

49/14/0058

MRS M RATTENBURY

**ERECTION OF 2 NO. AGRICULTURAL BUILDINGS FOR THE REARING OF LIVESTOCK AND STORAGE AT DER BAUERNHOF (THE FARM), JEWS LANE, MAUNDOWN, WIVELISCOMBE**

Location: LAND AT NORTH RODDEN FARM, MAUNDOWN ROAD,  
WIVELISCOMBE, TAUNTON, TA4 2BU

Grid Reference: 306285.128947 Full Planning Permission

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**RECOMMENDATION AND REASON(S)**

Recommended Decision: Conditional Approval

**RECOMMENDED CONDITION(S) (if applicable)**

1. 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. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A3) Bottom Barn Elevations and Floor Plan  
(A3) Top Barn Elevations and Floor Plan  
(A4) Location Plan

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

3. No building hereby approved shall be erected on the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

Reason: Given the proximity of the site to known archaeological remains and heritage assets, thereby affording protection to any archaeological remains within the site in accordance with Para 141 of the National Planning Policy Framework.

**Notes to Applicant**

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and entered into pre-application discussions to enable the grant of planning permission.

## **PROPOSAL**

The application seeks planning permission for the erection of two agricultural buildings on land off Jews Lane, Maundown.

The proposed buildings will both be used for the housing of livestock and storage of feed, materials, implements, machinery and a small workshop. They will be of a portal frame construction; the northern barn will be finished externally in green box profile sheeting whilst the Southern barn will be finished with timber boarding.

In terms of scale, the northern barn will be linear in form and measure 18m x 4m with a height of 2.87m. The southern barn will be of an L-shape plan form and measure 20m x 8.2m with a height of 2.87m. The application states that manure and similar waste products from the site will be re-used to fertilise land within the holding.

The applicants are in the process of establishing a goat rearing and market garden business at the site; the latter would look to produce Wasabi, and further details as to the suitability of the site for this product has been provided.

## **SITE DESCRIPTION AND HISTORY**

The application site comprises 3.5 hectares of agricultural land at Maundown, Wiveliscombe. The land ascends sharply to the south. It is generally laid to grass and bound by mature hedgerow and areas of dense woodland planting. There is a small building currently on the land and will be replaced by the northern most building proposed. It is of timber and brickwork walls with a mono pitched roof. A group of trees line the field boundary immediately to the north of the existing building. Similarly, there are trees to the south and east of the southern most building proposed. A new access has been formed off Jews Lane, an unclassified adopted highway.

## **CONSULTATION AND REPRESENTATION RESPONSES**

### **Consultees**

*WIVELISCOMBE TOWN COUNCIL* - Question the need for two large buildings on a 7.45 acre site and whether the business will require a residential property to support the agricultural work proposed.

*SCC SENIOR HISTORIC ENVIRONMENT OFFICER* - The sites lie in close proximity to an area in Maundown where Early Bronze age cremations have been identified, together with late Iron Age and Roman activity. The proposals therefore have the potential to impact upon a heritage asset.

For this reason I recommend that the applicant be required to provide archaeological monitoring of the development and a report on any discoveries made as indicated in

the National Planning Policy Framework (Paragraph 141). This should be secured by the use of model condition 55 attached to any permission granted:

"No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority."

## **Representations**

Wiveliscombe Civic Society - OBJECT to the proposed development for the following reasons:

- Large amount of earth works and movement will be required to level sites for two very large buildings;
- The lane is one carriageway wide, with ditches either side for excessive winter runoff; potholes litter the lane; further development will erode the lane further with increased large vehicle movements;
- Visibility from Jews Lane on to the main Maundown road is tight and limited;
- Not heard of any need for livestock farming in the area and questions the need for goats to be reared here. Understand such requires a huge amount of attention; this begs the question whether they will apply for residence on site in the future.

1 letter from neighbouring residents - OBJECT to the proposed development. Question suitability of North facing land for market gardening. Concerned that rearing livestock will require living closer to site than at present. The track has pot hole signs top and bottom. Will more traffic make it more dangerous?

## **PLANNING POLICIES**

DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,  
DM2 - TD CORE STRATEGY - DEV,  
CP8 - CP 8 ENVIRONMENT,  
NPPF - National Planning Policy Framework,

## **DETERMINING ISSUES AND CONSIDERATIONS**

The objections to use of the track are noted, however planning permission is not required for the formation of an access off an unclassified highway, over which the public and applicant have the right of movement. Further, access to the land is reasonable in order to allow for its upkeep and would likely occur with or without the proposed buildings; highway safety, access and suitability of the track is not therefore a matter to be considered in detail here. Similarly, concern has been raised about the possible need for a dwelling on the site in the future. Whether or not that is the intention of the applicants does not fall to be considered at this time as each application must be considered on its own merits. The topography of the site is not suited to all livestock, but goats seems to me to be an appropriate species. Questioning the need for livestock farming in the area is an odd reason to object given the location within open countryside where agriculture is generally the

primary economic activity.

The maintaining of the land will require machinery and material storage whilst livestock also require housing. The proposal for buildings to support this new business is acceptable in principle, having regard to Policy DM2 of the Core Strategy. The pertinent issues to consider are the impact of the proposed agricultural buildings upon residential amenity and the character and appearance of the landscape.

### Residential amenity

No objection has been received specifically regarding the impact of the development upon neighbouring amenity, however the housing of livestock close to residential properties can often cause a nuisance. In this instance, the principle stock shed will be located approximately fifty metres from the nearest residential property, located Northwest of the site. Such proximity gives potential for nuisance to be caused through noise and odours, however regard must be had to the fact that the new building will replace an existing structure, which could be made good and used for the same purposes. Whilst the new building will allow for increased stock numbers to be housed the additional impact is not likely to be significant and the closest neighbour does not object.

The second building to the southern periphery of the site will be some 150 metres from Maundown Cottage; its use will be mixed to serve a number of functions on the holding. Its distance from the nearest neighbour and intervening topography and planting will mitigate any potential impact upon amenity from its use.

The use of the land as a market garden does not require planning permission and any impact upon amenity from this, or the general grazing of the land cannot be attributed significant weight. Therefore, taking the above matters into consideration, the proposed buildings are not considered to adversely affect neighbouring amenity.

### Landscape Impact

The application site is located on an elevated parcel of land set above the area of Maundown; the site has open views to the North, looking out over the new Maundown water treatment works. Views into the site are restricted, other than from the North, by the topography of the landscape and the dense areas of woodland and planting to the South, East and West.

The stock barn positioned to the North of the main yard area and closest to existing properties, will sit on a levelled area of the field which already contains a shelter for livestock; it sits behind a bank and line of mature trees, which largely obscure any direct views of the existing and proposed building. This screening, the topography of the land and the lack of publicly accessible vantage points mitigate any adverse landscape impact that might otherwise arise out of the proposed building. It is of a suitable design, scale and finished appearance and is not considered to adversely harm visual amenity or landscape character within the area.

Turning to the proposed building positioned along the Southern boundary of the

holding, it is noted that this location is very elevated and holds long distance views, albeit these are restricted to the North by surrounding woodland planting. Other than through the recently formed access, this building is unlikely to be visible within the wider landscape. Any view from the North would be at a long distance only. The building, if visible, would be seen sitting below dense tree planting; its timber exterior walls softening its appearance further. Despite its scale, this building would not give rise to a significant landscape impact.

### Conclusions

The County Archaeologist has requested a condition be attached to any approval due to proximity to known heritage assets in the area. The applicant does not object to such a condition and for this reason it is deemed appropriate. As stated above, the proposed development is of an appropriate design, scale and siting and as a result the proposed development will not adversely impact upon visual or residential amenity. It is therefore recommended that planning permission be granted subject to conditions.

**In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.**

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