quality, most notably high Phosphate levels.
- 7.6 NE have advised the Council that in determining planning applications which may give rise to additional phosphates within the catchment they must, as competent authorities undertake an appropriate assessment where a likely significant effect cannot be ruled out. NE identify certain forms of development affected including residential development, commercial development, infrastructure supporting the intensification of agricultural use and anaerobic digesters.
- 7.7 Given the intensification of agricultural use on this site, although a lessening over the whole estate, the applicant has submitted a Phosphorus nutrient neutrality assessment. It sets out the proposed change from dairy cows housed in a slurry-based system and slurry stored in open stores, to a mixed beef and dairy herd housed within straw-bedded loose housing will reduce the risk of surface runoff significantly and subsequent risk of contributing phosphorus to surface waters which may in turn affect the Somerset Levels and Moors Ramsar Site.
- 7.8 The report further sets out *“The Proposed Development will accommodate around 668 animals. Indicative livestock numbers demonstrate they may give rise to 12,593.6 kg of phosphate per year that can then be used to replace the use of phosphate-containing manufactured fertilisers across the wider farm holding, which is Sustainably managed. The existing Manor Farm infrastructure accommodated 450 animals but a higher number of dairy cows in milk that could produce 13,445.1 kg of phosphate per year. The*

replacement infrastructure and proposed livestock results in a reduction of 861.5 kg of phosphate being produced in the River Brue catchment. The calculations have been presented as phosphate (P2O5) the adopted format when representing nutrient supply on farm. A reduction of 861.5 kg of P2O5 equates to 376.2 kg as total phosphorus (P)”.

- 7.9 Natural England accepts the findings stating *“the proposed herd size and composition is likely to reduce total phosphorus loads generated by the farming operation. The proposed new farmyard is also located further away from the watercourse than the yard it will replace and benefits from a drainage plan and covered areas that if implemented in full will significantly reduce farmyard run off from the facility. Natural England is therefore satisfied that the proposals are unlikely to increase phosphorus loads to the hydrological catchment of the Somerset Levels & Moors Ramsar. The application is therefore unlikely to have any significant effect on the Somerset Levels and Moors Ramsar and so can be screened out of further assessment”.*
- 7.10 As the competent authority, the Local Planning Authority has concluded no sHRA is required but conditions will be required to ensure compliance with the Nutrient Management Plan and Drainage Plan.

8. Consultation and Representations

Statutory consultees (the submitted comments are available in full on the Council's website).

8.1 Statutory Consultees

8.1.1 It should be noted not all statutory consultees are consulted on all planning applications. The circumstances for statutory consultation are set out in the Development Management Procedure Order.

8.1.2 A summary of the latest/final comments is made, the Council’s website should be viewed to see the full representation and/or previous representations which have been superseded.

Statutory consultee	Consultee Comments and Officer Comment <i>(consultee comments on February 2024 consultation unless otherwise stated)</i>
North Cadbury and Yarlington Parish Council	<p>Taken from the minutes of the Parish Council Extraordinary Meeting held 15 January 2025 in response to amended plans.</p> <p>“RESOLVED: <i>Following a call for a proposal, it was proposed that the PC recommended refusal due to the loss and overdevelopment of agricultural land, potential drainage issues and that the application did not comply with the NCYNP. The proposal was seconded but not passed.</i></p> <p><i>The Chairman called for a show of hands to recommend</i> APPROVAL, <i>which was passed by a majority vote of eight to two”.</i></p>

Officer comment: The minute of the Parish Council Meeting was accompanied by an attachment which is a report explaining the Parish Council’s decision to support the application. The minute and the report are attached as **Appendix 2** for completeness and transparency. In short, the PC set out the background to their previous decision (to object), the key improvements in the revised proposal as they see it, the benefits of the current proposal and why the PC now supports the proposal.

The conclusion to the report states:

“The Parish Council has carefully evaluated the revised proposal from Emily Estates and is satisfied that it addresses the concerns raised in the previous application.

The changes made—particularly in reducing disruption, managing traffic, mitigating environmental risks, and improving alignment with the North Cadbury and Yarlington Neighbourhood Plan have strengthened the proposal.

On balance, the Council believes the benefits of the revised plan outweigh its disadvantages. It represents a thoughtful, sustainable, and forward-looking approach to farming in the parish”.

Pitcombe Parish Council (Adjacent Parish)

On the original plans -

“This application borders our territory however Pitcombe Parish Council would like to support our neighbouring Parish Councils, if they would like this application to go before a full planning committee we would support that. We feel this application could mean more traffic in our Parish travelling the A358 and crossing Grove Cross.

We would like planning to take into consideration the beauty of the area to be built upon and would like you to give full consideration to the impact on flooding any additional building would have. Finally we question the location of the new building on an area of prime agricultural land as opposed to using/ extending buildings on land they already have.

No comments received on revised plans.

Officer comment: Matters relating to Highways, landscape and agricultural land are assessed in Paragraphs 12.37, 12.11 and 12.34 respectively.

Castle Cary Town Council (Adjacent Parish)

No comments received.

Highway Authority

“No Objection subject to conditions and/or s106 obligations...”

“The Highway Authority deem the following points to be salient; Access & Visibility

The access at present is off the 4-way junction at the centre of the village via Pound Lane, therefore visibility splays are already determined at this access.

The Existing Farm approach is from a restricted byway (ref WN 31/10).

	<p><i>The proposal includes the new vehicular site access to be via a new 'internal' estate road linking the replacement farm with Avalon Farm.</i></p> <p><u><i>Drainage</i></u> <i>I acknowledge receipt of the Flood Risk Assessment report ref. 220811/FRA/01 Rev P1 dated 13th July 2023, prepared by Messrs. Simon Bastone Associates Ltd and submitted in support of planning application 24/01203/FUL. I can confirm that I have no objections to the conclusions within this report as they relate to the existing public highway.</i></p> <p><u><i>Public Rights of Way</i></u> <i>Two public footpaths run through the site WN 31/9 & WN 31/10. Both are indicated on the site analysis layout, existing and proposed site layout plans.</i> <i>It is noted by the applicant that one of the public footpaths is routed through the centre of Manor Farm, which is not ideal when considering the impact of a working farm with public safety. Therefore, it is discussed within the application that the location of the proposed Replacement Manor Farm is within existing pastureland, to the northeast of Manor Farm.</i> <i>Somerset Council's PROW team are aware of this proposal and direct communication should be made with their team.</i></p> <p><u><i>Trip Generation</i></u> <i>There is no residential element to this application. Given the nature of the site and its rural location, options for use of public transport will be limited.</i> <i>The DAS confirms that measures to reduce the impact of single car use will be explored and furthermore, electric vehicles from the Avalon Site will form one of the main methods of transport across the site, with charging facilities on site.</i> <i>Removal of agricultural vehicles may be beneficial for the highway interests of Yarlinton village, relocating farm access through Avalon Farm would not cause onerous intensification of the existing junction with the A359".</i> <i>Up[on receipt of this infortmaiton</i> A condition requiring a Construction Environmental Management Plan to be submitted prior to works is suggested.</p> <p>No additional comments to make on the amended plans.</p>
<p>Officer comment: No further action, CEMP condition to be imposed.</p>	
<p>Natural England</p>	<p><i>"Thank you for consulting Natural England on your Authority's Appropriate Assessment for the aforementioned application and apologies for the delay in getting back to you. The proposal lies within the hydrological catchment of the Somerset Levels and Moors Ramsar and is therefore required to ensure phosphorus neutrality.</i></p> <p>- No Objection <u><i>Phosphorus neutrality</i></u></p>

	<p><i>The application for a replacement farmyard is supported by a phosphorus nutrient neutrality assessment prepared by Earthcare Technical Limited which includes an up-to-date nutrient management plan for the holding. Based on the submitted information Natural England is satisfied that the farm has capacity within its existing Nutrient Management Plan for utilising the manures that will result from the proposals. Natural England also accepts the findings that the proposed herd size and composition is likely to reduce total phosphorus loads generated by the farming operation. The proposed new farmyard is also located further away from the watercourse than the yard it will replace and benefits from a drainage plan and covered areas that if implemented in full will significantly reduce farmyard run off from the facility. Natural England is therefore satisfied that the proposals are unlikely to increase phosphorus loads to the hydrological catchment of the Somerset Levels & Moors Ramsar. The application is therefore unlikely to have any significant effect on the Somerset Levels and Moors Ramsar and so can be screened out of further assessment.</i></p> <p><u><i>Air Quality</i></u> <i>Natural England notes the finding of the SCAIL assessment and is satisfied that impacts from air quality on designated sites are insignificant and can also be screened out of further assessment”.</i></p>
<p>Officer comment: No further action, refer to assessment at Section 7.</p>	
<p>Environment Agency</p>	<p>No objection subject to the inclusion of informatives relating to foul drainage and pollution prevention during construction.</p>
<p>Officer comment: No further action, informatives to be imposed.</p>	
<p>Lead Local Flood Authority (LLFA)</p>	<p>Initial comments sought clarifications and additional information. Upon receipt of this information - <i>“The LLFA have taken account of the Section 19 report when undertaking our response.</i> <i>The LLFA are satisfied with the surface water drainage scheme for the site and would advise that a compliance condition is applied for the surface water drainage scheme to be built out as per the submitted plans. A condition to secure details of the management of surface water and pollution during the construction phase should also be applied along with the below conditions and informative” [conditions and informatives listed]</i></p>
<p>Officer comment: The matter of surface water drainage and flood risk is further considered at Paragraph 12.40.</p>	

8.2 Non-Statutory Consultees

Non-Statutory consultee	Consultee Comments and Officer Comment
Landscape Consultant	The Council's appointed Landscape Consultant raises no objection subject to comments and conditions set out in a comprehensive report.
Officer comment: In order that the Committee can read exactly what the Consultant has said and how the proposal has been assessed from a landscape point of view the Landscape Consultant's report is attached as Appendix 3 .	
Ecologist	<p><i>"BNG - The applicants will need a legal agreement to secure all significant on-site and any offsite habitats. They will also need to submit a Biodiversity Gain Plan and Habitat Management and Monitoring Plan (HMMP) to discharge the BNG conditions (both the local condition and the national BNG condition) once planning permission has been granted". [condition and informative listed]</i></p> <p><i>"All significant habitats (for this application, all 'non-urban' habitats) need to be secured via a legal agreement. This should be discussed and agreed prior to a decision being made on this application. In order to discharge the national BNG condition, as well as the local one, we will also require a Biodiversity Gain Plan and Habitat Management and Monitoring Plan (HMMP)".</i></p> <p>Conditions suggested for lighting, Construction Environmental Management Plan: Biodiversity, a Landscape and Ecological Management Plan, Bat/EPS Licence, Toolbox talk, Badger Survey, and a Biodiversity Enhancement and Mitigation Plan plus informatives.</p>
Officer comment: The ecological interests of both sites will be safeguarded by a host of conditions as required by the Ecologist.	
Conservation Officer	<p><i>"I did look at this proposal pre application. My view was that the removal of the extensive modern farm buildings located at Manor Farm and the re-landscaping of the site will have a positive impact on the setting of the nearest non-designated heritage assets and the Grade II* Church of St Mary, enhancing their local townscape and landscape setting. There is no direct impact within the proposals on built heritage assets. My comments are reproduced in the DAS and I see nothing in this submission that changes that view".</i></p>
Officer comment: No further action.	
South West Heritage Trust - Archaeology	<i>"As far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds".</i>
Officer comment: No further action.	

Rights of Way Team

Original response dated 9th October -

"I can confirm that there are public rights of way (PROW) recorded on the Definitive Map that run through the site (public footpath WN 31/9, public bridleway WN 22/16, restricted byway WN 31/10) and PROWs that abut/run adjacent to the site (public footpath WN 19/1, WN 19/27, WN 19/28, WN 31/8, public bridleway WN 19/97) at the present time. The long-distance trails, The Leland Trail, the Monarch's Way and the Macmillan Way run along WN 19/97 and WN 22/16. I have attached a plan for your information. I have not visited the site.

The Definitive Map and Statement are legally conclusive of the existence and status of those public rights of way that they show. However, they are not conclusive as to what they omit. Therefore, the fact that a right does not appear either on the Map and Statement, does not necessarily mean that it does not exist.

Surfacing Authorisation Required

The proposed access track will require surface authorisation from SC Rights of Way Group where it crosses path WN 22/16 and WN 31/10. Associated infrastructure may also be required.

[condition wording]

The proposed access will cross over PROW(s) and we request a condition for the submission of an agreed signage scheme and a layout drawing showing how the access track will safely cross the PROW(s).

A proposed gate is shown on the Landscape Proposals Plan drg. no. NPA 11202 2001 across footpath WN 31/9. Further details are required regarding whether the gate is replacing an existing gate, as well as the details of the proposed design.

The existing hedge for reduced maintenance that is shown on the Landscape Proposals plan ref. NPA 11202 2001 will need to be maintained on its northern side in order to ensure that public have unimpeded passage along the restricted byway ref. WN 31/10.

A temporary path closure for path WN 31/10 will need to be applied for in order to carry out demolition works on the agricultural buildings. We note that there are future plans to re-landscape the area around Manor Farm and we would like to be consulted on these in future.

The proposed pipeline across the PROW WN 31/10 will need to be authorised through a s50 licence. More information is available on the relevant Somerset Council webpage:

<https://www.somerset.gov.uk/roads-travel-and-parking/apply-for-a-licence-to-dig-up-the-road/>

Please also note that there is a pending application to modify the Definitive Map and Statement (Modification ref. 911). This seeks to add a byway open to all traffic to the Definitive Map over part of Hick's Lane, North Cadbury. This application is currently awaiting investigation. Further details on the modification process can be found on the relevant SC webpage:

<https://www.somerset.gov.uk/roads-travel-and-parking/apply-to-add-delete-or-upgrade-a-public-right-of-way/>

The local planning authority needs to be confident that the applicant can demonstrate that they have an all-purpose vehicular right to the property along paths WN 31/9, WN 31/10, WN 22/16. If they are unable to and permission is granted, then the local planning authority could potentially be encouraging criminal activity through permitting driving on a public path without lawful authority. It should be noted that buildings at the site currently obstruct the legal line of the paths WN 31/9 and WN 31/10 and the applicant should consider applying for a path diversion to avoid any issues during any future conveyancing for the property. The applicant will need to apply to Somerset Council for a path diversion.

General Comments

Any proposed works must not encroach onto the width of the PROW.

The following bold text must be included as an informative note on any permission granted:

[condition wording]

The health and safety of the public using the PROW must be taken into consideration during works to carry out the proposed development. Somerset Council (SC) has maintenance responsibilities for the surface of a PROW, but only to a standard suitable for the public use. SC will not be responsible for putting right any damage occurring to the surface of a PROW resulting from vehicular use during or after works to carry out the proposal. It should be noted that it is an offence to drive a vehicle along a public footpath, public bridleway or restricted byway unless the driver has lawful authority (private rights) to do so.

If it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from Somerset Council Rights of Way Group:

- A PROW being made less convenient for continued public use.*
- New furniture being needed along a PROW.*
- Installing any apparatus within or across the PROW.*
- Changes to the surface of a PROW being needed.*
- Changes to the existing drainage arrangements associated with the PROW.*

If the work involved in carrying out this proposed development would:

- make a PROW less convenient for continued public use; or*
- create a hazard to users of a PROW,*

then a temporary closure order will be necessary and a suitable alternative route must be provided. For more information, please visit Somerset Council's Rights of Way pages to apply for a temporary closure: <https://www.somerset.gov.uk/roads-travel-and-parking/apply-for-the-temporary-closure-of-a-right-of-way>"

Concerns expressed regarding the crossing of Rights of Way with farm vehicles.

Further to a meeting and amended plans --

	<p><i>“Further to our previous response of the 9th October 2024, we have the following comments to put forward: Regarding the route of the proposed access track across bridleway WN 22/16 and restricted byway WN 31/10, after discussion with the applicants, we would be happy that a suitably-worded condition would suffice in place of a diversion that we previously put forward. The applicant will need to provide detailed drawings of the crossing points of the access track with visibility splays allowing for the safety of the public using the PROWs before commencement to the satisfaction of the LPA. We would also like to the applicant to provide an estimation of the proposed vehicle numbers that will use the proposed access over the PROWs in future. [condition wording] The proposals for the layout and boundary treatments alongside public footpath WN 31/9 have been amended on the Proposed Site Plan (ref. MFY/2611/04/C Rev C) so that they do not encroach on the footpath. Therefore, a diversion for this footpath WN 31/9 and the PROWs WN 22/16 and WN 31/10 due to the above proposed condition, is now no longer required. Please treat this as an amendment to our previous response of the 9th October 2024. The remainder of our previous response still applies”.</i></p>
	<p>Officer comment: A host of conditions and informative have been suggested. Information relating to the land rights query have been addressed by the applicants’ solicitor and full rights exist. This view has been relayed back to the Rights of Way Team and an informative note is proposed.</p>
Ministry of Defence	<p><i>“I can confirm that, following review of the application documents, the proposed development would be considered to have no detrimental impact on the operation or capability of a defence site or asset. The MOD has no objection to the development proposed”.</i></p>
	<p>Officer comment: No further action.</p>
Somerset Drainage Boards Consortium	<p><i>“The proposal is outside of the IDB area and will not directly impact the IDB network. The LPA should refer to the LLFA for comments on surface water”.</i></p>
	<p>Officer comment: No further action.</p>

8.3 Local consultation and representation

8.3.1 In accordance with the Council’s Adopted Statement of Community Involvement the application was publicised by letters of notification to

neighbouring properties upon receipt. Several site notices were displayed and a press advert placed as part of the initial consultation.

8.3.2 There have been approximately 324 members of the public who have made comments in connection with the two rounds of consultation. Many people, in support, but notably those in objection have made several/multiple representations and often there are numerous objections from the same household, so the actual number of representations on file is far higher than 324. The vast majority are in objection.

8.3.3 The full representation plus enclosures and images can be viewed on the Council's website.

8.4 Letters of support

8.4.1 Many positive comments have been received. The noticeable difference is that there are many more letters of support from residents from the central core of Yarlington village than objectors and then almost universally objectors typically live further afield on the edge of the village and in Galhampton and beyond.

NFU - As you will be aware the farming community continues to face formidable challenges with increasing regulation, volatile markets, changes to agricultural and environmental policy, desire to improve animal welfare and fluctuating farming returns. In response to these challenges farmers have had to consider the resources available to them and look at ways of developing their businesses so that they can remain competitive. By making this considerable investment in a new agricultural buildings and yard site, our member will be able to maximise the economic potential of the land available to them whilst realising gains in many other areas such as; increasing animal welfare by providing a building to calve cows, milking, and tend to stock in and by providing a secure area to store equipment, feed and materials.

Food production is a key Government priority, and the encouragement of sustainable food production is a key element of the Agriculture Act 2020. The importance of food production is further highlighted in the Foresight project report on "Global Food and Farming Futures" which was submitted to Government and makes the case for urgent action in terms of raising the political profile of food, developing a global food strategy and the need for a sustainable food system to meet predictions of an increasing population to 9 billion by 2050 and required food production increase of 50% by 2030. The National Planning Policy Framework (NPPF) further reinforces the need for local planning authorities to assess the needs of the food production industry and any barriers to investment that planning can resolve.

A key message within the NPPF is the need for economic growth. Planning policy "should proactively drive and support sustainable economic development, every effort should be made objectively to identify and then meet the housing, business and other development needs in the area" they "should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable development" and should "promote the development and diversification of agricultural and land based businesses".

Our member has designed a development that meets the demands of their business and has produced detailed plans covering all aspects of the works and final building. We would urge Somerset Council to approve this application on the basis that our Member has a clear need for the building and the development is in line with NPPF, and meets the operational needs of the farm.

The NFU support this application because of the benefits it will have on the farming business. In addition, it will help to sustain rural jobs and diversify the local economy. Although local stakeholders clearly need to be positively engaged and efforts made to mitigate any negative impacts on the local environment, this project has already set forward steps to do so. Crucially this project will help to deliver viable and profitable farming for the long term.

I fully support the well thought out amendments submitted by EE. I stand by my positive comments of the 15th of July 2024. I have already stated the negative effects of living next to a farm in an inappropriate position.

The Somerset Council website states that a Neighbourhood Plan cannot "be used to prevent development happening in an area."

Moving the farm will help to mitigate the risk of flooding in the village centre.

The demolition of the poor-quality concrete farm buildings overlooking the village will benefit everyone who lives in the centre of Yarlington.

The proposals are an exciting opportunity to establish a modern farm fit for the 21st century and to return the backdrop of our Village from an eyesore to a view of functioning housing, Orchards, and Yarlington sleights.

The revised application reflects and supports the views expressed and suggestions forwarded by the immediate neighbours of this site. They also address the validity or otherwise of objections from outside our community that are irrelevant to the proposal and show little understanding of modern, progressive agricultural land use. This application ensures that farming in this area remains unthreatened by inappropriate industrial or housing development for generations to come. We are grateful that the applicant has listened to positive local feedback before submitting these revised plans. We stand by our comments and support for the original application. As immediate neighbours we in this household fully support the revised application and await decisive support from Somerset Council.

I have viewed and read the amended drawings / reports associated with this application. I can see improvements in the proposals for flood risk management and overall site drainage, for landscaping around the immediate site and in the overall area and some wholly unobjectionable detailed amendments to the design of individual buildings.

We are close, low lying, neighbours to Manor Farm and the demolitions of the existing low-grade agricultural buildings and the removal of concreted yards will make a big and positive difference not only in the immediate vicinity but in the quality of the landscape and street scene in Yarlington as a whole.

We continue to strongly support this application.

To me it makes total sense to remove old, dilapidated farm buildings with their associated dirt, slurry, smells and inefficient practices from nearby dwellings and replace with state of the art equipment further from habitation. Further, I observe that many prefer a refurbishment scheme but it should be noted that this is frequently more expensive than demolition and replace with new and still may not meet modern farming requirements and would still be adjacent to habitation.

The updated modifications have improved an already Qualitive Planning Application.

This well designed scheme is particularly interesting because it proposes the demolition of the old farm and re-landscaping this area as a quid pro quo. This is a wonderful opportunity to separate the farm from the village. Removing the disagreeable effects of what will be a busier, larger and more industrialised farming process makes a lot of sense and would be something very foolish not to support. Apart from the fact the topography of the existing site is ill suited for farming, it must be accepted that today's modern agricultural buildings etc do not sit well within a residential environment.

The site selected for the new farm is sufficiently secluded to be suitable. It is not an area of outstanding beauty. I would classify the site as unexceptional and with the reputation of the applicant for building qualitative projects there is every chance that the farm could be an attraction for walkers. I don't believe the footpaths adjacent to this site have ever been as busy as some of the propaganda has purported but there is no reason to believe that there will be any less footfall as a result of this planning application. I would guess there will be more because of the interest. The farm will be extensively landscaped which will screen and seclude the farm while providing for wildlife.

As a resident of Yarlington I am excited by the whole project and in particular the landscaping of the reclaimed land in the village.

Providing that significant landscaping is demanded and that significant flood prevention measures are in place a state of the art farm development must be of benefit to Yarlington and the farming community and could be a blue print for other farms to follow.

I have to ask the question that if this planning application is refused is Manor Farm to be stuck in the 19th century with inefficient and environmentally damaging practices allowed to continue.

I visit Yarlington on a weekly basis and cannot think why the proposed plans of a new farm has received some negative comments, to me this looks well thought out as the existing farm is not fit for purpose.

The villagers life and health will improve immensely. No floods, no smell of slurry, no noise from tractors, no flies and will still be beautiful walks and countryside. What a lovely community.

As a young girl who has lived in Yarlington all her life I feel with the new proposal will be good, because of several things.

1. Noise; through traffic, work men.
2. Environmental; flooding, flies, stench of farm animals.

My bedroom outlooks the farm yard and in the summer I cannot open it as its noisy, smelly and there are too many flies. Also there are lights from tractors that shine into my bedroom and keep me awake.

I live in Pound Lane, Yarlington, close to Manor Farm and experience daily the disturbance from heavy farm traffic, noise and runoff associated with a livestock business.

Our house was flooded on May 9 2023 and a contributory factor was runoff from the farm. Relocating it to a new site will enable the restoration of this land to open ground, mitigating the flood risk to our homes. The repurposing of the older farm buildings to housing will be a benefit to the village.

The narrow lanes in Yarlington are unable to accommodate the heavy farm traffic and lorries accessing the current farm.

The proposed new farm is sited half a kilometre away and distant from domestic housing and water courses. Using modern farming practices, it will contribute to the

local economy, providing local employment and adding to modern efficient food production

I am a teenage girl who lives on the boundary of the farm, who has been affected by noise; from heavy machinery, animals, and workers throughout day and night. Which effects my sleep and concentration. Noise isn't the only aspect that effects me, beaming lights from tractors, more flies due to awful smell and wading through farm smelling mud just to get to school!

I chose to live next to a farm when the farm was owned by my inlaws as a small family farm milking approximately 220 cattle, the new proposed farm will have a heard of approximately 600. The existing location is not suitable for this. The existing farm was a large factor on homes being flooded on pound lane. The country lanes in yarlington are not big enough for modern day farm vehicles. The noise, smells, flies and light pollution from farm vehicles, machinery and cattle all have a negative impact on local peoples life's. The proposed location won't affect anyone's day to day life. The proposed farm would be built to the highest standards

The farm won't look any better on Lodge Hill

Farming today needs to be compact and be able to run efficiently
The Newt is investing a lot in the area and putting a lot on new life into areas that are tumbling down that locals can not afford to rejuvenate

I have lived in the village all my life and am the 5th generation in the same home. The village has had many changes over the years, it seems that a lot of objections that have been made are purely because people do not want things to change. I support the proposed development as it will reduce the agricultural traffic through the centre of the village and the grouping together of all the farms should make farming more efficient and help create employment in the area.

At last an opportunity to remove the hideous sprawling collection of 'farm buildings' that constitute Manor Farm. The disposal of these structures and the relocation of a new modern farm that employs up to date farming techniques and technology beyond the village boundary to a nearby field will allow the farm to enter the modern age. Furthermore the development of the farm site for housing would inject more life into a village which is currently dying. Another plus would be the removal of heavy farm traffic through the village on narrow country roads wholly unsuitable for the enormous vehicles and machinery needed to serve today's farms. Having lived here for twenty years I fully support an application which would take us into the world of 21st century farming practices.

My family has lived in Yarlington for over 150 years farming much of the local area and during that time have seen many changes as the world moves forward. I walk the fields around the proposed new farm and Yarlington every day and with all that in mind find myself supporting this application for the better effect it will have on the village, the need for a new modern farm and the fact that the site chosen does not greatly affect any of the footpaths that I enjoy. In fact I look forward to walking past and seeing the animals in that new environment.

As the Southerly neighbour to the proposed new farm I will be one of those affected by this application. However, with a long farming heritage I recognise that farming methods evolve and there is a need to modernise to ensure efficient and sufficient food production. I therefore support this application to build a new farm that is sustainable, regenerative and importantly permit high standards of animal welfare in a location that is ideal for a mixed animal farm. I am particularly looking forward to the addition of the Buffalo which we are incredibly short of in this

country.

I can fully understand the economic and environmental advantages of all of the farming operation occurring in one place. With that in mind it is clear that building a farm of this nature on the edge of a village is not an option owing to the impact this would have on a village already feeling the effects of the current farming operation. I also suspect that the cost and environmental impact of regenerating a new farm at the existing location would be no different from the fresh build at the much more suitable location.

I also think that weight should be given to the comments of those most directly affected by this application particularly those in the immediate vicinity of the existing farm; noting that the majority of the objectors are people do not live in Yarlington and will not be affected by the outcome in their day to day lives.

As an environmental activist, I was alarmed by the reporting of this proposal on facebook. However, having read the proposal and the comments objecting and supporting this application I find that I am in support of, what appears to me, a well-planned and efficient new farm that seeks to benefit the natural environment and local residents for the long term. I do however have concerns about existing buildings being converted to holiday homes and would have liked to see truly affordable homes for those who are to work on the land given priority.

As a resident of Yarlington I should like to support this application on the grounds that the proposed scheme could materially enhance the lives of those residing at or near Pound Lane at the centre of the village. For too long they have suffered from the deleterious effects of living at or near the present Manor Farm including being polluted by its slurry and enduring problems with farm traffic and consequent degradation of lanes etc.

Although I would prefer that its present owners had nominated one of their many existing farms as base to replace Manor Farm I can see no intrinsic objection to creating a new farm on existing farmland in this agricultural area provided it is done to the highest standards - which the owners have apparently done on their other developments.

In assessing the comments on this application I hope that the planners will prioritise those made by Yarlington residents - especially those living at the village centre as they are the ones most directly affected.

The existing farm is an outdated, and ugly collection of decaying buildings, detracting from the pleasant village setting. The buildings create excess rainwater from the roofs and concrete into the River Cam and adding to the possibility of flooding of local properties. Also it does not have adequate facilities for slurry and silage effluent that can flow into local water courses.

Pound Lane is too small to cope with the very large number and size of farm vehicles.

The future application to build new houses on the site will be a very positive outcome for the village.

The new farm ticks all the boxes of what a 21st century farm should be like. Its relationship to the landscape has been sensitively thought about in every detail, minimising its impact visually and environmentally. It will allow the farm to be far more efficient and sustainable in its operations.

This "model" farm could be something to be proud, adding to the many benefits that The Newt and Emily Estates have brought to our community.

I have spent many years in Yarlington at my family home of Brookside Cottage and I intend to live there again in the future.

I remember the existing farm as being a bit of a muddle of buildings with cattle effluent running off down the lane every time it rained.
I fully support the Emily Estate's proposals for a new model farm on a new site further away from the centre of the village.

I am a resident of Yarlington and strongly support Emily Estate's application. I live at number 2 Pound Lane which is approximately 70 meters from Manor Farm Yarlington. I have lived at this address for just under 30 years. The farm developed from being a mixed arable farm to a dairy farm. The herd increased from 100 to approximately 250. We were unable to open our windows in the summer because of the flies, the stench of effluent and liquid from the silage clamp draining down the lane and into the watercourse. The Newt wish to double the herd to 500 which is unthinkable on the edge of a residential area and the farm was to remain on the present site.

Our house was flooded during the storm of 9th May 2023. A contributory factor was the runoff from Manor Farm. Moving the farm will decrease the flood risk to the middle of Yarlington, as the proposal will remove a sizable area of concrete and return it to grass and orchards. Moving the farm 400 meters will help reduce the flood risk.

The roads in Yarlington are not big enough for the size of modern tractors, trailers and articulated lorries. The verges in the village are being destroyed. The density of traffic from the farm makes walking in the village hazardous.

Emily estate will remove the modern concrete barns which will improve the views from the centre of Yarlington. The older buildings will provide housing which is to be welcomed.

The site of the proposed new farm is a mono culture of no interest. The plans include a 10% BNG increase in woodlands and hedgerow which will benefit wildlife. The new farm cannot be seen from any local property. A drone has been flown to check this. It can however be seen from Yarlington Sleights which has no legal public right of way or footpath. The new site will make bio security easier in the event of for example an out break of foot and mouth.

The new farm is a tremendous opportunity to showcase modern farming methods. Grouping several farms into one units will ensure the land is used as efficiently as possible to ensure food security for the future. It will provide local employment and be an invaluable educational resource.

I am concerned that this planning application is attracting comments from people who do not live anywhere near Yarlington or the farm. I hope this is taken into consideration. We live in the centre of the village and are directly effected by the decision.

Farming is an essential aspect of our local community life, to lose it would be a great loss. To ensure the future of farming in the local area it must be efficient. Whilst previous farms may be in place, they are dilapidated and not fit for purpose. This new development incorporates a new efficient operation fit for the future of farming in the local community.

Previous demolished buildings closer to the village will be returned to Greenfield land, ensuring neighbours are less affected by farming activities.

The proposed site is not visible from any significant area, is far better situated for the local community. Whilst providing a springboard to secure the necessary efficiency for the future of farming.

This is something we must support or we will lose farming in the area all together.

I live in the same postcode area, I am a contiguous neighbour and support the application.

Improved amenity for the residents of the village streets and enhanced road safety would arise from the removal of heavy agricultural traffic and HGVs. Pound lane is 3.5m at its narrowest point with few passing places. This often necessitates heavy traffic reversing back to the village centre. Five properties on this road are located directly on the kerbside and are continually affected by noise and vibration.

The village centre, and its Grade II* listed church and clustered assets, is overlooked by dilapidated 20th century farm buildings on the hillside 40ft above. The serenity of church services, particularly funeral and remembrance services, is often disturbed by reversing vehicle beepers and the rattling of JCB buckets.

The current yard provides access for the public to a footpath and a RUPP/bridleway. Access to both is over broken, sloping and slippery concrete surfaces with additional trip hazards and slurry gullies criss-crossing the byways. These surfaces represent a significant public H&S hazard, in icy conditions they are potentially lethal.

The removal of the modern structures and surfaces will allow safer and more convenient access to and from the neighbouring villages and the national trails on the western boundary. The repurposing of the few traditional barns does not constitute "a housing development" and many months ago consultations with village stakeholders established that these dwellings would not be used for any form of short term letting. The farmhouse and its cottages will remain.

The legacy farmyard sits between 40 & 50 feet above and a hundred yards from the River Cam. Currently, all precipitation falling on this site is allowed to mix with farm waste and flow untreated into the watercourse. During recent rain the large bore pipe that drains this effluent directly into the Cam at the Pound Lane bridge was observed to be at full capacity and issuing forth a grey liquid smelling of farm waste, diesel and other pollutants. Much of the flood water that ruined Yarlinton homes in 2023 contained farm contaminants.

The total area of hardstanding and roofing on the legacy site is around two hectares, very similar to the proposed new farmyard. The extra half kilometre between the new farmyard and the river would allow appropriate treatment of effluent and the reuse of rainwater, improving the river water quality and helping to minimise the flood risk.

Expansion and redevelopment of the current site would surely not pass ecological scrutiny as there would be insufficient land area to properly treat the farm effluent. Any attempt to do so would be hampered by the network water main between this site and the river.

The legacy farmyard structures, sitting on the ridge over the village, can be seen from every point of the compass: from God's Hill, The Sleights, the churchyard and from any vantage point to the south. Recent drone photography from 20 meters altitude (i.e. well above the ridge of the tallest of the proposed structures) revealed that the new farmyard will be far better hidden in the landscape.

The legacy farm is an ecological shambles sitting above an area of extraordinary biodiversity surrounding the catchments of the Cam. The proposed site has very little biodiversity; it is within a field that has only ever supported one crop: grass. The new yard will be subjected to intense scrutiny in terms of its ecological and animal welfare credentials. It will future-proof the area against housing development, industrial horticulture and solar farms. It will rid the village of an ad hoc, dilapidated and dysfunctional yard, and allow that area to be returned to

natural meadows and orchards.

I am grateful that the Emily plan is to persist with conventional, non-industrial farming in this ancient landscape and I support it.

Letters of Objection

- 8.4.2 The objections against the development have been led principally by a group called Black 8 (named after the field in which the application is proposed). Their website black8.org.uk describes this group as a community group from Yarlington, Galhampton & North Cadbury, sharing concerns on planned property developments in the area. It is unclear whether other applications have been assessed and commented on yet or whether this is a movement against this proposal or this applicant only. The Group are also Crowdfunding to amass funds to pay consultants and solicitors to oppose the development (and others?).

Issue/Concern	Officer Comment
Principle of Development / Need	
<p>Since the original purchase of Hadspen House in 2013, Emily Estates have embarked on a programme of farm purchases and development without presenting any long-term strategic plan for the business. Emily Estates now own 6 contiguous farms in the environs of Castle Cary, Galhampton and Yarlington, with another two farms nearby. I believe that the Council should insist that Emily Estates present a long-term strategic plan so that this proposed development can be assessed in the context of planned future developments. Several documents refer to the "piecemeal" development of the various farms that Emily Estates now own, but the development of Emily Estates itself can best be described as piecemeal.</p>	<p>The Council has no right to seek a 'long' term business plan be made public. Each application submitted is to be determined on its own merits.</p>
<p>Emily Estate own 11/12 farms.</p>	<p>Whether this is fact or not depends on your definition of a farm. It is the Officer view this is not true.</p>
<p>The development is on Grade 1 agricultural soil, which is rare and should be protected.it runs counter to Natural England's guidance on agricultural land use, which is to "Protect the best and most versatile (BMV) agricultural land from significant, inappropriate or unsustainable development proposals." At 2.2 hectares, the proposed development is, if nothing else, significant.</p>	<p>The Natural England 1:250000 Series Agricultural Land Classification for the South West indicates the site as Grade 1. The proposal is for a farm on agricultural land.</p>
<p>They do NOT need this farm. It is a tourist attraction for their 'Top 50 hotels' status and some 35,000 paying members to which they supply their milk. They have also admitted that is where they</p>	<p>Interesting take, if you follow this logic then producing food and milk for 35,000 (local) people is not agriculture?</p>

<p>receive their business from - this is not to the benefit of feeding the UK, but their exclusive members.</p> <p>The proposed development would STILL be of no discernible benefit to the local community.</p> <p>I hope that you see beyond the facade they are spinning and see it for the tourism attempt for their guests to conveniently visit a farm.</p> <p>In the present case, no cogent reason has been provided as to why the existing farm cannot accommodate the Newts requirements. In fact, the Newt has already submitted an application for similar facilities in another location.</p>	<p>The many letters of support from local people indicate they feel there are many tangible benefits.</p> <p>The application is for a farm not a tourist attraction.</p> <p>The application sets out the case as to why other sites are not preferred to operate this agricultural practice.</p>
<p>The proposed development offers no value to the local community and poses significant environmental risks.</p>	<p>The letters of support would suggest otherwise in terms of local benefits, plus there are other tangible benefits, economically, environmentally and form a heritage perspective.</p> <p>There is no professional support for claims of significant environmental risks.</p>
<p>We have never seen a single guest from the Emily Estate participating in our community. It is a vast spreading tourist commercial enterprise benefitting the owners and breaking up small village communities.</p>	<p>Noted. A personal opinion.</p> <p>The letters of support, employment and onward economic impacts would suggest there are benefits.</p> <p>The scheme is supported by the Parish Council.</p>
<p>An independent environmental impact assessment is essential to determine if these changes are in the community's best interests.</p>	<p>A personal opinion.</p> <p>The Planning System acts as a broker to have these conversations. The scheme is supported by the Parish Council.</p>
<p>Environmental Impact Assessment: This is absolutely necessary to ascertain the increased flood risk and the ecological impact on the area.</p>	<p>There are no objections raised by the Council's Ecologist or the Lead Local Flood Authority (LLFA).</p>
<p>Human rights, The International Covenant on Economic Social and Cultural Rights, ICESCR article 11 states 'A human right to adequate food. The 3 local food banks struggle with demand. Yet here we might lose the growing potential of the Grade 1 Black 8 acres to this planet, yet allowing the fortunate to float above the novelty cattle and shop the brand Newt. Many ask why this location. The 70 buffalo, 400 British white cattle, 350 sheep and deer must be 'in view' for the urban tourists.</p>	<p>This is an application for a farm not an airport.</p> <p>The very point of the farm is to produce food.</p>

<p>Contrary to the North Cadbury and Yarlington NP This site isn't designated for development within the Neighbourhood Plan.</p>	<p>This is an application for a farm not an airport. North Cadbury and Yarlington PC opine it does not conflict with the NP, see Appendix 2. See Policy Table for Officer Assessment.</p>
<p>The proposed development is contrary to the Neighbourhood Plan which has designated the area on which the development is proposed as green field and an area on which development should not be permitted.</p>	<p>North Cadbury and Yarlington PC opine it does not conflict with the NP, see Appendix 2. See Policy Table for Officer Assessment.</p>
<p>Local Neighbourhood Plan: The North Cadbury and Yarlington Parish Plan, which also includes Galhampton, and which took hundreds of hours of work by many local residents, seems to have been ignored and contravened in so many aspects of this planning application, in particular Neighbourhood Plan Policies Nos. 5, 6 or 7.</p>	<p>North Cadbury and Yarlington PC opine it does not conflict with the NP, see Appendix 2. Several members of the team whom produced the NP are parish councillors. See Policy Table for Officer Assessment.</p>
<p>Contrary to the South Somerset Local Plan</p>	<p>See Policy Table for Officer Assessment.</p>
<p>The application fails to justify why existing brownfield sites at Yarlington and Castle Cary cannot be redeveloped.</p>	<p>The proposal is for a farm on agricultural land. It is bizarre to suggest the farm could be located on an industrial estate.</p>
<p>No cogent reason why existing farms cannot be redeveloped.</p>	<p>The application sets out why this is not preferable.</p>
<p>Flaws and bias in the Farming Requirements and Site Selection – New Yarlington Manor Farm Report (May 2024).</p>	
<p>The Manor Farm buildings can still be used.</p>	<p>The application sets out why this is not preferable.</p>
<p>Agricultural Building Condition & Usability Report by Symonds & Sampson - This report only covers 7 of the Emily Estate Farms, why not all of them (at least 12 have been purchased). There is no doubt that many of the farms on The Emily estate are not currently fit for purpose of 21st Century farming, but let's not be fooled, Emily Estate were aware of the condition of these properties when they purchased these established farms and would have fully understood the investment required.</p>	<p>Acceptance from a Black 8 member that the many of the farms purchased are not fit for purposes. The Estate accepting the state of what they have bought does not compel them to invest in that site if locationally the new buildings would be in the wrong place for their operations. What is true is that former owners did not invest and why is that?</p>
<p>A report by Reading Agricultural Consultants (February 2024) concludes the proposed 22,657m² farmyard is overly large for a small farming operation.</p>	<p>Matter of opinion.</p>

<p>A report by Brian Goodenough (buffalo expert) totally refutes the need for this development of a new farm on this site. There are significant dangers in mixing cattle, buffalo and suckling herds. The milking parlour as designed is unsuitable for buffalo herds.</p>	<p>This is a matter of opinion, not shared by the applicant.</p>
<p>The report suggests EE's trend of buying farms and removing them from agricultural use continues with this proposal.</p>	<p>There is little evidence of this. There is building rationalisation ongoing but all 'farm' land purchased remains in agricultural use.</p>
<p>I strongly object to this planning application. How much more countryside has to be manipulated and destroyed to line the pockets of the rich? Somerset is my home and is beautiful as it is, please just leave us alone.</p>	<p>A personal opinion.</p>
<p>These amendments do not demonstrate the viability of this project. If the herd is not viable it is then a large oversized tourist attraction and not required.</p>	<p>The applicant says the herd, when established, will be viable.</p>
<p>This planning application seems to have been made with a total disregard for the value of the landscape, the tranquillity of the area and the feelings and requests of local residents. There is an understandable fear that we have no control over the continuous expansion into, and industrialisation of, our villages and beloved countryside, and the erosion of our quality of life that results.</p>	<p>The proposal is for a farm on agricultural land.</p>
<p>Policy EP4 (Development of Existing Businesses in the Countryside) is relevant to this proposal and has not been suitably addressed in the application, with the applicant now stating it does not apply.</p>	<p>This is not a relevant policy. See Policy Table for Officer Assessment.</p>
<p>CPRE - Local Policy EP4 - The supporting LP text for this policy at para 9.36 refers to the sustainable growth of '<u>all types</u> of businesses and enterprise in rural areas', which logically must include farming businesses [emphasis added]. There is no indication in the wording of Policy EP4, or its supporting text, that farming businesses are excluded from consideration under the policy. It would be irrational for the Council to give limited or no weight in the planning balance to LP Policies EP4 -Expansion of Existing Businesses in the Countryside and EP5 -Farm Diversification, as advocated by the Applicant.</p>	<p>This is not a relevant policy. See Policy Table for Officer Assessment.</p>
<p>CPRE - Non-compliance with LP Policy EP5: Farm Diversification - The supporting text to Policy EP5 says [at para 9.48] that: 'In encouraging economic diversity and agricultural diversification, it is</p>	<p>This is not a relevant policy. See Policy Table for Officer Assessment.</p>

<p>important that the countryside is not spoilt by the unfettered development of an inappropriate and unwarranted nature. Therefore diversification proposals should be of a scale and nature appropriate for the location and be capable of satisfactory integration into the rural landscape....’</p> <p>If the proposals are intended to be viewed as a ‘farm diversification’ scheme due to the incorporation of visitor facilities at the replacement farm, the proposals are non-compliant with LP Policy EP5.</p> <p>No financial information has been provided as part of ‘a comprehensive farm diversification plan which would indicate how the proposals would be operated as part of a viable farm holding and contribute to making the holding viable’. Details have not been provided about visitor facilities at the proposed replacement farm, nor are any shown on the submitted plans. The submitted plans do not include residential accommodation for staff who would be needed on site.</p> <p>Policy EP5 requires that appropriately located existing buildings should be re-used where possible. The re-use of existing buildings would also mean re-use of the sites on which they are located, including the existing farmstead site at Yarlington Manor Farm, and does not preclude erection of replacement buildings on other connected farms owned by the Applicant and/or repair and refurbishment where possible.</p>	
<p>The proposal does not accord with Policies SS2, EQ2, EP5 and EP8.</p>	<p>These are not relevant policies. See Policy Table for Officer Assessment.</p>
<p>It is also interesting to note that EE used EP4 and EP5 in support of their application to redevelop Lily Farm at Cattle Hill Bratton Seymour (see applications 23/02317 and 23/02318).</p>	<p>The applications quoted were for tourism related development.</p>
<p>CPRE – The proposals entail a loss of farm size diversity, which is a considerable concern. If investment were to be made in replacing farm buildings on some or all of the other eight farms that have been acquired by the Applicant, this would be beneficial for the long term future of farming in the area. Such investment would reduce barriers to entry for young farmers in the event that some or all the farms were to be tenanted or sold in the future. There is no obvious reason why farming activities cannot be well managed by Emily Estate in separate locations across its farm portfolio. They could easily be visited by the Newt</p>	<p>The loss of farms generally and the state of the agricultural sector as a whole is something CPRE should be examining if they value the contribution of farming to the countryside rather than criticising a proposal to invest in farming. They do not comment on what would have happened to the ‘farms’ had they not been purchased by the Estate.</p>

<p>hotel guests and visitors in the shuttle vehicles provided, particularly in cases where the farms have already been connected by internal tracks, or could be in the future. Well managed farming operations will ‘add value to the credibility of Emily Estate and its hospitality brands’, even if some of the activities are spread across several farms.</p>	<p>Objectors also like to advise on how others, actually making the investment, should run their businesses.</p>
<p>Landscape</p>	
<p>I understood that our Neighbourhood Plan rightly describes this area as "cherished and admired".</p>	<p>Noted.</p>
<p>As a keen local walker I find it inconceivable that Somerset Council could allow such a huge and prominent development in a location that would ruin the far-reaching views from Cadbury Castle and Corton Denham ridge. These are cherished views that have been largely unchanged since pre-Roman times. No other council in the country would trash its landscape in this way for private gain.</p>	<p>The views from Cadbury Castle and Corton Ridge have changed considerably since pre-Roman times – villages, A303, Haynes Motor Museum, Cadbury Business Park, Teals Farm Shop, solar farms?</p>
<p>CPRE - The revised LVIA fully acknowledges for the first time that the landscape between Yarlinton Sleights and Cadbury Castle hill-fort is indeed a ‘valued landscape’ for NPPF purposes, which we had argued in our objection. The LVIA originally claimed that the proposals would not have a significant detrimental impact on the landscape at this location, but the acknowledgement now that this is a valued landscape means that landscape baseline value, landscape effects and visual impacts have been grossly understated. The LVIA assessments have not been comprehensively revised to properly reflect valued landscape status. Valued landscapes are areas of countryside that have physical attributes that make them stand out from the ordinary. These attributes are set out in the Landscape Institute’s TGN 02-21 technical guidance on landscape value outside designated areas. The relevant 02-21 attributes include landscape character and condition, scenic quality, recreation value, tranquillity, dark skies, and cultural interest. All of these attributes have a high value in this case and will be significantly adversely impacted by these proposals.</p> <p>The proposed large scale buildings are up to 3 -storey height. They will be prominent intrusions and obtrusive in the valued landscape and on a site so large that they effectively close the gap between Galhampton and Yarlinton. This potential outcome is precisely what the Neighbourhood Plan seeks to prevent [NP, Policy 5- The Area’s Rural Character:’ New buildings should not diminish the undeveloped gaps between the main villages or appear prominent in the landscape...’]</p> <p>The amended LVIA at 6.8 accepts that the development will ‘include varying levels of adverse visual effect associated with views of the buildings’ and will entail ‘reduction in views from Public Rights of Way of Yarlinton Sleights and Cadbury Castle’ but fails to draw the obvious conclusion that a valued landscape is an inappropriate location for industrial scale buildings which produce such harmful effects. There would be plainly be viable alternative sites for such a large complex of buildings available in less sensitive locations on a single site within the large area of 11 farms owned by the applicant, many of which are connected by internal roads, such as in the large open space to the east of Avalon farm by the A359 and A371, but no alternatives have been surveyed.</p>	

These are the very views that the Neighbourhood Plan describes as ‘cherished views’ and which it seeks to protect [NP, Policy 5; see also Map 9 -Yarlington Area - Important recommended walking routes and key views; and Table 10 which includes an iconic view of the Sleights]. The buildings will be placed in front of the Sleights, and surrounded by proposed increased dense screening and letting up of hedges, security fencing and lights. However no amount of screening is going to conceal the intrinsic change of character of this unspoilt valued landscape from open and rural to one of over-scaled buildings placed directly in front of Yarlington Sleights, and next to the most important and well-used footpaths in Somerset.

Consistency is an important concept in planning. A solar farm was recently refused on Butleigh Moor in Area East because the Council accepted that it was a valued landscape (2023/1892/FUL).

Officer Comment: The landscape considerations are assessed at Paragraph 12.11.

Black 8, a community group – The updated Landscape Visual Impact Assessment (“LVIA now”) submitted by Emily Estate has a new section which goes through the Landscape Institute’s criteria for valued landscape as they apply to this highly Sensitive landscape and accepts that the area fulfils the criteria and is indeed a valued landscape.

Rather than looking for a new site for the replacement buildings, the applicant now just proposes to surround the buildings with yet more planting and reduce the heights of the buildings by less than a couple of metres. No amount of planting is going to conceal the intrinsic change to the character of this unspoilt landscape from open and rural to one of over-scaled buildings placed directly in front of Yarlington Sleights and next to important historic recreational footpaths.

The amended LVIA at para 6.8 accepts that the development will ‘include varying levels of adverse visual effect associated with views of the buildings’ and will entail ‘reduction in views from Public Rights of Way of Yarlington Sleights and Cadbury Castle.’ These are the very views that the Neighbourhood Plan describes as ‘cherished views’ and which it seeks to protect. Indeed, a picture of the proposed location is in the Neighbourhood Plan and this will be destroyed if the proposal goes ahead. It will also impede direct line of sight, views from Parrock Hill which is a Somerset open access area and has featured in several national publications as a walking route.

Officer Comment: The landscape considerations are assessed at Paragraph 12.11.

I know that independent landscape experts have described the area as a valued landscape, so why isn't it being valued by the council? The council should be looking to protect it in it's entirety. Making the area a tourist attraction and for the benefit of the guests of the newt seems to be more important than preserving the landscape as it is.

Landscape considerations are examined at Paragraph 12.11.

Sited on a ridge and will blight the landscape

The site cannot be described as on a ridge.

CPRE - In our view, this high quality landscape would plainly qualify as a ‘Valued Landscape’ in NPPF terms. The site would score highly on all the relevant criteria listed in the Landscape Institute’s Technical Guidance Note TGN 21-02 ‘ Assessing Landscape Value outside National Designations ’. For example, taking the Table 1 criteria in turn;

Landscape considerations are examined at Paragraph 12.11.

- Natural Heritage- The Yarlinton Sleights escarpment landscape feature provides geological interest which contributes positively to the landscape.
- Cultural Heritage-the landscape is the historic setting of Cadbury Castle, one of the most important archaeological and historical sites in Somerset.
- Landscape Condition- the landscape is largely intact (important hedges, trees, historic field patterns, Best and Most Versatile land, on which the proposed large development would be built).
- Associations- this landscape is famously associated with the extensive body of English poetry and literature of Camelot, King Arthur and the Knights of the Round Table.
- Distinctiveness-the landscape has a strong sense of identity derived from Yarlinton Sleights and Cadbury Castle, which make an important contribution to the character and identity of Yarlinton and Galhampton.
- Recreation- two of the most important and well-used footpaths in Somerset pass by the site (Monarch's Way, Leland Trail). The reliance by the Applicant on letting hedges grow 'much taller' to screen the development is wholly inappropriate mitigation in the context of this landscape. This is recreational use where experience of landscape is important. Both the experience of landscape and the memorable views will be significantly compromised by the proposed mitigation.
- Perceptual (Scenic) -this is a landscape dominated by a dramatic and striking landform (the Sleights), with memorable views and landmark (Cadbury Castle).
- Perceptual (Wildness and Tranquility)- the walk between Galhampton and Yarlinton along the bottom of the Sleights is through remote and tranquil countryside. This will change with over-scaled development and proposed influx of tourism/ visitors for the purpose of 'adding value to the credibility of Emily Estate and its hospitality brands'.

The neighbourhood plan, approved by Somerset Council specifically advised that this area of agricultural and leisure ground should not be built on. This development is not compatible with the rural nature of the small villages of Galhampton and Yarlinton.

The application is for a farm on agricultural land. North Cadbury and Yarlinton PC opine it does not conflict with the NP, see **Appendix 2**.

Illuminate the dark sky	A lighting scheme will be required to lessen this impact.
Since Covid 19 the government has recognised a need for greater access for everyone to beautiful open spaces, supporting health and wellbeing.	The application site is private land and does not restrict any public rights of way, in fact the plans seek to enhance their use.
Monarchs Way Preservation: During the parish Council planning meeting one of the Emily Estate directors said the new farm would be for their guests to enjoy. A relative few guests who pay 1500 for a two night stay. The scene for them would be to watch Buffalo being milked and looking across the landscape to see buffalo grazing. But at what cost? In terms of recreation along it has been suggested that hedges should be grown up along the monarchs Way. This in effect means that national walkers no longer get the beautiful vista but are forced to walk down a high hedged track. So national walkers lose out so that hotel guests can get another experience.	Any visits to the new farm by guests to the Newt in Somerset, school children learning about 21 st century farming methods and where food comes from, the WI, NFU, FWAG or anybody else is a matter for the Estate. Walkers have no say in the height that a farmer maintains their hedges. There are many far reaching views from public rights of way and from the permissive path opened by the Estate. Interesting divide created between national walkers and hotel guests.
Historic Rights of Way run adjacent to this proposal, WN31/10, WN19/9 along Yarlinton Sleights and also the Monarchs Way and the Leland Trail. These are used regularly by local and long-distance walkers and are part of our communal heritage, unspoilt and ancient, and allowing access to opportunities for unimpeded views of the unique Somerset landscape and exercise for physical and mental wellbeing.	Noted. The application site is private land and does not restrict any public rights of way, in fact the plans seek to enhance their use.
My main concern, however, is the possible over use of concrete. Clearly for hygiene and health and safety reasons the immediate farm yard would need to be concrete but the associated tracks etc should be "green" - there are many solutions on the market to meet this requirement.	Noted. The track design follows the extensive trackways already consented.
With the new storm water holding pond, the entire length of the base of the Sleights from Avalon Farm to Shatwell Lane - a mile and a half, two miles? - will have been 'rearranged'.	Yes, with more hedging trees and and sensitively treated attenuation feature.
CPRE – Rather than justify the proposals in the local plan terms of policies EP4/EP5, the Applicant has chosen to put forward a set of claimed 'improvements' to Yarlinton to justify the scheme [set out in the Applicant's report entitled 'New Yarlinton Manor Farm' by Rural Solutions]. In our	To the comment - <i>"churches across Somerset often have farm buildings within their rural settings-that is the nature of the rural settings of churches"</i> , they do and often

view they are unconvincing and cannot and do not justify the large scale changes proposed for the area in this planning application.

For example, churches across Somerset often have farm buildings within their rural settings-that is the nature of the rural settings of churches. Therefore it is not per se an 'improvement' to remove farm buildings from the setting of a church- in many cases such removals would detract from local distinctives and sense of place. In the case of Yarlington, the existing buildings are at some distance from the church, and we do not agree that the setting of the church is harmed in any way by them. There would be no harm to the heritage setting of the church if the proposed new farm buildings were to be located entirely or partly on the existing footprint of the farmstead, rather than in the more prominent and open landscape position proposed.

We do not agree with the Applicant's claim that removing farm buildings from Yarlington would 'improve the character of Yarlington'- it is a rural village and part and parcel of the countryside character of rural villages in Somerset and elsewhere in the country is that they very often include farm buildings.

those churches are Grade II* or I, (St Marys is GII*) and so are subject to highest degree of protection greater than that of an undesignated but all the same valued landscape. Isn't a feature of this valued landscape, if fact what makes it so, is that it has been shaped by farming and there is an established pattern of many isolated farmsteads so to suggest new farms near listed churches is ok but farms in the landscape are not, is a contradictory argument to make.

A specific representation was made taking issue with the conclusions of the Council's Landscape Consultant's report.

- Most of the existing buildings at Manor Farm Yarlington proposed for demolition are not located in what could be described as "*an elevated position*".
- The farm buildings to be demolished are not visible from the vast majority of residences in the village.
- The location of the proposed construction of the new farm (X) is not "*in a more or less central position between the existing buildings (to be demolished) to the east and Hicks' Lane to the west*".
- The baseline character buildings mentioned are scattered over a large area of the parish and are all either within the main parts of the respective villages of Yarlington and Galhampton or are on the periphery of one or the other.
- The only buildings currently visible from the proposed site of the new farm (X) are the grain/drying barn at Whitewoods Farm built by

The full assessment of the Council's Landscape Consultant is enclosed at **Appendix 3**. Landscape considerations are further assessed at Paragraph 12.11.

Emily Estates in 2024 to the north west and Avalon Farm to the north.

- The amendments to the plans amount to minimal alterations in the heights of the new farm buildings, planting and reduction in the proposed numbers of residences to be built on the current Manor Farm site
- Agree this area fulfils the criteria for a 'valued landscape' in addition to being mentioned in the Neighbourhood Plan as a "cherished view".
- The character and appearance of the village will barely be changed by the proposed removal of the farm buildings. The relandscaping of the area will benefit the view from Manor Farm House, some of the properties on Pound Lane and a very limited number of views from public rights of way.
- the visual impact on closer range receptors, ie immediate and nearby footpaths, would be severely negatively affected. Most views currently enjoyed by walkers would be altered, reduced or obliterated by the extensive new buildings, 6m hedges and new roadway. Removal of the buildings at Manor Farm would nowhere near compensate for this loss.
- The cherished views of the Sleights to the north on WN 31/9 will be very significantly restricted at best, in time obliterated, by the 6m hedge alongside the footpath. The views from WN 31/10 will include not only the new buildings beyond the copse, but on its length from Hicks' Lane to the new farm will be of the new vehicular track with its very high volume of traffic proposed to be displaced from Pound Lane.
- There will be negligible difference in the view of the sleights by removal of the buildings.
- Camouflaging the buildings will not make them disappear. The intrusion by farm noise, heavy traffic including milk tankers and light pollution in this quiet, valued landscape will destroy its nature. Planting of high hedges and evergreen species is out of character to this area.
- Extensive planting schemes will further obscure the cherished view, destroying the valued landscape.
- The magnitude of change on the landscape character is undeniably high and clearly misrepresented at 5.7 of the LVIA.

<ul style="list-style-type: none"> • How could the relationship between Galhampton and Yarlington not be compromised? The proposal would destroy the 1.5km gap between the villages, sitting in the middle of the highly frequented walk between the two. • There is a serious imbalance between the negligible benefit to landscape around the current Manor Farm (and as yet unknown plan for its future development) and the severely adverse effects, “at the higher end of the scale”, that the proposal will deliver. 	
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Flooding	
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<p>The FRA produced by Simon Bastone Associates Ltd, states they have assessed the proposed development only because the site is within Flood Zone 1. The report further states on P14 (section 7) that a sequential test was not necessary because the proposed development is classified as land use that is 'less vulnerable' to flooding.</p> <p>Given the May 9th 2023 flood event in Yarlington and the downstream villages on the River Cam and the subsequent flood consultation and Section 19 Report, it feels irresponsible to say the least for the LPA to consider a major development above Yarlington and the River Cam catchment area without applying Sequential Testing, and without taking into account the flood management issues it triggers beyond the boundaries of the proposed development site.</p>	<p>The only part of the whole scheme on Flood Zone 3 is the outlet from the surface water attenuation. It has to connect to the river at a point and the wider river corridor from east to west is also in FZ3 meaning there is no place outside FZ3 where the connection could be made. The connection involves limited works which will be overseen by a separate process.</p> <p>Taking into account Paragraph 175 of the NPPF there is no requirement for a Sequential Test to be undertaken as the outlet does not comprise development that involves access or escape routes, land raising or other potentially vulnerable elements, that would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk).</p> <p>The remainder of the site is Flood Zone 1.</p>
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<p>In addition, the Town and Country Planning Procedure (2015) Schedule states that if a proposed development is in Flood Zone 2 or 3, or Flood Zone 1 with critical drainage issues it should be referred to the Environment Agency. To my knowledge this has not taken place?</p>	<p>The EA has no objection.</p>
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<p>Flooding is a major concern; the proposed surface water storage capacity might be insufficient for extreme weather events, as seen on May 9th, 2023, which could have overwhelmed the planned storage and outlet pipe.</p>	<p>The LLFA, EA and IDB have no objections. The surface water storage capacity is extensive. The drainage scheme indicates the land has poor soakage/infiltration capacity.</p>
<p>The Parish experienced severe flooding in May 2023, damaging properties and endangering lives. Covering 22,657 m² of farmland with concrete will increase flood risks, showing a disregard for the consequences.</p>	<p>Not if the site is adequately drained. The surface water storage capacity is extensive. The drainage scheme indicates the land has poor soakage/infiltration capacity.</p>
<p>We have been informed by the Somerset Rivers Authority that the tendency seen in recent years is for more extreme events in terms of surface water run-off. This means allowances for run-off with account for climate change are already out of date as these uplifts are minimal.</p>	<p>The surface water storage capacity is extensive and caters for this tendency.</p>
<p>There have been several events this winter 2023/2024 where the Upper Cam comfortably exceeded previous winters in terms of the effect on stream height (by manual record and an obvious onset of new witness marks for high-water not reached previously).</p>	<p>The LLFA, EA and IDB have no objections. The surface water storage capacity is extensive. The drainage scheme indicates the land has poor soakage/infiltration capacity.</p>
<p>The Emily Estate has, to date, demonstrated poor understanding of flood risk. Not only have they removed trees and hedgerows to leave large open grassland more susceptible to run-off, they have removed hedgerows to construct farm tracks and dry-stone walls and are now seeking permission to replace agricultural land with impermeable concrete and semi-permeable surfaces above a flood zone. Moreover, they are proposing to discharge surface water from the site into the River Cam at a point designated by the Environment Agency as at the highest risk of flooding. Indeed, the estate is to be visited by the s19 team investigating the May 2023 floods as some of the Estate's developments were flooded and others are thought to have had a role in flooding elsewhere.</p>	<p>There is no evidence of poor land management leading to flood risk. The LLFA, EA and IDB have no objections. The surface water storage capacity is extensive.</p>
<p>Given the scale of the development there is a serious risk of flooding which the applicant (the Newt) has completely failed to mitigate.</p>	<p>The LLFA, EA and IDB have no objections. The surface water storage capacity is extensive.</p>
<p>The figures also provided by the Batstone FRA document, commissioned by EE, do NOT include surface water from the hills above the proposed</p>	<p>They need not include mitigation for surface water from any other source than the</p>

<p>farm site. This is a significant oversight and worrying omission.</p>	<p>yard itself. The writer does however accidentally allude to a key point and that is the hillsides and wider land from surface water, in storm scenario's, is channelled towards Yarlington village. The proposal is required to make an existing situation no worse.</p>
<p>Highways/Traffic</p>	
<p>Traffic impacts on small lane despite new farm tracks</p>	<p>The applicant indicates the vast majority of traffic movements will be via Avalon Farm and not via Yarlington village-Pound Lane.</p>
<p>As a regular horse rider and walker along the bridleways around the proposed site I am concerned about the increase in road traffic that will result in the proposed development, particularly the tankers that will take milk from the milking roundhouse to the dairy that is located at Castle Cary railway station. I expect that the tankers will make use of the Emily Estate roadways as far as possible before exiting on to the public roads.</p>	<p>The applicant indicates the vast majority of traffic movements will be via Avalon Farm and the track does cross the public rights of way. A scheme of signage and visibility</p>
<p>The residents in Yarlington village have suffered considerably from farming traffic and other large vehicles going to and from the Manor Farm. EE say this will be substantially reduced. The presence of a 50% larger farming unit on the edge of the village, even if a field further away from the village edge, will not wholly relieve the village residents. I believe there is no means for EE to give a legally enforceable commitment to stop their vehicles and their suppliers/customers' vehicles from obtaining access to the farm through the village lanes.</p>	<p>Noted. There will be no direct road link to the new farm for farm traffic from Pound Lane other than a gateway for staff who live in Yarlington to use Quad bikes to access the existing internal farm track.</p>
<p>Environmental</p>	
<p>There is a strong case to argue for a professionally Environmental Impact Assessment to be undertaken covering the whole of the Emily Estate developments.</p>	<p>See Section 6.</p>
<p>Increased carbon footprint. The proposed development is expected to cover 22,500 m² (the size of 5 football pitches) with concrete, significantly increasing CO₂ emissions, as estimated this could be potentially equivalent to 62,000 cars traveling 10,000 km each year.</p>	<p>Noted.</p>
<p>The email correspondence between Peter Andrews and Somerset CC refers to the presence of otters near the River Cam. The ecological</p>	<p>The Council's ecologist raises no objection to the application subject to conditions.</p>

reports don't appear to have taken on board the recommendation from Somerset CC that further consideration is given to this matter. Otters are designated and protected as European protected species (EPS). EPS are protected under the Conservation of Habitats and Species Regulations 2017.	
The plan involves poor farming practices, concentrating livestock in a high TB area.	This is a matter of opinion.
Future Plans	
Recent changes to planning policy in May 2024; Class Q Agricultural to Residential and Class R Agricultural to Commercial could allow for up to 10 dwellings and a hotel. Has this been mentioned to Yarlinton residents?	The application includes demolition and restoration of the majority of the existing farm site. The remaining part of the yard may well be subject to housing proposal to be considered on its own merits.
The removal of the old farm buildings destroys structures that are still usable, and opens the way to new structures/facilities yet to be decided	The application includes demolition and restoration of the majority of the existing farm site. The remaining part of the yard may well be subject to housing proposal to be considered on its own merits.
Animal Welfare	
Reading documents from Brian Goodenough and Claire Llewellyn, both experienced specialists in their area, I have grave concerns in regard to the proposed buffalo and white suckler cow breeds being housed together. The specialists highlight potential animal welfare issues, staff safety, infection control amongst other serious concerns.	It is not the Planning Systems role to referee in terms of agricultural practices which are strictly governed by other legislation. The applicant and their advisor is very clear there is no issue.
As noted in submissions from Reading Agricultural Consultants and Brian Goodenough, there are serious considerations regarding animal husbandry and the mixing of British Whites and buffalo which have not been fully addressed by the applicant including: - Keeping the two herds at separate locations rather than just one location will most likely be beneficial for animal health.	The key argument of objectors, dressed up here as an animal welfare issue, is that if you split the activity you can relocate both parts elsewhere – but you then need two parlours, two of everything, and need to work over two distant sites and so understandably, given the applicant feels there is no welfare issue, they wish the Council to determine this application for one farm.
Round houses and a use of a rotary milking parlour are unsuitable for buffalo	The applicant and their advisor is very clear there is no issue with what is proposed.

<p>Sustainability Without On-site Rural Workers' Dwellings - Is the proposal sustainable without the provision of on-site rural workers' dwellings for key workers to attend to the livestock's animal welfare? The presence of key workers on-site is critical for the continuous welfare and management of the livestock. Without such accommodations, the effectiveness and sustainability of the operation could be significantly compromised. As per Brian Goodenough's letter, there would be serious concerns over animal welfare, and even the safety of staff, if there is no on-site rural workers' accommodation, as water buffalo require careful handling and can easily become aggressive.</p>	<p>The applicant has set out clearly that a dwelling is unnecessary due to the proximity of existing Estate dwellings and the use of technology.</p>
<p>Parish Council Decision</p>	
<p>The vote by the Parish Council was not robustly discussed amongst councillors before the vote was taken. Some councillors were not up to speed in planning laws and therefore this should be taken to committee having only had a few days to look over the amendments.</p>	<p>These comments followed the January 2025 meeting when the PC chose to support the application. No such criticism followed the initial meeting in July 2024 when the PC initially objected.</p>
<p>Just days ago on 15 January, the newly constituted Parish Council voted in favour of this project and showed themselves not competent to do so. They voted against their own (our own) Neighbourhood Plan, against the decision of the previous council members and against the wishes of the majority of the community. Some members of the Parish Council committee were not legally qualified to make a decision on this proposal as to be legally competent, a person must have considered the relevant Somerset Council policies, the Neighbourhood Plan, government policies on rural farms, and the policies of the Council for the Protection of Rural England. Some committee members were only appointed on Monday 13 January, two days before the meeting) leaving them insufficient time to review the substantial volume of documents, let alone be able to analyse them and come to a considered decision. Furthermore, no qualified legal advisor with expertise in planning law was present to guide the Parish Council members.</p>	<p>These comments followed the January 2025 meeting when the PC chose to support the application. No such criticism followed the initial meeting in July 2024 when the PC objected. The Parish Council has set out clearly and concisely why they chose to support the application following the amendments made and additional information supplied by the applicant, see Appendix 2. A Parish Council is not a court of law but comprises local people expressing a local view taking into account all matters, not just to echo the views of objectors.</p>
<p>The Parish Council EGM on 15 January 2025 - CPRE Somerset attended the meeting and spoke against the proposal. During the debate one of the councillors stated that the Neighbourhood Plan was not relevant, on the grounds that 'it doesn't</p>	<p>The Parish Council has set out clearly and concisely why they chose to support the application following several amendments made by the applicant, see Appendix 2.</p>

mention agriculture'. This was not refuted or qualified in any way by the Chair.

The reason why the NP is relevant has nothing to do with the number of times that the word 'agriculture' is mentioned, but because it specifically seeks 'to ensure that development is sensitive to the rural setting of the area and does not erode the existing environment' [NP Objectives]; seeks to 'recognise the dark skies and general tranquillity of the area' [NP objectives]; seeks to protect 'fantastic views and panoramic views across open farmland, focusing on specific features such as Yarlinton Sleights and Cadbury Castle hill fort' [NP, para 6.10]; seeks to protect the 'existing gaps between villages' [NP, Policy 5]; seeks to ensure that 'the scale of development should minimise adverse impacts on publicly accessible views over open countryside and towards key landmarks such as Cadbury Castle and Yarlinton Sleights' [NP, Policy 6].; and states that ' large scale and otherwise obtrusive developments can detract from the character of the countryside' [NP, para 6.10].

After a motion to refuse was proposed and seconded, but failed to carry, the Chair called for a show of hands in support of the application and stated that no reasons need to be given by members to justify their vote. A majority vote to recommend approval was then recorded. Members were misinformed by the incorrect assertion during the debate that the NP is not relevant to this planning application, and in our opinion no weight can rationally be attached to the decision.

Several members of the team whom produced the NP are parish councillors, including the Chair and the view expressed is that the NP was not designed to stymie agricultural development.

Further comments are made in response to comments made by the PC in response to comments from the Black 8 Group after the January PC meeting.

In summary, the Black 8 still do not feel the PC was suitably informed or capable of making the correct decision – which in their mind could only be to refuse the application.

“on this occasion the members were put in a very difficult position having to consider a major project, some with very little time to absorb all the information and understand the relevant points and implications. It is important that decisions, and those that take them, can be challenged, particularly when such decisions can have significant and permanent consequences”.

Again, this is an example of a group of people not accepting the decision of a Parish Council.

The Planning Officer has at no time advised the PC regarding Policy EP4. The Planning Officer did not engage with a member of the Black 8 who sought to debate the applicability of Policy EP4 as such was the ferocity of the insistence that it did, the Planning officer felt there was no merit in debating it, pointing to the fact that this report

The letter also suggests <i>“the Somerset Council planning officer has not been transparent about [policy] EP4 with members of the public, yet both the EE and the PC have been told by Somerset Council that agricultural proposals fall outside the scope of EP4. This has not been published or clarified, and is disputed and may need higher clarification”</i> .	would explain the application of all relevant policy in time.
Ecology	
Concern about dormice, badgers and otters and to be erected fences that will obstruct wildlife.	The Council’s ecologist raises no objection to the application subject to conditions.
Phosphates	
Under Regulation 63 of the Habitat Regulations 2017 I do not believe that a 'strictly precautionary or robust approach' can be demonstrated.	The Council’s Ecologist has ratified the approach to nutrient neutrality.

9. Relevant planning policies and Guidance

- 9.4 Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act"), requires that in determining any planning application regard is to be had to the provisions of the Development Plan, so far as is material to the application and to any other material planning considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 9.5 The site lies in the former South Somerset area. 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), saved policies from the South Somerset Local Plan 1991-2011, Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).
- 9.6 Listed Buildings and Conservation Areas Act 1990 section 66 and 72 is relevant in order to assess the impact on heritage assets.
- 9.7 As a result of local government reorganisation Somerset Council was established from the 1 April 2023. The Structural Change Order agreeing the reorganisation of local government requires the Council to prepare a local plan within 5 years of the 1 April 2023 and the Council published a Local Development Scheme in October 2023 to set out a timetable for the preparation of the local plan.
- 9.8 Relevant policies of the development plan in the assessment of this application are listed below.

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

SD1 – Sustainable Development

SS2 – Development in Rural Settlements

EQ1 – Addressing Climate Change in South Somerset

EQ2 – Design & General Development

EQ3 – Historic Environment

EQ4 – Biodiversity

EQ5 – Green Infrastructure

EQ6 – Woodland and Forests

EQ7 – Pollution Control

TA5 – Transport Impact of New Development

Other Relevant Documents

Planning Practice Guidance

Neighbourhood Plan

The North Cadbury and Yarlinton Neighbourhood Plan was made in October 2022.

The National Planning Policy Framework 2024

The revised National Planning Policy Framework (NPPF), last updated February 2025 sets the Governments planning policies for England and how these are expected to be applied.

Relevant Chapters of the NPPF include:

2. Achieving sustainable development

4. Decision-Making

6. Building a strong, competitive economy

8. Promoting healthy and safe communities

11. Making efficient use of land

12. Achieving well-designed and beautiful places

14. Meeting the challenge of climate change, flooding and coastal change

15. Conserving and enhancing the natural environment

16. Conserving and enhancing the historic environment

10. Commentary on Development Plan

- 10.4 To properly perform the S38(6) duty the LPA has to establish whether or not the proposed development accords with the development plan as a whole. This needs to be done even if development plan policies "pull in different directions", i.e. some may support a proposal, others may not. The LPA is required to assess the proposal against the potentially competing policies and then decide whether in the light of the whole plan the proposal does or does not accord with it. In these circumstances, the Officer Report should determine the relative importance of the policy, the extent of any breach and how firmly the policy favours or set its face against such a proposal.
- 10.5 Furthermore the relevance of and weight given to material considerations is important in assessing the 'planning balance'.

- 10.6 The assessment of the ‘planning balance’ means there will inevitably be aspects of this proposal that do not strictly meet policy objectives set out a decade ago and so it for the decision-maker to weigh up the positives against any actual or perceived negatives to reach a recommendation/decision in the public interest.
- 10.7 This report assesses policy compliance, reasons for non-accordance, the material planning considerations and the representations before reaching a conclusion.

11. Local Finance Considerations

Community Infrastructure Levy

The development is CIL exempt.

12. Material Planning Considerations

- 12.4 The main planning issues relevant in the assessment of this application are as follows:
- The principle of development
 - Negotiated amendments
 - Landscape
 - Best and Most Versatile Land
 - Access and Highway Impacts
 - Drainage and Flood Risk
 - Ecology
 - Heritage Assets
 - Residential Amenity
 - Assessment of Material Considerations

Principle of Development

- 12.5 The Principle of Development is established by way of agricultural development being typically acceptable in an open countryside location.
- 12.6 There are a number of Development Plan policies which are relevant to this proposal, and some overlap objectives within the Neighbourhood Plan, such as those relating to landscape protection. This table sets out those policies and an initial assessment.

South Somerset Local Plan (Adopted 2015)	
SD1 SUSTAINABLE DEVELOPMENT	<i>When considering development proposals the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework and seek to secure development that improves the economic, social and</i>

	<p><i>environmental conditions within the District. Planning applications that accord with the policies in this local plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:-</i></p> <ul style="list-style-type: none"> <i>• Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or</i> <i>• Specific policies in that Framework indicate that development should be restricted or refused.</i> <p><i>Where necessary the Council will work with applicants to improve proposals so that they are capable of being approved.</i></p>
<p>Officer Comment and Assessment</p>	<p>The policy recognises there three elements to sustainable development, environmental, social and economic. There can be, and often are tensions between achieving all three elements and this is where the decision-maker must apply planning weight and judgment to the particulars of the proposal taking into account the direction above regarding impacts and material considerations in the round. In this case landscape harm could be outweighed by economic and social factors and other material considerations. The conclusions are set out at Section 14.</p>
<p>SS2 DEVELOPMENT IN RURAL SETTLEMENTS</p>	<p><i>Development in Rural Settlements (not Market Towns or Rural Centres) will be strictly controlled and limited to that which:</i></p> <ul style="list-style-type: none"> <i>• Provides employment opportunities appropriate to the scale of the settlement; and/or</i> <i>• Creates or enhances community facilities and services to serve the settlement; and/or</i> <i>• Meets identified housing need, particularly for affordable housing.</i> <p><i>Development will be permitted where it is commensurate with the scale and character of the settlement, provides for one or more of the types of development above, and increases the sustainability of a settlement in general. Proposals should be consistent with relevant community led plans, and should generally have the support of the local community following robust engagement and consultation. Proposals for housing development should only be permitted in Rural Settlements that have access to two or more key services listed at Paragraph 5.41.”</i></p>
<p>Officer Comment and Assessment</p>	<p>As demonstrated by the monitoring indicators this general requirement policy sets out a one size fits all for potentially many different development types.</p>

	<p>At Paragraph 5.23 the LP states in supporting text: <i>“Rural Settlements are considered as locations where there will be a presumption against development unless key sustainability criteria can be met. This is explained in Policy SS2. These settlements will no longer have identified development areas and will be considered to be within the open countryside for planning purposes”.</i></p> <p>Paragraph 5.24 goes on to say: <i>“This approach does not preclude development; indeed the NPPF promotes sustainable development in rural areas, with housing and employment to be located where it enhances or maintains the vitality of rural communities”.</i></p> <p>Indeed at 9.46 the LP states farming and its associated businesses remain integral to the present and future of South Somerset.</p> <p>It is a matter of judgement therefore as to whether the policy applies but given the Case Officer was involved in Local Plan discussions that formed this policy it is suggested it does not.</p>
<p>EQ1 ADDRESSING CLIMATE CHANGE IN SOUTH SOMERSET</p>	<p><i>The Council will support proposals for new development where they have demonstrated how climate change mitigation and adaptation will be delivered, through inclusion of the following measures (as appropriate).</i></p> <ul style="list-style-type: none"> • <i>New development will ensure that carbon dioxide emissions are minimised through energy efficiency measures, renewable and low carbon energy, and where necessary Allowable Solutions;</i> • <i>The following sustainable construction standards will be required, unless it is proven not to be feasible or viable:</i> <ul style="list-style-type: none"> o <i>Code for Sustainable Homes level 4 from 2013 (or as amended by future Government policy, regulations and/or legislation);</i> - <i>Code for Sustainable Homes level 5 from 2016 (or as amended by future Government policy, regulations and/or legislation);</i> - <i>BREEAM rating of ‘excellent’ for non-domestic buildings.</i> • <i>Development of renewable and low carbon energy generation will be encouraged and permitted, providing there are no significant adverse impacts upon residential and visual amenity, landscape character, designated heritage assets, and biodiversity. The presence of several airfields in South Somerset will mean the impacts of wind turbines upon electromagnetic interference and aviation radar will be a particular consideration;</i> • <i>Developers must demonstrate that proposed wind turbines do not pose a risk to bat populations, and will not pose a barrier risk to migratory bird species, in particular to birds moving from key sites such as the Severn Estuary;</i>

	<ul style="list-style-type: none"> • <i>Development will be directed away from medium and high flood risk areas through using South Somerset's Strategic Flood Risk Assessment as the basis for applying the Sequential Test. The area of search to which the Sequential Test will apply will be South Somerset wide, unless adequately justified otherwise in relation to the circumstances of the proposal;</i> • <i>Where appropriate, the Exception Test can be applied if this is consistent with wider sustainability objectives;</i> • <i>Development should reduce and manage the impact of flood risk by incorporating Sustainable Drainage Systems, and through appropriate layout, design, and choice of materials;</i> • <i>Climate change should be considered in the design of new development, incorporating measures such as solar orientation, maximising natural shade and cooling, water efficiency and flood resilience;</i> <p><i>Susceptibility to climate change should be taken into account on all proposals to develop sites with biodiversity interest.</i></p>
<p>Officer Comment and Assessment</p>	<p>The proposal provides for solar panels on the barn roof and the use of locally source natural stone for use in the barns. Waste materials will be recycled or reused where possible.</p> <p>Low energy lighting will be encouraged through the lighting condition to be imposed.</p> <p>The development site is not in at high risk of flooding area and a modern efficient surface water handling system is proposed, with attenuation, which will benefit the wider area.</p> <p>The Council's Ecologist has reviewed the proposal and has no objections. There will be a raft of conditions seeking enhancements and the proposal demonstrates greater than 10% BNG. The key ecological areas are retained and significant lengths of new hedgerow are to be planted and several large blocks of trees are to be planted to assimilate the development into the countryside but also reconnect fragmented green infrastructure.</p> <p>Transport mileage will be internalised due to the connection to Avalon Farm via the internal track network rather than using local roads.</p> <p>It is a matter of judgement as to whether the policy applies or not to agricultural development but on balance it is suggested is does but only in a limited way. Where it does apply it is met.</p>
<p>EQ2 GENERAL DEVELOPMENT</p>	<p><i>Development will be designed to achieve a high quality, which promotes South Somerset's local distinctiveness and preserves or enhances the character and appearance of the district. Development proposals, extensions and</i></p>

	<p><i>alterations to existing buildings, structures and places will be considered against:</i></p> <ul style="list-style-type: none"> • <i>Sustainable construction principles;</i> • <i>Creation of quality places;</i> • <i>Conserving and enhancing the landscape character of the area;</i> • <i>Reinforcing local distinctiveness and respect local context;</i> • <i>Creating safe environments addressing crime prevention and community safety;</i> • <i>Having regard to South Somerset District Council's published Development Management advice and guidance; and</i> • <i>Making efficient use of land whilst having regard to:</i> • <i>Housing demand and need;</i> • <i>Infrastructure and service availability;</i> • <i>Accessibility;</i> • <i>Local area character;</i> • <i>Site specific considerations</i> <p><i>Innovative designs delivering low energy usage and/or wastage will be encouraged. Development must not risk the integrity of internationally, nationally or locally designated wildlife and landscape sites. Development proposals should protect the residential amenity of neighbouring properties and new dwellings should provide acceptable residential amenity space in accordance with Policy HW1.</i></p>
<p>Officer Comment and Assessment</p>	<p>This general requirement policy sets out a one size fits all for potentially many different development types, as such it is questioned whether this was written expressly with agricultural development in mind.</p> <p>Sustainable construction practices are proposed through the use of solar panels and the use of natural stone. All waste materials will be recycled or reused where possible. The development will be a high quality agricultural development.</p> <p>Landscape impacts are considered at Paragraph 12.11. There are many many farms in the area, scattered across a tapestry of patchwork arable and gazed fields. Other criteria are not considered applicable. Ecological matters are considered elsewhere.</p> <p>It is a matter of judgement therefore as to whether the policy applies or not and on balance it is suggested it does but only in a limited way and in the case of landscape impact there will be an adverse impact until the extensive landscaping matures and aids the final integration of the development into its setting.</p>
<p>EQ3 HISTORIC ENVIRONMENT</p>	<p><i>Heritage assets will be conserved and where appropriate enhanced for their historic significance and important contribution to local distinctiveness, character and sense of</i></p>

	<p><i>place. Their potential to contribute towards the economy, tourism, education and local identity will be exploited. All new development proposals relating to the historic environment will be expected to:</i></p> <ul style="list-style-type: none"> <i>• Safeguard or where appropriate enhance the significance, character, setting and local distinctiveness of heritage assets;</i> <i>• Make a positive contribution to its character through high standards of design which reflect and complement it and through the use of appropriate materials and techniques;</i> <i>• Ensure alterations, including those for energy efficiency and renewable energy, are balanced alongside the need to retain the integrity of the historic environment and to respect the character and performance of buildings, adopting principles of minimum intervention and reversibility.</i>
<p>Officer Comment and Assessment</p>	<p>There are no heritage assets in the immediate vicinity of the relocation site. The existing farm site is adjacent to historic core of Yarlinton which contains several listed buildings, including the Grade II* Church of St Mary and Grade II Corner Cottage, and several considered local listed. There is no Conservation Area.</p> <p>The redevelopment of Manor Farm, by reason of the removal of the farm buildings will open up views of the village and Church currently obscured. This demolition and the envisaged restoration scheme will meet this policy objective.</p>
<p>EQ4 BIODIVERSITY</p>	<p><i>All proposals for development, including those which would affect sites of regional and local biodiversity, nationally and internationally protected sites and sites of geological interest, will:</i></p> <ul style="list-style-type: none"> <i>• Protect the biodiversity value of land and buildings and minimise fragmentation of habitats and promote coherent ecological networks</i> <i>• Maximise opportunities for restoration, enhancement and connection of natural habitats;</i> <i>• Incorporate beneficial biodiversity conservation features where appropriate;</i> <i>• Protect and assist recovery of identified priority species; and</i> <i>• Ensure that Habitat Features, Priority Habitats and Geological Features that are used by bats and other wildlife are protected and that the design including proposals for lighting does not cause severance or is a barrier to movement</i> <p><i>Where there is a reasonable likelihood of the presence of protected and priority species development design should be informed by, and applications should be accompanied</i></p>

	<p><i>by, a survey and impact assessment assessing their presence. If present, a sequential approach to the design of the proposal should be taken that aims first to avoid harm, then to lessen the impact, and lastly makes compensatory provision for their needs.</i></p> <p><i>Development will not be allowed to proceed unless it can be demonstrated that it will not result in any adverse impact on the integrity of national and international wildlife and landscape designations, including features outside the site boundaries that ecologically support the conservation of the designated site.</i></p>
<p>Officer Comment and Assessment</p>	<p>The Council's Ecologist has reviewed the proposal and has no objections. There will be a raft of conditions seeking enhancements and the proposal demonstrates greater than 10% BNG.</p> <p>The key ecological areas are retained and significant lengths of new hedgerow are to be planted and several large blocks of trees are to be planted to assimilate the development into the countryside but also reconnect fragmented green infrastructure.</p> <p>The demolition of modern farm buildings needs careful consideration in case bats and/or birds have taken up residence.</p> <p>Collectively the approach taken, proposal put forward and conditions to be imposed will ensure this policy is met.</p>
<p>EQ5 GREEN INFRASTRUCTURE</p>	<p><i>The Council will promote the provision of Green Infrastructure throughout the district, based upon the enhancement of existing areas including public open space, accessible woodland, and river corridors, and by ensuring that development provides open spaces and green corridor links between new and existing green spaces. Development proposals should provide and/or maintain a network of connected and multifunctional open spaces that, where appropriate, meet the following requirements:</i></p> <ul style="list-style-type: none"> <i>• Create new habitats and connects existing wildlife areas to enrich biodiversity & promote ecological coherence;</i> <i>• Provide and/or maintain an accessible network of green spaces and improve recreational opportunities, including environmental education, local food production and support physical health and mental wellbeing;</i> <i>• Ensure that all children and young people have reasonable access to a range of play and leisure opportunities;</i> <i>• Provide and/or maintain opportunities for enhanced, attractive walking and cycling routes linking urban areas and the wider countryside;</i> <i>• Enhance and/or maintain the character and local distinctiveness of the landscape;</i> <i>• Contribute to and/or maintain local identity and sense of place;</i>

	<ul style="list-style-type: none"> • <i>Increase the district's tree cover;</i> • <i>Help mitigate the consequences of climate change (sustainable drainage systems, shade etc.); and</i> • <i>Alleviate current and future potential visitor and recreation pressure/disturbance to internationally designated conservation areas.</i> <p><i>Existing Green Infrastructure will be protected against any adverse impact of development proposals. If loss of existing green infrastructure assets is unavoidable in order to accommodate necessary development, appropriate mitigation for the loss will be required. Development should include green infrastructure of an appropriate type, standard and size and be designated at least to meet Natural England 'Accessible Natural Greenspace Standard' (ANGSt) or otherwise appropriately contribute to improving access to natural greenspace such that the overall aims are met.</i></p>
<p>Officer Comment and Assessment</p>	<p>This general requirement policy sets out a one size fits all for potentially many different development types, as such it is questioned whether this was written expressly with agricultural development in mind.</p> <p>However significant lengths of new hedgerow are to be planted and several large blocks of trees are to be planted to reinforce local character but also reconnect fragmented green infrastructure.</p> <p>Surface water is to be properly attenuated.</p> <p>It is a matter of judgement therefore as to whether the policy applies or not and on balance it is suggested it does but only in a limited way. Where it does apply the policy is met.</p>
<p>EQ6 WOODLAND AND FORESTS</p>	<p><i>South Somerset District Council will support the implementation of the South West Woodland and Forestry Framework, ensuring the environmental, social and economic value and character of the district's trees, woods and forests are protected and enhanced in a sustainable way. Woodland areas, including ancient and semi-natural woodland should be maintained at least at 2005 levels and expanded where possible to provide a buffer to core areas of woodland.</i></p> <p><i>The loss of ancient woodland as well as ancient or veteran trees should be protected against loss wherever possible. Where secondary woodland is unavoidably lost through development it should be replaced with appropriate new woodland on at least the same scale.</i></p>
<p>Officer Comment and Assessment</p>	<p>1.5km of new native hedgerow are to be planted and several large blocks of native broadleaved woodland amounting to 1.5ha are to be planted to assimilate the development into the countryside but also reconnect fragmented green infrastructure.</p>

	<p>Existing tree groups and hedges will be afforded RPZ fenced protection during the works. This will also protect the unidentified, but reported as important through local knowledge, tree in the small copse adjacent to the site, shown on Map 12 page 76 of the Neighbourhood Plan. The policy objective is met.</p>
<p>EQ7 POLLUTION CONTROL</p>	<p><i>Development that, on its own or cumulatively, would result in air, light, noise, water quality or other environmental pollution or harm to amenity, health or safety will only be permitted if the potential adverse effects would be mitigated to an acceptable level by other environmental controls, or by measures included in the proposals. This may be achieved by the imposition of planning conditions or through a planning obligation.</i></p> <p><i>New development should not exacerbate air quality problems in existing and potential AQMA's. This should include consideration of the potential impacts of new developments and increased traffic levels on internationally designated nature conservation sites, and adopt mitigation measures to address these impacts.</i></p>
<p>Officer Comment and Assessment</p>	<p>Farms are now heavily regulated through other legislation in terms of pollution. Water quality will be dealt with through the extensive drainage system. There will undoubtedly be noise but the relative remoteness of the site means there are no obviously nearby receptors that would be unduly affected. Noise impacts on users of the public footpaths has been raised, but this would be a transitory noise as the walker passes the site. Many footpaths go past of through farmyards, as it evident as the existing Manor Farm. There are no current air quality issues in the area and none envisaged as a result of this proposal.</p> <p>By contrast some of these issues are evident at the current farm, as evidenced by the letters of support from neighbours, citing such. Relocating the farm will reduce impacts all around to residents of the central core of Yarlington village.</p> <p>The policy objective is met.</p>
<p>EP4 EXPANSION OF EXISTING BUSINESSES IN THE COUNTRYSIDE</p>	<p><i>Proposals for the expansion of existing businesses in the countryside will be permitted where:</i></p> <p><i>It is demonstrated that the proposal is needed in this location;</i></p> <p><i>The proposal is of a scale appropriate in this location and appropriate to the existing development;</i></p> <p><i>Firstly, use is made of land within the curtilage of the development where possible, and outside of the curtilage only where it is demonstrated that additional land is essential to the needs of the business;</i></p> <p><i>There is no adverse impact on the countryside with regard to scale, character and appearance of new buildings and/or changes of use of land;</i></p>

	<i>There is no adverse impact upon designations for wildlife and conservation reasons, at either local, national or international level;</i>
Officer Comment and Assessment	<p>This assessment has only been included in this table in response to a strong view expressed by objectors that this policy does apply, and the development does not accord with it.</p> <p>This policy is not applicable as it does not relate to agriculture or farming practices. It relates to commercial and industrial development. Often start-up cottage industries which are rural based often due to cheap accommodation that have become successful and require expansion and then expansion again. The policy seeks to address the tension between sustainability of expanding those businesses in the rural location and encouraging relocation of those business to established employment areas that may better cater for their longer-term needs. Members will recall this policy is particularly applicable to historic cases at Lopenhead.</p> <p>As such suggestions that the business plan of the whole estate needs assessment is wide of the mark.</p> <p>Farms cannot often reuse old buildings, as often they don't exist or are stone barns for example that are no longer suitable for modern agricultural practices. Indeed, this policy advocates the reuse of disused farm buildings for commercial and industrial uses.</p> <p>The assessment of the impacts on the landscape is elsewhere.</p>
EP5 FARM DIVERSIFICATION	<p><i>Proposals for development for the purpose of farm diversification within established agricultural holdings will be permitted if they comply with the following criteria:</i></p> <p><i>The character, scale and type of proposal is compatible with its location and landscape setting; Appropriately located existing buildings should be re-used where possible; and</i></p> <p><i>Where new or replacement buildings are required, the proposal is in scale with the surroundings and well related to any existing buildings on the site.</i></p>
Officer Comment and Assessment	<p>This assessment has only been included in this table in response to a strong view expressed by objectors that it does apply, and the development does not accord with it.</p> <p>Applying the definition that farm diversification is the diversification from the dependence on production of agricultural commodities into non-agricultural activities, then it is not considered this proposal is farm diversification and therefore policy is not applicable.</p>
TA5 TRANSPORT IMPACT OF NEW DEVELOPMENT	<i>All new development shall be required to address its own transport implications and shall be designed to maximise the potential for sustainable transport through:</i>

	<ul style="list-style-type: none"> <i>i. Safeguarding existing and new transport infrastructure, which is important to an efficient and sustainable transport network from development that would prejudice their transport use;</i> <i>ii. Securing inclusive, safe and convenient access on foot, cycle, and by public and private transport that addresses the needs of all;</i> <i>iii. Ensuring that the expected nature and volume of traffic and parked vehicles generated by the development would not have a detrimental impact on the character or amenity of the area and would not compromise the safety and/or function of the local or strategic road networks in terms of both volume and type of traffic generated;</i> <i>iv. Ensuring that proposals, which specifically require a location with direct access to the strategic road network due to the volumes and quality of traffic generated, are well located on these networks. There is a presumption against direct access from the strategic road network. Exemptions will only be made where the type of development is such that it requires a high order (of route hierarchy) route location, such as roadside service stations or freight transfer facilities;</i> <i>v. Assessing the transport impact of development and ensuring delivery of the necessary transport infrastructure for the proposal and requiring larger schemes to prepare Transport Assessments.</i> <i>vi. Requiring car parking and vehicle servicing at levels appropriate to the development and its location, in accordance with the approved/adopted standards identified in Policy TA6.</i>
<p>Officer Comment and Assessment</p>	<p>The approval of this application would have the effect of redirecting by design the vast majority of farm traffic (you can never say 100%) away from the village, rural lanes and Pound Lane to the internal track network within the estate with its principal access off the A359 Galhampton Hill through Avalon Farm (the estates hub). The Neighbourhood Plan states at 10.8 <i>“problems with the size and speed of agricultural traffic / deliveries were also mentioned (particularly by Yarlington respondents) reflecting the very rural nature of the roads in that part of the Neighbourhood Plan area”</i>, and so this is seen a significant benefit. The policy is met.</p>

12.8. The North Cadbury and Yarlington Neighbourhood Plan was made in October 2022 and forms part of the Development Plan.

North Cadbury and Yarlington Neighbourhood Plan (Made 2022)

NP Policy (in full where relevant)	Officer Comment and Assessment
<p>Policy 1 The Area's Rich Heritage In addition to the protection given to the Conservation Area and the many designated Listed buildings, the Locally Important Buildings, as described in Appendix 5 and identified on the Policies Map, should be specifically protected as non-designated heritage assets in line with National Planning Policy. In recognition of North Cadbury's rich archaeological resources of North Cadbury and Yarlinton, development proposals within the Areas of High Archaeological Potential (see new Appendix 1) or that are likely to have an impact on a heritage asset of archaeological interest identified on the Historic Environment Record will be required to provide an archaeological assessment where appropriate.</p>	<p>The application site does extend into the area of high archaeological potential, however only demolition and drainage works are proposed in this area and the County Archaeologist has no objections and no requirements for further work.</p> <p>The demolition of the majority of the existing modern agricultural buildings and associated hardstanding, plus the site restoration and landscaping of the former yard will enhance the setting of adjacent listed buildings including the Grade II* Church, plus several candidates for local listing.</p> <p>The enjoyment, views from and safety of that section of public right of way which traverses the current working yard is also seen as a benefit in terms of the heritage of the area.</p> <p>The removal of the majority of the existing modern agricultural buildings will also improve longer held views of the village of Yarlinton in the context of Yarlinton Sleights.</p> <p>The earmarking of viewpoints with the prospect of seating and historical interpretation boards is also seen as a benefit.</p> <p>It is concluded this policy is met.</p>
<p>Policy 2 Character and Design Guidance</p>	<p>By reading the policy you can see this is not geared to guide agricultural development.</p>
<p>Policy 3 Buildings Fit for the Future</p>	<p>By reading the policy you can see this is not geared to guide agricultural development.</p>
<p>Policy 4 Practical Garden Size</p>	<p>By reading the policy you can see this is not geared to guide agricultural development.</p>

Policy 5

The Area's Rural Character

Development should respect and, where practicable, enhance local landscape character, including the retention and reinforcement of the following key characteristics:

- General tranquillity (away from the A303 corridor)
- Winding lanes, with traditional fingerpost signs and no street lighting, old drove roads and sunken lanes (Holloways)
- Particularly dark night skies
- Hedgerows demarcating field boundaries. – Mature oaks and other ancient trees (particularly along roadsides and stream corridors)
- Presence of the River Cam with its associated riverside vegetation and small stone bridges / crossing points – Small historic apple orchards in and around settlements
- Scattered farmsteads and hamlets in the wider countryside, with buildings reflecting agricultural use, and primarily of local building stone, with clay tiles or thatch roofs – new buildings should not diminish the undeveloped gaps between the main villages or appear prominent in the landscape.

It should be noted this policy does not prevent development. It sets a bar for development proposal to aim towards.

The site is sited well away from noise associated with the A303 but is within a working landscape. The relocated farm will only add to the general chorus of noises associated with agricultural practices. Tranquillity may imply silence but that seems unrealistic within an agricultural setting, relocated farm or not. Any noise is transitory as the walker passes the site.

The relocated farm will be subject to a condition requiring a lighting scheme that maintains, as far as is practicable, particularly dark skies.

The existing valued pattern of hedgerows and trees will be reinforced with significant additional planting.

The restoration of part of the farmyard provides the opportunity for a small orchard to be created should that be desired by Councillors and can form part of a land restoration condition.

This policy accepts that scattered farmsteads are part of the areas rural character but somewhat contradictorily then says new buildings should not diminish the undeveloped gaps between the main villages or appear prominent in the landscape.

It is clear the relocated farm would be within an undeveloped gap between villages and so the proposal is not in accordance with that part of Policy 5. However, that in of itself would not warrant refusal of the application unless it was considered there was an inherent landscape impact that did warrant refusal beyond 'it could be seen'.

There is an implied suggestion in the policy that prominent development in

	<p>the countryside should be not be allowed again this implies it should be because of a significant landscape impact beyond 'it could be seen'.</p> <p>The Council's Landscape Consultant has considered the proposals and discussed amendments. The amendments have further improved the quality of the scheme and a host of conditions will safeguard final finishing materials, lighting and landscaping.</p> <p>Parish Councillors, who include several members who produced the NP, have concluded the character of the area is maintained.</p>
<p>Policy 6 Recreational Routes and Views Development should retain the rural character of the lanes and tracks around the villages and hamlets and into the countryside, protecting and enhancing public rights of way and access, with particular regard given to the three main recreational trails (the Macmillan Way, Leland Trail and Monarch's Way), the Sustrans on-road route from Castle Cary linking to the national cycle network, and the popular routes listed in Table 1 and shown on the Policies Map. Development that would significantly detract from the active use and enjoyment of these routes by walkers, cyclists and horse-riders will not be supported. The scale, design and layout of development (including any landscaping) should minimise adverse impacts on publicly accessible views over open countryside and towards key landmarks (such as the local church towers, Cadbury Court, Cadbury Castle, Yarlington Sleights as well as distant views of Glastonbury Tor) and should preserve and enhance such views where possible. Particularly iconic views noted as part of the evidence gathering for this Neighbourhood Plan are listed in Tables 4 (North Cadbury), 7</p>	<p>The stated three main recreational trails listed pass through, past, across and over a variety of landscapes and settings where vistas open and close, through urban, semi-rural and rural sceneries.</p> <p>Given the development does not directly overlap, interfere or otherwise require any works to the recreational trails listed then it is opined that the development would not significantly detract from the active physical use and enjoyment of these routes by walkers, cyclists and horse-riders.</p> <p>Tree planting, hedgerow management and crop selection on agricultural land cannot be controlled and as such irrespective of any development the plan effectively requires the interests of recreational users and their views of the landscape to be prioritised over the necessity of a working farm and agricultural landscape.</p> <p>For example, the planting of apple orchards would be an entirely traditional land practice but the trees would block certain views.</p>

(Galhampton), 10 (Yarlington) and 13 (Woolston) and shown on the Policies Map. Projects that will improve recreational access to the countryside for walking and/or horse-riding will be supported.

The view of Yarlington Sleights will be altered when walking south on WN31/9 due to landscaping but this would be a momentary interruption to the 180 degrees view of the sleights.

The Council's Landscape Consultant has considered the proposals and discussed amendments. The amendments have further improved the quality of the scheme and a host of conditions will safeguard final finishing materials, lighting and landscaping.

The impact of this development is subjective as to many farms are an accepted part of the landscape in the same way hedges and trees are.

In this case the does set out a key parameter as to what must be protected.

Policy 6 refers to particularly iconic view of Yarlington Sleights shown as Viewpoint 5 in Table 10 (and again as V5 on Map 9 page 58). This viewpoint is taken in a south-westerly direction from the Restricted Byway WN31/10 with 'good views along the sleights'.

That view is shown as a photograph but that photograph does not tally with the location of Viewpoint V5 on Map 9 which is located further to the north on the byway, where the existing copse actually prevents any view of the sleights. The photograph showing the iconic view is taken from a point past where the development site would be (you are facing the other way) and therefore it is considered this iconic view is preserved.

The policy also suggests there are also views of the Sleights from the surrounding area, which other than a very small stretch on WN31/9 due to the proposed landscaping but this would be

	<p>a momentary interruption as discussed above.</p> <p>Both the restricted byway and public footpath then join Hicks Lane, a surfaced trackway used by vehicles which also accommodates a north south orientated bridleway (WN19/97 and WN22/16), this bridleway is also the convergence of the Monarch Way, Leland Trail and Macmillan Way. The passage of the these routes has recently been aided by the Estate opening a permissive path over a new road bridge over the A359, rather than requiring walkers to navigate a stretch of the A359 itself. It is also views from this permissive path which objectors point to as changing. It would be perverse to use a permissive path across a field rather than a A-road and then complain about a view from it.</p> <p>Near the site areas of new seating or rest points have been indicated in several locations looking towards the Sleights and the village. The finer details of this will be conditioned but this will improve the enjoyment of the route. Interpretation boards could also be conditioned giving local information about the Sleights and the Monarchs Way.</p> <p>Parish Councillors, who include several members who produced the NP, have concluded the quality of recreational routes and views would be maintained.</p> <p>It is considered this policy is met on balance.</p>
<p>Policy 7 Protecting Local Wildlife Development should protect and, wherever practicable, enhance biodiversity, starting with a thorough understanding of the existing wildlife areas and corridors (such as existing</p>	<p>The Council's Ecologist has reviewed the proposal and has no objections. There will be a raft of conditions seeking enhancements and the proposal demonstrates greater than 10% BNG.</p>

field hedgerow boundaries and streams) that are in the vicinity of the site, and the wildlife that may be affected by the development (this can be demonstrated through the submission of a completed biodiversity checklist and any necessary supporting ecology surveys). In line with national policy, a net gain in biodiversity will be sought. In general, it is expected that:

- Existing site features that support wildlife are retained (or if there are over-riding reasons for their removal, then compensatory measures should be incorporated within or adjoining the site);
- New buildings and alterations to existing buildings should incorporate provision for wildlife such as bird / bat boxes and bee bricks;
- Landscaping schemes should be designed to support wildlife movement / foraging through the provision of native hedgerow and tree planting, the creation of wildlife ponds where the topography and soil / geology allows, and the use of wildflower planting in areas of open space.

Ongoing management and the use of external lighting schemes may need to be controlled through suitably worded conditions to ensure that biodiversity measures remain effective.

The key ecological areas are retained and significant lengths of new hedgerow are to be planted and several large blocks of trees are to be planted to assimilate the development into the countryside but also reconnect fragmented green infrastructure.

The demolition of modern farm buildings needs careful consideration in case bats and/or birds have taken up residence.

The relocated farm will be subject to a condition requiring a lighting scheme that maintains, as far as is practicable (safety and security), particularly dark skies and safeguards ecological interests.

Collectively the approach taken, proposal put forward and conditions to be imposed will ensure this policy is met.

Policy 8

Flood Risk

New development or intensification of existing vulnerable uses should avoid flood risk from all sources and must incorporate a viable and deliverable drainage system to manage surface water runoff. Measures should be based on sustainable drainage systems (SuDS) and make an allowance for the likely effects of climate change on increased flood risk. Existing drainage infrastructure must not be adversely affected by development.

The development includes an extensive water handling system, including the use of SUDs, a new attenuation basin and controlled release rates creating betterment.

The LLFA has raised no objections subject to conditions.

<p>Policy 9 - Scale and Location of New Housing</p> <p>Policy 10 - Use of Rural Buildings</p> <p>Policy 11 - House Types</p> <p>Policy 12 - North Cadbury Business Park</p> <p>Policy 13 - Other Employment Opportunities</p> <p>Policy 14 - Parking</p> <p>Policy 15 - North Cadbury – Built Character</p> <p>Policy 16 - North Cadbury – Local Green Spaces</p> <p>Policy 17 - North Cadbury – Facilities</p> <p>Policy 18 - Land North of Brookhampton, West of Cary Road</p> <p>Policy 19 - Land North of Brookhampton, East of Cary Road</p> <p>Policy 20 - Barns at North Town Farm</p> <p>Policy 21 - Barns at Hill Farm</p> <p>Policy 22 - Galhampton – Built Character</p> <p>Policy 23 - Galhampton – Local Green Spaces</p> <p>Policy 24 - Galhampton – Community Facilities</p>	<p>By reading these policies you can see they are not applicable to agricultural development.</p>
<p>Policy 25 As a general principle, buildings within the vicinity of Yarlington should</p> <p>a) respect the focus of development around the four-way junction, with a linear pattern of development coming out of the village in all directions.</p>	<p>By reading this policy you can see it is not applicable to agricultural development.</p> <p>This is a farm proposal and so looks like a farm. There are many many other farms in the area.</p>

<p>b) have variation in plot size and orientation, respecting the topography and space for planting to retain the verdant feel of the settlement.</p> <p>c) use Cary stone as the predominant building material, plain clay tiles, or slate as the predominant roofing material, and brick chimneys.</p> <p>Other materials and designs may be considered provided that they complement the tone, scale and form of the traditional buildings, and do not detract from the overall character of the village.</p>	<p>Cary stone will be used as a feature detail (plinth) in the new buildings.</p>
<p>Page 61 and 62 – Important Features of the Environment</p> <p>Paragraph 13.21 - The most popular walk for Yarlington residents is to walk up onto Yarlington Sleights, with their clear historic feel (from the strip lynchets) and views across the village. However the connecting route east linking to the national trails and a number of possible circular walks (including coming back via the Sleights), and that to the south passing to the west side of Yarlington House and on to Woolston are also very popular with local residents. These are described in more detail in Chapter 6.</p> <p>Paragraph 13.22 - Whilst there are many fantastic views from the footpaths and lanes across the area, the views from along the Sleights are perhaps the most cherished and admired.</p> <p>Table 10 show Yarlington’s Key Views – V5 – Views from Yarlington Sleights Direction – South easterly. Good views along the sleights. There are also views of the Sleights (a local landmark) from the surrounding area.</p> <p>This table corresponds to the Map 9 on Page 58.</p>	<p>This NP intention chimes with Policies 5 and 6.</p> <p>Policy 6 refers to particularly iconic view of Yarlington Sleights shown as Viewpoint 5 in Table 10 (and again as V5 on Map 9 page 58). This viewpoint is taken in a south-westerly direction from the Restricted Byway WN31/10 with ‘good views along the sleights’. To stress - along the foot of the sleights.</p> <p>That view is shown as a photograph but that photograph does not tally with the location of Viewpoint V5 on Map 9 which is located further to the north on the byway, where the existing copse actually prevents any view of the Sleights (or the application site). The photograph showing the iconic view is taken from a point past where the development site would be (you are facing the other way) and therefore it is considered this iconic view is preserved.</p> <p>Paragraph 13.22 also suggests there are views of the Sleights from the surrounding area, which would be maintained save for a small stretch on WN31/9 due to the proposed landscaping but this would be a momentary interruption.</p>

	<p>Importantly it is said in Paragraph 13.22 that it is the views from along the Sleights are perhaps the most cherished and admired and it is these views that will hardly change save for increased landscaping.</p> <p>Parish Councillors, who include several members who produced the NP, have concluded that the setting of and views form and to of the Sleights is not unduly compromised by the development proposed.</p>
<p>Policy 26 - Yarlington - Local Green Spaces</p> <p>Policy 27 - Yarlington - Community Facilities</p> <p>Policy 28 - Woolston - Built Character</p> <p>Policy 29 - Woolston - Community Facilities</p> <p>Policy 30 – Barn of Stoke Lane</p>	<p>By reading these policies you can see they not geared to guide agricultural development.</p>
<p>Project 2 Public Rights of Way Network The Parish Council will work with local residents and landowners to ensure the maintenance and, where possible, improvement of public footpaths and bridleways within the two Parishes, including the identification and registration of historic routes.</p>	<p>From review and without any comment to the contrary, the public rights of way across Manor Farm and those which then go on to cross the wider Estate are all very well maintained. A permissive path has also been established to give walks an alternative to walking a section of the A359.</p> <p>Near the site areas of new seating or rest points have been indicated in several locations looking towards the Sleights and the village. The finer details of this will be conditioned but this will improve the enjoyment of the route. Interpretation boards could also be conditioned giving local information about the Sleights and the Monarchs Way.</p>
<p>Project 9 Emily Estate Plans The Parish Council will work with the Emily Estate to ensure that the local</p>	<p>Whilst this application does not concern Yarlington Lodge, the Estate has attended both Parish Council meetings where this application has been</p>

<p>community are fully engaged and informed about any future plans for Yarlington Lodge and associated land.</p>	<p>discussed and maintains a healthy dialogue with the Parish Council.</p>
<p>Appendix 1 - No archaeological assessment has been provided although Appendix 1 (p 72) identifies Yarlington as an area of High Archaeological Potential and Policy 1 (p 13) states that 'In recognition of North Cadbury's rich archaeological resources of North Cadbury and Yarlington, development proposals within the Areas of High Archaeological Potential will be required to provide an archaeological assessment where appropriate.'</p>	<p>The new build area (where excavations will take place) is not within an area of High Archaeological Potential and therefore no assessment is required.</p>
<p>The following passages, paragraphs and policies are referred to by objectors and are assessed here.</p>	
<p>Objector comment based on NP extract</p>	<p>Officer Comment and Assessment</p>
<p>The area ranks amongst the 40% least deprived in the country (based on the English Indices of Multiple Deprivation), the main issue facing the area being barriers to housing and services (which is likely to be because of the rural nature of the area, and difficulty accessing affordable housing and local services).</p>	<p>The provision and safeguarding of agricultural jobs and those related to those activities is clearly endorsed by the plan to ensure the economic indices are improved for all.</p>
<p>Vision - In 2033 the parishes of North Cadbury and Yarlington will remain a "Jewel of a Place" - safe, thriving, well-connected settlements, each with a unique character, natural environment and sense of community spirit, welcoming residents of all ages and abilities.</p>	<p>The provision and safeguarding of agricultural jobs especially for the younger residents of the area and those related to those activities is clearly endorsed by the plan to ensure Yarlington and the surrounding area thrives for everyone.</p>
<p>5.1 The rural character of the area (the villages, hamlets and surrounding countryside) was the number one reason recorded in our household survey that asked why people choose to</p>	<p>Farming has shaped the landscape so valued and needs to continue to ensure it remains valued and sustainable hereon, not just preserved for rural walkers and incomers.</p>

<p>live here, and what they enjoy the most about the area. The area is very rich in terms of its history – it is no surprise that it was described as “a little-known jewel of a place” in the television programme “Escape to the Country” in 2017.</p>	<p>The whole point of the TV programme referred to is to attract people to move house from the urban to the rural, this seems at odds with the objectors’ distain for tourists from London.</p> <p>Agricultural practices and farming in general are not afforded any commentary in the Neighbourhood Plan.</p>
<p>5.2 Identifies as key issue for the residents 'that designs should be in keeping with the character of the area';</p>	<p>This is a farm proposal and so looks like a farm. There are many many other farms in the area.</p>
<p>6.1 The protection of the environment that we live in is a top priority for this Neighbourhood Plan, given the rural character of the area, and the area’s general peace and tranquillity, were key reasons why people move to this area and stay here.</p>	<p>See above. Farming has created the very environment the NP wishes to protect and so farms must be enabled to ‘develop/evolve’ to produce the food the country needs and safeguard the environment hereon.</p>
<p>6.3 There are a number of landscape features within the Plan area that have been identified through a review of the published national and local character area assessments and local knowledge confirmed through the household survey. These are reflected in the general policy on rural character at the end of this chapter.</p>	<p>See assessment of relevant policies above.</p> <p>The application site is not in a nationally designated landscape area but is annotated as a Local Landmark on Map 9 page 58.</p>
<p>6.8 The landscape and topography mean that, a number of footpaths enjoy fantastic views, both panoramic landscapes across open farmland, and focusing on specific features and landmarks such as the church towers and manors, and features such as Yarlinton Sleights and Cadbury Castle hillfort.</p>	<p>See assessment of relevant policies above.</p> <p>The application site is not in a nationally designated landscape area but is annotated as a Local Landmark on Map 9 page 58.</p>
<p>6.10 It is important that the impact on the enjoyment of the countryside, from the</p>	<p>See assessment of relevant policies above.</p>

<p>public rights of way and the views that can be seen from the trails and rural lanes, is considered in planning decisions. Large-scale and otherwise obtrusive developments can detract from the character of the countryside. For example, North Cadbury Business Park on the High Road is in a comparatively elevated position, which means that particular care is needed with the design, materials and landscaping used so as to ensure that the estate is not unduly prominent. Similarly, poorly sited buildings and even landscaping can block existing views that are enjoyed.</p>	<p>This is an agricultural development not an industrial one as per Cadbury Business Park.</p> <p>Care has been taken with the design, materials and landscaping used to ensure that the relocated farm is not unduly prominent.</p> <p>This report table and assessment demonstrates that the view from national trials is thoroughly considered but cannot be <u>the</u> overriding factor.</p>
<p>13.21 The most popular walk for Yarlington residents is to walk up onto Yarlington Sleights, with their clear historic feel (from the strip lynchets) and views across the village.</p>	<p>Refer to the assessment of policies above.</p> <p>It is noted the vast majority of letters of support are from Yarlington Residents.</p> <p>Whilst clearly locally valued the application site is not in a nationally designated landscape area but is annotated as a Local Landmark on Map 9 page 58.</p>
<p>13.22 "The views from along the Sleights are perhaps the most cherished and admired" - these views will be significantly impacted by the proposed development.</p>	<p>Refer to the assessment of policies above.</p> <p>It is noted the vast majority of letters of support are from Yarlington Residents.</p> <p>Whilst clearly locally valued the application site is not in a nationally designated landscape area.</p>
<p>13.28 'No sites are proposed for [development] allocation around Yarlington'.</p>	<p>The full paragraph states "<i>There were no sites in or around Yarlington proposed by local landowners for possible inclusion in this plan (the land around Yarlington Lodge that had been suggested by Emily Estates having been withdrawn before the options consultation was run). Therefore no sites are proposed for allocation</i>".</p>

	It is unclear whether this relates specifically to residential development or any development. It is highly unusual for new/relocated farms to be allocated in any plan, NP or Local Plan and as such in the Officers opinion it cannot have been anticipated to refer to and restrict new agricultural development in the NP area.
13.30 In summary, the main opportunities for development in Yarlinton will be through the conversion and possible extension of existing buildings.	This 'further development' section of the NP is not related to agricultural development.

12.9. As with all planning applications the starting point for assessment is the adopted development plan as has been done in the tables above and subsequent topic based assessments to follow.

Negotiated/Requested Amendments

12.10. In accordance with the NPPF, officers have worked proactively with the applicant to secure necessary improvements and additional information to ensure the proposal complies with relevant legislation and policy. A number of design changes have been secured to the layout and package over time.

Landscape

12.11. Details of the specific landscape-based policies is provided within the tables at Paragraphs 12.6 and 12.8 and the comments made there should be read alongside comments made here. Even though this is an agricultural development on agricultural land shaped by farming practices the principal issue evident by the public representations is one of landscape impact. All other issues raised by the public and principally through the main objector, The Black 8 Group, are secondary and have been raised, in the opinion of the Case Officer, to reinforce what is their main issue – siting.

12.12. The Council has employed an external consultant to advise on landscape matters and work with the Planning Case Officer to assess the landscape policies in the Development Plan (inclusive of the NP).

12.13. The first thing to establish is what does the Local and Neighbourhood Plans set out to specifically achieve with regards to landscape protection?

12.14. Policy EQ2 refers to “*Conserving and enhancing the landscape character of the area*” and the NP Policy 5 refers to “*Development should respect and, where practicable, enhance local landscape character*”, so it could be

summarised as both require development to conserve and where possible enhance the landscape, which is also echoed by the NPPF.

- 12.15. One key matter that needs to be assessed is to recognise and accept this is an agricultural development, not a commercial, industrial, retail or residential development and as such must take place in the countryside, and in the landscape. Indeed, it must be stated that agriculture is and always has been a special case in planning law, leading on from the need for self-sufficiency after the war. There are no explicit policies in the local plan relating to agricultural development and one has to put this down to the fact that agricultural development has been accepted as necessary and appropriate development in the countryside for decades. Yes, there are landscape policies that are catch-all and could be interpreted to direct agricultural development to be refused but that just hasn't happened in the former South Somerset area.
- 12.16. Agricultural development has been refused, but normally because of the impacts of its use – odour, noise, etc rather than the aesthetics of a modern agricultural buildings. In rural Somerset there has always been a trade-off that to grow food and maintain the landscape for biodiversity and recreation there needs to be farms and those farms have modern buildings which are to some not the most attractive form of development. Farming practices have needed to evolve to ensure farms can be viable and so modern shed like barns are now the norm. The Planning System still recognises this trade off and the importance of farming by dedicating a whole section of the General Permitted Development Order to setting out Permitted Development Rights for horticultural, agricultural and forestry development, that allows farmers to erect barns, lay tracks etc via a notification process, and very often without the need for planning permission. The notification allows the Local Planning Authority to judge whether the siting, design and appearance of the barn is acceptable within a time limited process. If the LPA concludes those matters are acceptable the farmer may proceed to erect the barn, saving the time and money associated with a full application. Since 2020 approximately 300 of these agricultural notifications alone were received in the area now covered by the Somerset Council Area South Team area and this does not account for agricultural barns approved by full applications that cannot be erected under permitted development rights. Given the same local Plan policy regime has been in place since 2013 it is fair to say that if a resolute anti-agriculture interpretation had been in place to landscape protection, then we would not have seen the vast majority of those agricultural notifications approved nor the host of significant agricultural projects approved that have been set out at **Appendix 4**. Even the new NPPF states development in the Green Belt is inappropriate unless one of several stated exceptions applies, the first exception stated is buildings for agriculture and forestry.
- 12.17. Whilst each application should be considered on its own merits **Appendix 4** has been created to ensure there is consistency in the decision making of the LPA and Members are appraised of facts. Should Members accede to the strong objections and refuse it would be likely the applicant, at appeal, would point to these very similar developments in the area and ask why this one was materially and demonstrably different and worthy of refusal (given the

identified benefits). The scope of **Appendix 4** is defined to agricultural developments in one part of the former Area East within the former South Somerset District Council, but Members will of course be conscious of agricultural developments and new farms specifically on virgin ground that have been constructed over the years in their own divisions.

- 12.18. Two approvals listed in **Appendix 4** relate to directly applicable situations to this, Meadow View Farm at Ansford, just 3km north as the crow flies and another at Hook Drove in Ashington near Chilton Cantelo/Mudford. In the case of the former a farming operation was relocated from Station Road, Castle Cary (to allow a residential development to take place), to other land within that farm holding. That application was approved by South Somerset District Council's Area East Planning Committee and comprised fodder storage, machinery and livestock buildings and a new farmhouse. Adjacent to a public road, the site is highly visible from the south and public rights of way, one of which accommodates the Macmillan Way and Leland Trail.
- 12.19. The second case, in Ashington, was predicated on removing the existing farm operations and modern buildings from the setting of a listed building (also called Manor Farm). Ashington is of a similar size and status to Yarlinton. The old farmyard was to be restored. In that case the new site is adjacent to a bridleway and dissected by public footpath.
- 12.20. It is acknowledged each case must be considered on its merits but upon investigation and the parallels that exist, were Members mindful to refuse there would be a requirement to express the distinguishing features of this site when compared to those where substantial agricultural development has been allowed, willingly and often via delegated powers in the immediate administrative area, and in attractive (and locally valued) landscapes.
- 12.21. This assessment is not saying that agriculture gets a free pass, mitigation in the form of siting and landscaping, colour treatments of buildings and building form can all help assimilate agricultural development into a landscape, all tools that have been applied here to embed the new development into its setting.
- 12.22. In this case the applicant has been very open to advice and Officers have sought to ensure that certain key principles of developing in the countryside have been adopted:
- Not siting the development on high ground, skyline or on a promontory, in this regard the Sleights and the copse of trees provide a visual backdrop to draw the eye away for the development;
 - Locating the development adjacent to key landscape features, in this regard adjacent to established hedgerows and a copse of trees, this is to take advantage of natural diffusion and softening this offers;
 - Hedge management to allow hedges to grow taller to aid the diffusion of a view and soften;
 - The inclusion of additional native landscaping, tree planting and 1700m (1.7km) of new hedgerow to stitch the development into the landscape and

restore in part a historic field pattern and replicating and connecting the existing copse to a wider network of green infrastructure;

- The planting has its own intrinsic beauty, plus provides shelter and shade and habitats for local wildlife;
- The reduction in site levels by over 1m to reduce the overall height of the development and the reduction of building heights by 1.4m and 1.7m to ensure the development nestles into the landscape;
- The use of the buildings at right angles to enclose the yard to create a compact and discrete development, also containing noise and light.
- The buildings are rounded at the ridge, rather than pitched roofed, this visually replicates the rhythm of the Sleights and general landform rather than pointed roofs that may jar visually.
- The buildings are to be finished in a khaki colour treatment, this darker treatment blends better with the landscape than say a grey colour treatment, would; and
- The buildings are to receive a plinth of cary stone to echo local character.

12.23. The landscape is further respected by the majority demolition of the existing Manor Farm complex and its restoration to grassland. This in itself a significant landscape and heritage benefit and opens up new or lost views of the Sleights. The applicant has not dismissed the idea of an orchard being planted should this be desirable and welcome locally. The existing farm has been cut into the hillside in places and the material arising from the new excavations and site lowering at the replacement farm site will be used to recontour the old farm complex sympathetically. This site restoration is very welcomed to those residents who live in the central core of Yarlington but not given a mention or weight by objectors.

12.24. It is very evident from the representations received in objection to the scheme, and the lack of context within them, that farming is not understood or valued as a sector in this part of rural Somerset and the prevailing view seems to be so long as the countryside is maintained, hedges cut to a 'look over' height, footpaths cleared, etc, the landscape should be set in aspic and not change or evolve to meet the modern challenges of agriculture, of which there are many.

12.25. It must be of concern to the sector that if the objections stated here and an anti-agriculture stance is allowed to grow across the district and county then another treat to farming will be gaining consent for the very buildings needed to store valuable machinery, and house livestock and may signal the further rapid decline of agriculture in this area, just because people feel the buildings are unsightly. This is not a factory, road building scheme or even solar farm.

12.26. The Neighbourhood Plan is being held up as the reason to refuse this application however there are a number of characteristics stated in the NP that are said to aid the areas local rural character being respected (these are set out in Policy 5 of the Table contained at Paragraph 12.8). This policy concedes in the wording that scattered farmsteads are part of the rural character, and one only has to look at the number of farms in the area to conclude the same.

- 12.27. The applicant's landscape consultant has concluded that this area is valued landscape and the Councils' appointed landscape consultant does not disagree. Paragraph 187 of the National Planning Policy Framework states *"Planning policies and decisions should contribute to and enhance the natural and local environment by: a) 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)"*.
- 12.28. The assessment of the iconic view and other views of the Sleights set out in the Neighbourhood Plan under Policies 5 and 6 demonstrates the one principally stated iconic view is not impacted and only limited harm would result from other specific static distant views. As such it is considered the NPPF objective is met in a manner commensurate with the statutory status of the Sleights and identified quality in the development plan, in this case the Neighbourhood Plan.
- 12.29. Moreover, there would be a reduction in the level of harm in the medium/ long term as the structural landscaping matures, softening views of the development from main public vantages. Any suggestion the landscaping would have no effect on the level of visual and landscape harm, in time, is not credible.
- 12.30. Objectors have also pointed to harm to long range views of Cadbury Castle but these are over exaggerated with Cadbury Castle being the polar opposite direction where no proposed views exist from WN 31/10 due to existing high hedges and the copse and from footpath WN 31/9 you would have your back to the development and so there is no new impediment to the view.
- 12.31. There is also some interest in understanding what is the 'valued landscape'? The applicant's landscape consultant refers to the Sleights and the village of Yarlinton whilst the objectors refer to the area between the Sleights and Cadbury Castle. Noting the latter contains other agricultural development, a new retail farm shop, the A303 and new housing developments. If you can arbitrarily extend the valued landscape from one feature you like to another you like then why not extend the valued landscape a little bit northward and incorporate equally attractive and locally valued countryside in and around Hadspen and Pitcombe where three of the new farms that have been created are located, as evidenced in **Appendix 4**.
- 12.32. In terms of impact this is most immediate during construction and will last some time until the landscaping matures. In terms of landscape effects, the proposals will provide mitigation against adverse impacts on the valued landscape (associated with the replacement farm and related elements) and evidencing landscape enhancements (associated with removal of existing farm buildings and landscape restoration). This will minimise impacts and provides elements beneficial to the local landscape. The proposals (comprising a replacement agricultural facility) will assist with maintaining ongoing agricultural land use of the area – which is the fundamental aspect of the local landscape. There will be no direct effects on any landscape features beyond the site.

12.33. There is an initial impact and this impact will be severe and so at that point in time there is conflict with policy, but incrementally as the extensive landscaping matures the proposal will settle into a new landscape setting and that harm will recede. As such this report concludes harm but in time the combination of the immediate mitigation (building design, site lowering, demolition and restoration of the existing farmyard), and the longer term effects of the landscaping and hedgerow management will protect the overall character of the area, as a valued landscape in accordance with the NPPF, paragraph 180 and arguably the lesser tests in Local Plan Policy EQ2 and NP Policy 5.

Best and Most Versatile Land

12.34. One point of objection is the use of the best and most versatile land (BMVL). The NPPF defines BMVL as land in grades 1, 2 and 3a of the Agricultural Land Classification.

12.35. The NPPF states "*Planning policies and decisions should contribute to and enhance the natural and local environment by:.....b) 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;*"

12.36. The applicant has indicated that following investigation the application site is Grade 1. Clearly an agricultural development must be on agricultural land and if that land and the wider holding happens to be BMVL then it would be perverse to refuse permission, after all the very development is being proposed to utilise BMVL through a mixed beef and dairy farm and the typical proponents seeking to refuse permission for developments on BMVL are normally referring to non-agricultural uses such as housing, alas the use of BMVL for even producing food has now become part of the objectors repertoire.

Access and Highway Impacts

12.37. Details of the specific highways and access-based policies is provided within the tables at Paragraphs 12.6 and 12.8 and the comments made there should be read alongside comments made here. The existing Manor Farm complex is solely accessible via Pound Lane and the centre of Yarlinton village as such all vehicles to the farm are funnelled through the village. One feature put forward by the applicant is the connection of Manor Farm to Avalon off the A359 Galhampton Hill via Whitewoods Farm via the existing internal track system. This means that the majority of 'internal' movement and the vast majority of external movements will not need to pass through the village. It is also intended that all construction works and the demolition works at the existing Manor Farm will occur via Avalon. The small area of Manor Farm not proposed for demolition will still likely, and in some future guise, use Pound Lane to achieve access.

- 12.38. The Highway Authority has assessed the proposal and found it to be acceptable.
- 12.39. Residents who reside in the central core of Yarlinton have expressed in their letters of support recognition of this change of emphasis with regards to the direction of access and welcome the reduction of large agricultural machinery in the rural lanes.

Drainage and Flood Risk

- 12.40. Details of the specific drainage and flood risk-based policies is provided within the tables at Paragraphs 12.6 and 12.8 and the comments made there should be read alongside comments made here. The proposed site is within Flood Zone 1 and not within a fluvial flood risk area. There is a small area of the proposed outlet for surface water drainage system that in in Flood Zone 3 where is connects with the River Cam.
- 12.41. The National Planning Policy Framework, at Paragraph 181, states “*When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment*”. The application is supported by a Flood Risk Assessment because the application site is over 1 hectare in size. The Local Planning Authority has consulted with the EA, LLFA and IDB.
- 12.42. Paragraph 182 states “*Applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal*”. The strategy for rain falling on roofs and on the clean yard includes SUDs and works on the basis of surface water being captured and held in an attenuation basin and then released slowly. The land slopes towards the river so the basin will be located down the slope from the yard controlling release via a hydrobrake via a field drain eventually to the River Cam. Interestingly discharging surface water by infiltration has been discounted as soakaway tests indicated poor infiltration; this indicates the land does not have capacity for vast soakage, and so holding water back in attenuation basins could be seen as positive for flood risk in the area contrary to the fears set out by objecting contributors.
- 12.43. The proposed attenuation pond has design capacity for the 100 year plus climate change (45% increase) event. The incorporated freeboard allows some tolerance and exceedance capacity. A maintenance plan has been submitted showing regular inspections and routine works on a monthly, yearly cycle. The land use is classified as ‘less vulnerable’ to flooding and considered appropriate within Flood Zone 1. Sequential/Exception tests are not required.
- 12.44. There are different collecting systems for dirty water from within the roundhouses (eg: washdown), the milking parlour and silage effluent.

Operationally the roundhouse floors and manure stores will have straw bedding with regular management, to help soak up animal excreta, waste and excess liquor. Solid manure will be taken to other storage areas. Should it be necessary to remove any bedding or waste feed, this will be taken to the muck store. A separate maintenance plan is set out for these dirty water systems. The site office will have its own system via underground treatment plant.

- 12.45. The comment from the EA, LLFA and IDB are noted. Neither body objects. Whilst the new yard complies with all modern drainage standards the added benefit is that the old yard will be demolished and hardstandings broken up, removing an area that does not benefit from up to date drainage systems, creating a betterment in flood risk terms, water quality terms and with regard to biodiversity.
- 12.46. It is considered the proposed surface water and foul drainage strategies are suitable and acceptable.

Ecology

- 12.47. Details of the specific ecology-based policies is provided within the tables at Paragraphs 12.6 and 12.8 and the comments made there should be read alongside comments made here. Ecological matters have been reviewed by the Council's Ecologist who raises no objection subject to a host of planning condition including a LEMP, CEMP and BEMP.
- 12.48. The Biodiversity Net Gain Assessment shows a positive outcome, objectors often translate the loss of a grazed grass field as a loss of biodiversity but the actual grass fields themselves are not ecologically rich but wooded groups and hedges are. The inclusion of 1.5ha of additional native broadleaved woodland, over 1.5km of species-rich native hedgerow and creating at least 10m of ditch all contributes to a greater than 10% biodiversity net gain.
- 12.49. A SCAIL (Simple Calculation of Atmospheric Impact Limits from Agricultural Sources) assessment has been carried out to assess the impact of ammonia concentrations and nitrogen deposition due to the proposed new livestock housing. The report considers the impact against nine local Sites of Special Scientific Interest, the nearest which would potentially be sensitive to ammonia and deposited nitrogen is Sparkford Wood which lies 4.2km to the south-west.
- 12.50. The change from dairy cows housed in a slurry-based system and slurry stored in open stores, to a mixed beef and dairy herd housed on straw-bedded loose housing is said to greatly reduce emissions to air of ammonia and hence the impacts on ammonia concentrated nitrogen. The report suggests a 63% reduction compared to the existing situation with benefits to the nearest SSSIs. Natural England has commented on this noting the findings of the SCAIL assessment and is satisfied that impacts from air quality on designated sites are insignificant.

12.51. With such a positive outcome for ecology and the environment it is not felt a reason for refusal on ecological/biodiversity grounds would be substantiated.

Impact on Heritage Assets

12.52. Details of the specific heritage-based policies is provided within the tables at Paragraphs 12.6 and 12.8 and the comments made there should be read alongside comments made here. The Authority is required (under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. The case of R (Forge Field Society) v Sevenoaks DC [2014] EWHC 1895 (Admin) ("Forge Field") has made it clear where there is harm to a listed building or a conservation area the decision maker "must give that harm considerable importance and weight."

12.53. There are no listed buildings, Conservation Areas or Registered Parks and Gardens within the application site area.

12.54. Given there are no heritage assets within the site the NPPF requires the setting of any nearby heritage assets to be identified, assessed in terms of significance and assessed in terms of the magnitude of impact upon that significance by reason of the development proposed.

12.55. Section 16 of the national guidance within the National Planning Policy Framework (NPPF) 2024 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

12.56. The assets assessed in Yarlinton include the Church of St Marys (GII*), Corner Cottage (GII), Yarlinton Lodge (GII), Middle Farmhouse (GII) and Pin Lane Cottage (GII). There are also several cottages in Yarlinton that are candidates for local listing such as Manor Farmhouse.

12.57. The assessment of assets in Yarlinton concludes that there will be no impact to the setting of these assets by the construction of the new yard, given its distant proximity which would be well beyond what could be considered the setting of any of the heritage assets and could therefore be regarded as having a neutral impact, with the development signifying a low magnitude of change and therefore no specific mitigation required.

12.58. Indeed, the impact of the removal of more modern agricultural buildings at the existing Manor Farm is seen as a higher magnitude of change to a very significant asset (GII*) and therefore positive to the setting of the Church

particularly opening up views of the rather squat tower from the public rights of way and restoring the land to a naturalised hillside by which the wider landscape can be appreciated from the churchyard.

- 12.59. The assets assessed in Galhampton include The Manor House (GII*). There are also several cottages in Galhampton around the Frog Lane area that are candidates for local listing such as Rag, Triangle House, St Gabriels and Blacksmith Close.
- 12.60. The assessment of assets in Galhampton concludes that there will be no impact to the setting of these assets, the development signifying a low magnitude of change, given its distant proximity which would be well beyond what could be considered the setting of any of the heritage assets and could therefore be regarded as having a neutral impact, with no specific mitigation required.
- 12.61. There are no archaeological implications as set out by the South West Heritage Trust.
- 12.62. The Conservation Officer opines the development will have a positive impact on heritage assets.
- 12.63. Given the assessment above there is no reason to withhold permission on the basis of any negative impact on heritage assets. Overall, it is considered the proposal accords with the relevant policies of the NPPF and Policies EQ2 and EQ3.

Residential Amenity - Impacts on Existing and Future Residents

- 12.64. There are no perceived impacts from the operation of the new farm, the nearest properties are either connected to the wider holding or distant so as not to be impacted by undue noise and odour (given the general rural location).
- 12.65. The overwhelming reaction of residents of the central core of Yarlinton is that their amenity will see a betterment from the majority of traffic being redirected and removal of the operational farm close to their homes.

13. Assessment of Material Considerations

- 13.1. This report has concluded that there is an initial impact to the landscape but the longer-term harm is not to anywhere like the extent that the representations of objectors would allege.
- 13.2. So, if we were just assessing against a development plan that only contained a landscape policy there may be grounds for a refusal. However, we do not have this scenario as outlined at Section 10 to properly perform the S38(6) duty the Local Planning Authority (LPA) has to establish whether or not the proposed development accords with the development plan as a whole. This needs to be done even if development plan policies "pull in different

directions", i.e. some may support a proposal, others may not. The LPA is required to assess the proposal against the potentially competing policies and then decide whether in the light of the whole plan the proposal does or does not accord with it. In these circumstances, the Officer Report should determine the relative importance of the policy and the extent of any breach.

- 13.3. In this case it is determined that the development accords with the development plan when taken as a whole.
- 13.4. Furthermore, the relevance of and weight given to material considerations is vitally important in assessing the 'planning balance'. The assessment of the 'planning balance' means there will inevitably be aspects of this proposal that do not strictly meet policy objectives set out a decade ago and so it for the decision-maker to weigh up the positives against any actual or perceived negatives to reach a recommendation/decision in the public interest.
- 13.5. Even though the development accords with the development plan when taken as a whole there are multiple material considerations that should also be taken into account which the decision maker can apply weight to those factors.

Agriculture and Site Selection

- 13.6. The availability or otherwise of other sites that Objectors would rather be used is not a reason in of itself to refuse the application, if the application is otherwise acceptable in planning terms. However, given the suggestions of the existence of 'many' other farms on the Estate and to set out further rationale for the development an assessment and explanation of the wider agricultural enterprise and the reasons why the selected site is optimal is undertaken here.
- 13.7. The farming operation is diverse comprising the British white cattle (for meat), buffalo (for milking to produce cheese), sheep and deer (for meat), arable (oilseed rape, grass, barley, wheat for feed and bedding), and apples (for cider), as such the estate land uses comprises grass and rotational grass, orchards, woodland (some ancient) and arable cropping.
- 13.8. There are a couple of holdings that whilst owned by the estate are peripheral (such a Foxcombe Farm in Galhampton) and are tenanted and run completely separately and so not part of the estate farming operation. Copplesbury Farm is north of Bruton and also distant but in time, if this development take place, will play a role in the overall operation, for finishing of beef fat stock.
- 13.9. The acquisition of land and associated buildings has been a gradual one and has necessitated a review of those buildings and a plan established as to what needs to happen where. The vast majority of the buildings acquired are not in a good state of repair and so there is a process of reorganisation and rationalisation, with significant investment, that is occurring to ensure the right building is in the right place to serve the right purpose. There is an evident make do and mend approach to current buildings and utilising what is

available until the new farm is available for use, this means that the current operation is not as efficient as it could be with lots of movements on the public highway to fetch and carry things from site to site.

13.10. That plan is focused around Manor Farm and the flatter and accessible fields that can access the milking parlour to be centrally located in the new proposed yard. Other peripheral land to the estate will be used for arable cropping where that twice daily access to the milking parlour is not required. Other areas that are on hillsides (such as Lodge Hill overlooking Castle Cary) will be used for grazing, likely for sheep. The estate is also conscious of keeping cattle away from the numerous footpaths (legal and permissive) that cross fields, where possible.

13.11. One of the main objections to the application is the suggestion that the Estate own multiple 'farms' and so why is another, new farm in greenfield location required?

13.12. This requires a step back to identify the 'farms' to which the objectors opine could otherwise serve the same function. This table seeks to set out what each claimed 'farm' comprises –

Manor Farm, Yarlinton	Subject to this application, condemned silage clamp, sloping site with limited room for expansion due to topography, heritage assets, rights of way and proximity to residential dwellings. The majority of the existing yard will be demolished and landscaped.
Manor Farm also known as Castle Farm, Castle Cary	Was considered for redeveloped before Manor Farm, Yarlinton was acquired, via application 21/03466/FUL but now withdrawn. Considered too peripheral with a greater landscape impact. A site rationalisation project will follow any approved for the new farm at Yarlinton to support arable cropping which will bring landscape and environmental enhancements by removing the slurry handing infrastructure. Dissected by a National Trail.
Avalon Farm, Galhampton	Not a traditional farm, this the main hub for the Estate, with the main warehousing, e-commerce business, butchery, packing, tree nursery and growing areas. There is limited scope for the extent of expansion to accommodate a farm. Dissected by a National Trail.
Whitewoods Farm, Galhampton	Part of Avalon Farm. Through rationalisation now comprises the estate

	grain store and farmhouse for the farm manager. Sloping site, dissecting lane and public rights of way make this a difficult option. Adjacent to a National Trail.
Lily Farm, Welham, Shepton Montague	Was a working commercial farm. The main farmhouse (listed) and immediate buildings have recently been given planning permission (23/02317/FUL) for redevelopment for tourist accommodation. Several dilapidated buildings are to be demolished. Two modern buildings and two legal silage clamps remain and will play a part on the wider farm operation but the site is too peripheral without access to adequate grazing grounds for the new farm and milking parlour.
Seart Farm, Welham, Shepton Montague	Adjacent to Lily Farm. Planning permission (21/01593/FUL) exists for redevelopment for tourist accommodation. Not a farm and no existing functional agricultural buildings.
Mill Farm, Yarlington	Land parcel, no buildings. Lies between the application site and Galhampton village. Adjacent to a National Trail.
North Town, Galhampton	Land parcel, no buildings. Lies south of Galhampton village as an outlying parcel.
Copplesbury Farm, Bruton	Proper farm but distant from the estate with limited grazing land. Has undergone needed investment to provide a temporary home for the buffalo herd and in future will accommodate beef fat stock for finishing.
Merrylands, Galhampton	Part of Avalon, comprises outbuildings and several paddocks but is not a farm. Lies between the application site and Galhampton village.
Rag, Galhampton	Residential property. Lies between the application site and Galhampton village.
Parsonage Farm, Yarlington	Located in the centre of the village, formally stables and riding arena. Not a farm and not suitable for a working farm.
Welham Farm, Welham, Shepton Montague	Another former equestrian premises; now acts as the estate archive.
North Acre Farm, Bratton Seymour	Not a commercial farm. Peripheral site, limited land and tenanted separately.

Foxcombe Farm, Galhampton	Proper commercial farm - Peripheral site and tenanted separately by family relocated from Lily Farm.
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13.13. The application is accompanied by a building condition report which speaks for itself. It should be noted that the reason some of these farms have been able to be acquired is that existing farmers could not afford to upgrade to meet modern standards and therefore retired and sold up not having children who wanted to carry on and make the necessary investment to create viable business.

13.14. This section adequately demonstrates that the proposed new yard at Manor Farm, Yarlinton is well placed to serve the functional requirement and that there are not a host of other commercial farms within the estate and those buildings that do exist are not in good condition. As such stretching the interpretation of what is a farm is misleading by objectors and is being used to sensationalise a view that if there are all these farms then another one is not required.

The Economy and Agriculture

13.15. The scheme would have particular local economic benefits derived from its construction (and the works to the existing Manor Farm through the demolition and restoration works).

13.16. According to GOV.uk in 2023, *“agriculture contributed £13.7bn (0.56%) to the UK economy. Agriculture employed 462,100 people in 2023, making up 1.4% of the UK workforce. The total UK GVA figure was £2.43 trillion in 2023, of which agriculture contributed 0.56% (£13.7bn)”*.

13.17. The farming operation directly holding employs 12 people and supports the wider Estate with the production of goods to sell via the e-commerce platform, on-site retail and to serve in the hotel and hospitality offer, with the employment that requires and provides.

13.18. According to GOV.uk *“agriculture typically has an ageing workforce. In 2023, over a third of all farm holders in England were over the age of 65 years. Just 5% of holders were aged less than 35 years”*. The composition of this farming team is in sharp contrast to that average with a young and dynamic team promoting a regenerative form of farming in the 21st century where nature can exist alongside a viable business.

13.19. In supporting a prosperous rural economy Paragraph 88 of the NPPF states planning decisions should enable the development of agricultural business. Paragraph 9.46 of the South Somerset Local Plan affirms *“...farming and its associated businesses remain integral to the present and future of South Somerset”*.

14. Planning Balance and Conclusion

- 14.1. The Officer is required to determine this proposal in accordance with the development plan, unless material considerations indicate otherwise.
- 14.2. Harm to the valued landscape has been identified in the initial construction and post construction stages. This harm will recede over time as landscaping matures and set alongside other mitigation measures would safeguard the valued landscape.
- 14.3. The assessment carried out in this report demonstrates that there are material considerations that dictate otherwise from a refusal due to technical non-compliance with a policy due to the identified landscape impact or a view that the loss of BMV is unjustified.
- 14.4. Weight in favour of the development is given however to the fact this is an application for agricultural development in a farmed landscape and that the siting of this replacement facility has been justified sufficiently, moderate weight is given the fact the development seeks to represent the best in class, showcasing profitable agricultural practices in the 21st Century, food and agriculture being a key sector in the Somerset Economy, that the economy would additionally benefit through the construction period and the direct and indirect safeguarding/creating of agricultural and associated jobs, enhancing or maintaining the vitality of this rural community, and finally great weight is given to the fact the development would mean the restoration of the existing farm site that is no longer fit for purpose.
- 14.5. The application has the full support of the Parish Council who have expressed clearly why they feel this is a worthwhile development (despite strong and persistent calls from some residents to the contrary) and the application has attracted almost universal support from those residents of the central core of Yarlinton (circa 11 properties) to which weight is applied.
- 14.6. There is no support from technical consultees for a refusal based on flooding grounds, on highway grounds, on ecological grounds, impacts on public rights of way, or impacts on heritage assets.
- 14.7. It has been determined that the development accords with the development plan when taken as a whole.
- 14.8. Any remaining matters can be safeguarded via the imposition of planning conditions, and in the case of BNG via a s106 agreement.
- 14.9. In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998 and the Equality Act 2010.

RECOMMENDATIONS

Recommendation:

Approve application 24/01203/FUL subject to the stated planning conditions in Appendix 1 for the following reason:

Whilst the Council considers the proposal to be initially in conflict with one policy within the Development Plan, namely elements of Local Plan Policy EQ2, until the extensive proposed landscaping mitigation matures but it has been determined that the development accords with the development plan when taken as a whole. This application for agricultural development in a farmed landscape, includes suitable mitigation so as to avoid a significant and adverse impact upon the landscape, in time, whilst safeguarding residential amenity, highway safety, flood risk or ecology/biodiversity harms. Therefore, it is considered that there are no adverse impacts that would 'significantly and demonstrably' outweigh the benefits of providing a replacement farmyard in this location which would enhance or maintain the vitality of this rural community.

The proposal is considered to be in accordance with Policies SD1, SS2, EQ1, EQ3, EQ4, EQ5, EQ6, EQ7, TA5 and HW1 of the South Somerset Local Plan 2006-2028, the aims and objectives of the North Cadbury and Yarlinton Neighbourhood Plan and the provisions laid out in the National Planning Policy Framework.

APPENDICIES

- Appendix 1 -** Planning conditions and informatives
- Appendix 2 -** NCYPC Minutes and Report, January 2025
- Appendix 3 -** Landscape Consultant's report
- Appendix 4 -** Other examples of approved farm proposals

Appendix 1

CONDITIONS and INFORMATIVES:

1. TIME LIMIT: The development hereby permitted shall be begun within three years of the date of this permission. Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. APPROVED PLANS: The development hereby permitted shall be carried out in accordance with those listed in the accompanying Approvals and Drawing/Document Scheule

DrNo. MFY_2611_01_D	Existing Location Plan
DrNo. MFY_2611_02_C	Proposed Location Plan
DrNo. MFY_2611_03_C	Existing Site Plan
DrNo. MFY_2611_08_A	Manor Farm Existing Block Plan
DrNo. MFY_2611_04_C	Proposed Site Plan
DrNo. MFY_2611_07_A	Site Elevations
DrNo. MFY_2611_05_B	Building 1 Plans and Elevations
DrNo. MFY_2611_06_B	Building 2 Plans and Elevations
DrNo. MFY_2611_09_A	Building 1 and 2 Roof Plans
DrNo. MFY_2611_10_A	Roundhouses Elevations
DrNo. MFY_2611_11_A	Roundhouse 1 Internal Plan
DrNo. MFY_2611_12_A	Roundhouses Internal Plan
DrNo. MFY_2611_13_A	Roundhouses Roof Plan
DrNo. MFY_2611_14_A	Footpath Sections
DrNo. 5325-BB-XX-00-DR-A-3000-Rev7	Ground Floor Plan
DrNo. 5325-BB-XX-01-DR-A-3001-Rev6	First Floor Plan
DrNo. 5325-BB-XX-RF-DR-A-3002-Rev3	Roof Plan
DrNo. 5325-BB-XX-XX-DR-A-3050-Rev6	Elevations Sheet 1
DrNo. 5325-BB-XX-XX-DR-A-3051-Rev6	Elevations Sheet 2
DrNo. NPA-11202-2001-P07	Detailed Landscape Proposals
DrNo. NPA-11202-2002-P05	Hedgerow Management Plan
DrNo. 11202-NPA-2003-P04	Overall Landscape Proposal Plan
DrNo. 11202-NPA-2004-P08	Landscape Proposals Plan
DrNo. 11202-NPA-4001-P03	Proposed New Farm – Cut / Fill Sections

Flood Risk Assessment Reference 220811/FRA/01 Rev P3

1 in 30 year + 40CCA results

1 in 100 year + 45CCA results

220811-100 Catchment Plan

220811-101 Exceedance route Plan

220811-102 - GA Yard Drainage Plan (P4)

220811-103 - Drainage General Arrangement Outlet Channel (P2)

220811-112 - Drainage Sections Sheet 1 (P2)

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

3. PHOSPHATES/DEMOLITION: The use of the new farmyard for housing livestock shall not commence until the use of the existing farmyard for any

phosphate generating activities (including housing livestock and slurry storage) has permanently ceased. The existing farmyard and buildings identified for demolition on DrNo. MFY_2611_08_A shall be fully removed and the land restored in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority, within 12 months of the new yard having first been used for winter housing of livestock. Reason: To ensure nutrient neutrality and rule out likely significant effect to the Somerset Levels and Moors Ramsar Site and the proposal is predicated on landscape restoration mitigating landscape harm elsewhere in the interests of landscape character and in accordance with Policy EQ2 and EQ3 of the South Somerset District Council Local Plan (adopted March 2015).

4. PHOSPHATES: The approved drainage plan and covered areas for the new farmyard shall be completed in full before the new farmyard is brought into use. Reason: To ensure nutrient neutrality and rule out likely significant effect to the Somerset Levels and Moors Ramsar Site.
5. PHOSPHATES: The manure from the new farmyard will be managed in accordance with the Earthcare Phosphorus Nutrient Neutrality Assessment dated 23 April 2024, including the production of a manure management plan every year (commencing on the date that the new farmyard is first brought into use) to be produced to the Local Planning Authority on request. Reason: To ensure nutrient neutrality and rule out likely significant effect to the Somerset Levels and Moors Ramsar Site.
6. PHOSPHATES: The herd size and composition at the new farmyard shall accord with or remain at a level equivalent to or below the nutrient outputs levels set out in the Earthcare Phosphorus Nutrient Neutrality Assessment dated 23 April 2024. Reason: To ensure nutrient neutrality and rule out likely significant effect to the Somerset Levels and Moors Ramsar Site.
7. BIODIVERSITY NET GAIN: The Biodiversity Gain Plan to be submitted to the Local Planning Authority in accordance with Paragraphs 13 and 14 of Part 2 of Schedule 7A of the Town and Country Planning Act 1990 shall be broadly in accordance with the approved Biodiversity Gain Statement (David Harvey, 11 February 2025). Reason: To ensure that the strategy for meeting the Biodiversity Net Gain requirements for the development does not change significantly following the grant of planning permission and to minimise the risk of significant post-permission viability issues arising due to Biodiversity Net Gain issues.
8. EXTERNAL MATERIALS: Notwithstanding the approved plans full details of all external finishing materials, for buildings, boundaries and hardstanding's shall be submitted to and approved by the Local Planning Authority prior to their use in the development hereby approved. Details shall include manufacturers details with the provision of samples to be ascertained with the Local Planning Authority prior to submission of the detailed specification. Once agreed, any subsequent variation to the approved details shall only be achieved via agreement in writing with the Local Planning Authority. Reason: In the interests of visual amenity and to reflect flexibility in the current/future availability of materials.

9. TREE AND HEDGEROW PROTECTION: The development shall be carried out in accordance with tree protection measures set out in the Bosky Trees Arboricultural Impact Assessment and Tree Protection Plan, 15 May 2024. The approved details shall be implemented prior to the commencement of development and shall be retained in situ during the construction phase. Reason: To ensure that existing landscape features are afforded protection during the construction period to accord with the aims and objectives of Policy EQ2, EQ4 and EQ5 of the South Somerset Local Plan (adopted March 2015) and the provisions of the National Planning Policy Framework.
10. LANDSCAPING: The development shall be carried out in accordance with the approved landscaping plans listed in Condition 02, such planting shall be carried out in accordance with a phasing plan which shall be submitted to and approved by the Local Planning Authority prior to the commencement of works to erect a building (foundations, base). The plan should aim to establish the landscaping in place as soon as is practically possible. The development shall thereafter be carried out in accordance with the phasing plan unless any variation is agreed in writing by the Local Planning Authority. Any trees, shrubs or plants that die or are removed and/or become seriously damaged or diseased, shall be replaced in the first available planting season with others of similar size and species, unless the Local Planning Authority gives prior written permission for any variation. Reason: In the interests of the landscape character of the area in accordance with Policies EQ2, EQ4, EQ5 and EQ6 of the South Somerset Local Plan (adopted March 2015) and the provisions of the National Planning Policy Framework.
11. HEDGEROWS: The hedgerows shown on DrNo. NPA 11202_202_P05 shall be managed hereon in accordance with those management details, in terms of hedge heights, unless any variation is first agreed in writing by the Local Planning Authority. Reason: In the interests of the landscape character of the area in accordance with Policies EQ2, EQ4, EQ5 and EQ6 of the South Somerset Local Plan (adopted March 2015) and the provisions of the National Planning Policy Framework.
12. PUBLIC RIGHT OF WAY VIEWPOINTS: Details of the seating/viewing areas and viewer interpretation material for the viewpoint locations shown the Illustrative Landscape Proposal Plan DrNo. 11202_P08 on footpaths WN 31/10 and WN 31/9 shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be fully implemented prior to the first use of the new farmyard for housing livestock. Reason: To aid an understanding of the valued landscape, to frame important views and improve the experience of using footpaths in the area as advocated by the Neighbourhood Plan.
13. CONSTRUCTION STAGE DRAINAGE PLAN: No development shall be commenced within any phase of development until a Construction Stage Drainage Management Plan for that phase has been submitted to and approved by the Local Planning Authority. This shall include details for provision of any temporary drainage during construction and include details to demonstrate that during the construction phase measures will be in place to prevent unrestricted discharge, and pollution to the receiving system, and any remediation of existing

drainage features. Reason: To ensure adequate adoption and maintenance and therefore better working and longer lifetime of surface water drainage schemes, in accordance with Policies EQ2 and EQ7 of the South Somerset Local Plan (adopted March 2015) and the provisions of the National Planning Policy Framework.

14. SURFACE WATER DRAINAGE MANAGEMENT AND MAINTENANCE: No development in any phase shall be occupied or brought into use until a plan for the future responsibility and maintenance of the surface water drainage system within that phase has been submitted to and approved by the Local Planning Authority. The approved drainage works shall be completed and maintained in accordance with the details agreed. This shall include, but not be limited to:
- a) Detailed information regarding the adoption of features by a relevant body. This may consider an appropriate public body or statutory undertaker (such as a water company through an agreed S104 application) or management company.
 - b) A management and maintenance plan for the lifetime of the development which shall outline site specific maintenance information to secure the long-term operation of the drainage system throughout the lifetime of the development.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, in accordance with Policies EQ2 and EQ7 of the South Somerset Local Plan (adopted March 2015) and the provisions of the National Planning Policy Framework.

15. OUTFALL AND DISCHARGE RATE DETAILS: No development shall be commenced until details of the final outfall route and discharge rates for all events has been submitted to and approved in writing by the Local Planning Authority. Reason: To ensure the development is properly drained, in accordance with Policies EQ2 and EQ7 of the South Somerset Local Plan (adopted March 2015) and the provisions of the National Planning Policy Framework.

16. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP: HIGHWAYS AND POLLUTION CONTROL): Prior to the commencement of any works a CEMP: Highways and Pollution Control shall be submitted to and approved by the Local Planning Authority. The approved CEMP: Highways and Pollution Control shall cover both the construction of the new yard and the demolition works at the existing yard and shall provide for:
- a) A construction programme including phasing of works
 - b) 24-hour emergency contact number
 - c) Hours of operation
 - d) Expected number and type of vehicles accessing the site:
 - I. Deliveries, waste, cranes, equipment, plant, works, visitors
 - II. Size of construction vehicles
 - III. The use of a consolidation operation or scheme for the delivery of materials and goods
 - e) Means by which a reduction in the number of movements by construction workers can be achieved through travel planning and encouraging the use

- of public transport, active travel, car sharing, and the provision of on-site parking and welfare facilities for staff and visitors
- f) Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on the local highway network
- g) Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site
- h) Locations for storage of plant/waste/construction materials
- i) Arrangements for the turning of vehicles within the site
- j) Arrangements to receive abnormal loads or unusually large vehicles
- k) Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available
- l) Any necessary temporary traffic management measures
- m) Measures to protect vulnerable road users (cyclists and pedestrians)
- n) Method of preventing mud being carried onto the highway - The applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site,
- o) Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

The approved CEMP: Highways and Pollution Control shall be adhered to throughout the construction and demolition period. Reason: In the interests of highway safety to accord with the aims and objectives of the National Planning Policy Framework.

17. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP: BIODIVERSITY): No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include the following:
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of “biodiversity protection zones”.
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), including nesting birds habitat clearance measures, badgers buffer zones, dormouse precautionary in line with the dormouse survey (Jan 2025), etc.
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons, lines of communication and written notifications of operations to the Local Planning Authority
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person, including regular compliance site meetings with the Council Biodiversity Officer and Landscape Officer (frequency to be agreed, for example, every 3 months during construction phases);

- h) Use of protective fences, exclusion barriers and warning signs.
- i) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of European and UK protected species. UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with Policy EQ4 of the South Somerset District Council Local Plan (adopted March 2015).

18. CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP: BIODIVERSITY) – COMPLIANCE: A report prepared by the Ecological Clerk of Works or similarly competent person certifying that the required mitigation and compensation measures identified in the Construction Environmental Management Plan, have been completed to their satisfaction, and detailing the results of site supervision and any necessary remedial works undertaken or required, shall be submitted to the Local Planning Authority for approval before occupation of each phase or sub-phase of the development or at the end of the next available planting season, whichever is the sooner. Any approved remedial works shall subsequently be carried out under the strict supervision of a professional ecologist following that approval. Reason: To ensure that ecological mitigation measures are delivered, and that protected /priority species and habitats are safeguarded in accordance with the CEMP and Policy EQ4 of the South Somerset District Council Local Plan (adopted March 2015).

19. LANDSCAPE & ECOLOGICAL MANAGEMENT PLAN (LEMP): A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the development. The content of the LEMP shall include the following details:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) On-going monitoring and remedial measures.

The approved plan will be implemented in accordance with the approved details. Reason: In the interests of the 'Favourable Conservation Status' of populations of European and UK protected species, UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with Policy EQ4 of the South Somerset District Council Local Plan (adopted March 2015).

20. BAT/EUROPEAN PROTECTED SPECIES LICENCE: Works likely to result in an offence under the Conservation of Habitats and Species Regulations 2017 (as amended) shall not in any circumstances commence unless the Local Planning Authority has been provided with either:

- a) a copy of the bat licence issued by Natural England authorising the development to go ahead; or
- b) a statement of justification in writing from the licensed ecologist to the effect that he/she does not consider that the specified development will require a licence.

Reason: A pre-commencement condition in the interests of the strict protection of European protected species and in accordance with Policy EQ4 of the South Somerset District Council Local Plan (adopted March 2015).

21. TOOLBOX TALK: Works to demolish the existing farmyard buildings as show on DrNo. MFY_2611_08_A will not in any circumstances commence until:

- a) Construction/demolition operatives have been inducted by a licensed bat ecologist to make them aware of the possible presence of bats, their legal protection and of working practices to avoid harming bats.
- b) To provide suitable alternative roosting location and to accommodate any discovered bats 2 bat boxes will be hung on a suitable tree [or building] on or adjacent to the site at a minimum height of 4 metres as directed by a licensed bat ecologist. Any such box will be maintained in-situ thereafter.
- c) Works potentially affecting bats will then proceed under the supervision of the licensed bat ecologist.

Reason: The strict protection of EPS in accordance with the Conservation of Habitats and Species Regulations (as amended) and in accordance with policy EQ4 of the South Somerset District Council Local Plan.

22. BADGER SURVEY: Prior to but no more than six weeks before vegetative clearance or groundworks commencing, a survey for badger setts will be carried out by an experienced ecologist. The results of these surveys will be reported to Local Planning Authority and subsequent actions, or mitigation agreed in writing prior to the commencement of vegetative clearance or groundworks. Where a Natural England licence is required, a copy will be submitted to the Local Planning Authority prior to works affecting the badger resting place commencing.

Reason: This condition must be a pre-commencement condition to safeguard badgers from the outset of the development, to comply with the Protection of Badgers Act 1992 and in accordance with Policy EQ4 of the South Somerset District Council Local Plan (adopted March 2015).

23. BIODIVERSITY ENHANCEMENT AND MITIGATION PLAN: A Biodiversity Enhancement and Mitigation Plan (BEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to commencement of the development. Photographs of the installed features will also be submitted to the Local Planning Authority prior to use of the development: The content of the BEMP shall include the following:

- a) At least 4no bat box installed at least four metres above ground level and away from windows, on the south and/or west facing elevations, or mounted at least 4m high onto mature trees, and maintained thereafter.

- b) At least 4 no bird boxes or nesting cups (swift brick, open fronted boxes, swallow nest cups, sparrow terraces, etc) directly under the eaves and away from windows on the north and/or east elevations, or mounted appropriately onto mature trees, and maintained thereafter.
- c) Any new fencing must have accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgehogs into and out of the site
- d) Insect and or bee hotels, installed around the site.
- e) Hedgehog houses installed into hedgerows around the site.
- f) Native planting, comprising high-nectar producing species that are good for pollinators.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out the National Planning Policy Framework.

24. LIGHTING DESIGN – DARK SKIES: Prior to first use of the development a lighting design that reflects the countryside location and aspiration for dark skies shall be submitted to and approved in writing by the Local Planning Authority. The design shall show how and where external lighting will be installed, lux levels and light spill diagrams, with specific mitigation to minimise sky glow. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting within public areas be installed without prior consent from the Local Planning Authority. Reason: In the interests of landscape character and in accordance with Policy EQ2 and EQ7 of the South Somerset District Council Local Plan (adopted March 2015).

25. LIGHTING DESIGN – BATS: In tandem with Condition 24 a lighting design for bats, following Guidance Note 08/23, bats and artificial lighting at night (LP and BCT 2023), shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the development. The design shall show how and where external lighting will be installed. Lux levels should be below 0.5 Lux on key and supporting features or habitats. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority. Reason: In the interests of the Favourable Conservation Status of populations of European protected species and in accordance with Policy EQ4 of the South Somerset District Council Local Plan (adopted March 2015).

26. PUBLIC RIGHTS OF WAY: Prior to commencement, detailed drawings of the access route crossing the PROWs WN22/16 and WN31/10 including appropriate mitigation measures and visibility splays for the public's safety, including warning signage, will need to be submitted for approval and implemented to the satisfaction of the LPA. Reason: So as to maintain a safe and usable public right of way network.

27. SOIL RESOURCE PLAN: Prior to commencement a soil resource plan shall be submitted to and approved by the Local Planning Authority. The plan shall

include details of the recovery, storage and re-use of excavated soils to minimise loss in quality and function. The plan shall also include details of the location, type and management of stockpiles. Reason: To manage the soil resources on site to accord with the aims and objectives of the National Planning Policy Framework.

INFORMATIVES

1. In accordance with the National Planning Policy Framework the Council has worked in a constructive and creative way with the applicant to find solutions to problems in order to reach a positive recommendation and to enable the grant of planning permission.
2. Please note that this is a planning permission only and you may also require approval of the biodiversity gain condition. Subject to exemptions and transitional arrangements, the effect of Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that every planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:
 - a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required for this permission would be Somerset Council. Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in your development becoming subject to enforcement action. The Biodiversity Gain Plan must be submitted in writing, no earlier than the day after this planning permission has been granted and must be broadly in accordance with the approved Biodiversity Gain Statement submitted with the planning application. The Biodiversity Gain Plan must set out how the biodiversity gain objective of at least a 10% gain will be met for the development granted planning permission. It must contain a number of matters to enable the planning authority to determine whether the biodiversity gain objective has been met. There is a standard Biodiversity Gain Plan government template available to complete which brings together many of these matters into one document.

3. With regards to ecology and wildlife:
 - a) The developers and their contractors are reminded of the legal protection afforded to bats and bat roosts under legislation including the Conservation of Habitats and Species Regulations 2017 (as amended). In the unlikely event that bats are encountered during implementation of this permission works must stop and advice must be sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.
 - b) The developers are reminded of the legal protection afforded to nesting birds under the Wildlife and Countryside Act 1981 (as amended). In the unlikely event that nesting birds are encountered during implementation of this permission works must stop and advice must be sought from a

- suitably qualified and experienced ecologist at the earliest possible opportunity. The nest must remain in situ until all young have fledged.
- c) The applicant is reminded of the legal protection afforded to badgers and their resting places under the Protection of Badgers Act 1992 (as amended). It is advised that during construction, excavations or large pipes (>200mm diameter) must be covered at night. Any open excavations will need a means of escape, for example a plank or sloped end, to allow any animals to escape. In the event that badgers, or signs of badgers are unexpectedly encountered during implementation of this permission it is recommended that works stop until advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.
4. With regards to Public Rights of way:
- a) Section 34 of the Road Traffic Act 1988 makes it an offence to drive a mechanically-propelled vehicle along a public footpath, public bridleway or restricted byway, unless the driver has lawful authority to do so (e.g. a private vehicular right or ownership of the land over which the PROW runs).
- b) Development, insofar as it affects the rights of way should not be started, and the rights of way should be kept open for public use until the necessary Order (temporary closure/stopping up/diversion) or other authorisation has come into effect/ been granted. Failure to comply with this request may result in the developer being prosecuted a footpath is built on or otherwise interfered with.
- c) The applicant is advised that prior to any demolition works at the existing Manor Farm contact should be made with the Public Rights of Way team regarding a temporary path closure for path WN31/10.
- d) The proposed pipeline across the PROW WN 31/10 will need to be authorised through a s50 licence. More information is available on the relevant Somerset Council webpage:
<https://www.somerset.gov.uk/roads-travel-and-parking/apply-for-a-licence-to-dig-up-the-road/>
- e) It should be noted that buildings at the existing Manor Farm currently obstruct the legal line of the paths WN31/9 and WN31/10 and the applicant should consider applying for a path diversion to avoid any issues during any future conveyancing for the property. The applicant will need to apply to Somerset Council for a path diversion.
5. Somerset Council is the Lead Local Flood Authority (LLFA) as defined by the Flood and Water Management Act 2010 and the Flood Risk Regulations 2009. Under section 23 of the Land Drainage Act there is a legal requirement to seek consent from the relevant authority before piping/culverting or obstructing a watercourse, whether permanent or temporary. This may also include repairs to certain existing structures and maintenance works. This requirement still applies even if planning permission has been granted
6. The private foul drainage system associated with this development will require an Environmental Permit under the Environmental Permitting (England & Wales) Regulations 2016, from the Environment Agency, unless an exemption applies. The applicant is advised to contact the Environment Agency on 03708 506 506 for further advice and to discuss the issues likely to be raised. You should be aware that there is no guarantee that a permit will

be granted. Additional 'Environmental Permitting Guidance' can be found at: <https://www.gov.uk/environmental-permit-check-if-you-need-one>.

7. Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:
 - the use of plant and machinery
 - oils/chemicals and materials
 - the use and routing of heavy plant and vehicles
 - the location and form of work and storage areas and compounds
 - the control and removal of spoil and waste.