

35/13/0007

MR & MRS M VELLACOTT

**ERECTION OF 4 NO. AGRICULTURAL BUILDINGS, FORMATION OF
HARDCORE PAD AND FORMATION OF VEHICULAR ACCESS WITH
ASSOCIATED INFRASTRUCTURE ON LAND OFF COCKLAND HILL,
WELLISFORD, STAWLEY**

Grid Reference: 308607.121676

Full Planning Permission

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:

(A1) DrNo 100-01 Location & Block Plan
(A1) DrNo 100-02 Existing and Proposed Access
(A1) DrNo 100-03 Building 1 (Sheep Building)
(A1) DrNo 100-04 Building 2 (Young Stock Building)
(A1) DrNo 100-05 Building 3 (Finishing Building)
(A1) DrNo 100-06 Building 4 (Straw Barn)
(A1) DrNo 100-07 Proposed Site Sections
(A1) DrNo 100-08 Site Plan

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

3. Before the works hereby approved are begun, a phasing programme for the removal of the existing farm structures to be relocated and replaced shall have been submitted to and approved by the Local Planning Authority. The phasing programme shall include details of how and when the agreed structures will be removed from the site, noting that all of the rubble or debris shall be completely removed from the site and disposed of in an environmentally safe and appropriate manner, and how the land will be made good in a manner to be agreed with the Local Planning Authority. The works

agreed shall then be carried out strictly in accordance with this phasing programme and the details it provides for.

Reason: To ensure that the environmental impact of this proposal is minimised and the visual amenities of the area are not adversely affected in accordance with the National Planning Policy Framework and Policies CP8 and DM1 of the adopted Taunton Deane Core Strategy.

4. All services to be provided to the new farm buildings shall be routed underground taking on board the need to avoid the canopy of any tree, or as may be agreed in writing with the Local Planning Authority, and the land above the routing returned afterwards to its former state or such state as may have been agreed by this permission.

Reason: To ensure that the environmental impact of this proposal is minimised and the visual amenities of the area are not adversely affected in accordance with the National Planning Policy Framework and policies CP8 and DM1 of the adopted Taunton Deane Core Strategy.

5. No service trenches shall be dug within the canopy of any existing tree within the land shown edged red on the approved drawing without the prior written approval of the Local Planning Authority.

Reason: To avoid potential harm to the root system of any tree leading to possible consequential damage to its health which would be contrary to Taunton Deane Local Plan retained Policies EN6 and EN8.

6.
 - (i) Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority. It is expected that the landscaping scheme will follow the strategy and conclusions given in the initial landscape and visual appraisal prepared by FPCr Environment and Design Ltd. (revision B, June 2013) submitted as part of the proposal, but will also include a detailed method statement for the realignment of the roadside hedgerows.
 - (ii) The approved scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.
 - (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the

character and appearance of the area in accordance with Policies CP8 and DM1 of the adopted Taunton Deane Core Strategy.

7. The proposal hereby granted shall be carried out strictly as specified in the 'General mitigation measures' proposed in the 'Ecological and protected species survey', prepared by Eco-check consultancy ltd., and dated February 2013. This document forms part of the permission hereby granted and the further survey work it requires and the timing for works specified will need to be carried out in full as stated under the supervision of a competent and suitably qualified expert.

Reason: To ensure that all ecological matters are appropriately addressed and taken account of as required by European and National legislation and to ensure accordance with the National Planning Policy Framework and the adopted Taunton Deane Borough Council Core Strategy Policies CP8 and DM1 (c).

8. All external lighting required at the site shall be implemented in accordance with plans and details that shall previously have been submitted to and approved by the Local Planning Authority. It is expected that the details to be submitted will show a lighting strategy on site strictly in accordance with the Bat Conservation Trust's publication *Bats and lighting in the UK* [BCT, 2008] and in accordance with the recommendations of the terms prescribed in the 'General mitigation measures' forming part of the 'Ecological and protected species survey', prepared by Eco-check consultancy ltd., and dated February 2013, hereby approved.

Reason: To ensure that light pollution is kept to a minimum and light spillage avoided in order to protect the general amenities of this remote rural area and to ensure that all protected species managed in accordance with European and National legislation and to ensure accordance with the National Planning Policy Framework and the adopted Taunton Deane Borough Council Core Strategy Policies CP1 (d), CP8 and DM1 (c, d and e).

9. Before the hard surfaced areas hereby approved are constructed and used, or at such other time as may have been agreed in writing with the Local Planning Authority, full details of their colour, type and texture shall be submitted to and approved by the Local Planning Authority. The development shall then be completed strictly in accordance with these approved details and retained as such at all times thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To allow the Local Planning Authority the opportunity to assess this element of the proposal and ensure that it is appropriate in accordance with Policy DM1 of the adopted Taunton Deane Core Strategy (2011 - 2028).

10. None of the agricultural structures shall be used or occupied until sewage and drainage disposal works have been completed in accordance with details that

shall previously have been submitted to and approved by the Local Planning Authority.

Reason: To prevent potential discharge into nearby water courses in accordance with Policy CP1(C) and DM1(e) of the adopted Taunton Deane Core Strategy.

11. At the proposed access there shall be no obstruction to visibility greater than 900 millimetres above adjoining road level within the visibility splays shown on the submitted plan drawing No. 100-02. Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and to ensure accordance with Policy DM1 of the adopted Taunton Deane Core Strategy.

12. The proposed access shall be constructed in accordance with details shown on the submitted plan, drawing number No. 100-02, and shall be made available for use before occupation. Once constructed the access shall be retained thereafter in that condition at all times.

Reason: In the interests of highway safety and to ensure accordance with Policy DM1 of the adopted Taunton Deane Core Strategy.

13. The gradient of the proposed access shall not be steeper than 1 in 10. Once constructed the access shall thereafter be maintained in that condition at all times.

Reason: In the interests of highway safety and to ensure accordance with Policy DM1 of the adopted Taunton Deane Core Strategy.

14. Before the development hereby approved is used provision shall have been made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to ensure accordance with Policy DM1 of the adopted Taunton Deane Core Strategy.

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 has negotiated amendments to the application to enable the grant of planning permission.

2. It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.
3. Where works are to be undertaken on or adjoining the publicly maintainable highway, a licence under Section 171 of the Highways Act 1980 must be obtained from the Highway Authority. Application forms can be obtained by writing to Transport Development Group, Environment Department, County Hall, Taunton, TA1 4DY, or by telephoning 01823 355645. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services.

PROPOSAL

Planning permission is sought in full for 4 agricultural buildings, a hardcore pad, vehicular access and associated infrastructure, in association with a proposed relocation of an existing farmstead. The farmstead requires new sheep and cattle housing, silage clamp and general storage to be provided. The proposal suggests that the new buildings would be located on land to the south-west of the existing agricultural structures, on land currently within the farm holding.

The application includes a 'Landscape and visual appraisal', an 'ecological and protected species survey', a 'Design and access statement' and a planning statement, together with plans and sections showing location, site layout and access. The plans show that access would be off an existing gateway onto the adopted highway at Cockland Hill, due north of Cothay Manor near Lower Wellisford.

SITE DESCRIPTION AND HISTORY

The land is within the existing farm holding, but located within open countryside away from the existing farm structures and farm dwelling. The proposed new 'farm' would have vehicular and pedestrian access onto Cockland Hill which is an unclassified County Highway running approximately in a north/south direction between Higher Greenham and Bathealton. The existing farm buildings and agricultural workers dwelling lie in the hamlet of Lower Wellisford, approximately 1 kilometre away (as the crow flies/across field).

A pre-application enquiry was made last year when it was resolved that the farm business was currently based around the breeding and rearing of sheep, but they were beginning to expand into the rearing of cattle and dairy, with calves being bought from a nearby dairy farm. The existing site had insufficient building space to provide shelter during the lambing season and this pressure was only going to increase as the cattle herd increases in number. It was suggested by the applicant that due to the proximity of the site to the main watercourse running through the

valley there was a high probability of water course pollution if the level of livestock at the site was intensified. That would be contrary to current guidance from the EA and DEFRA. A final issue was said to be that of landscape impact; the site lies within an attractive parkland valley landscape feature; existing buildings are well screened by any further development would have to encroach into the valley landscape to the south which would be visible from neighbouring properties and public vantage points. It was advised that the Council is generally supportive of farm based development subject to landscape impact considerations. The theoretical reasons behind the need to find an alternative site to develop the farming business was accepted but attention was drawn to the fact that there was already a dwelling on the site and that it was preferable to the Council to find a site on the holding that was within a serviceable distance of that dwelling. It was accepted that there would be issues in further developing the existing site however there did appear to be some scope for a narrow linear building adjacent to the existing. The planning officer was advised that the land could be returned to pasture as an option. It was agreed that the topography of the proposed site would likely lend itself to development that would have only limited landscape impact. The site appeared to be generally well screened and the surrounding landscape was likely to provide only limited vantage points of the site. In conclusion, the main issue was seen to be the location of the proposed site and that a strong case would need to be built as to why a new farm development was necessary on the site.

A planning application was received earlier in the summer seeking permission for a permanent agricultural workers dwelling in association with this proposed farm relocation. That application was considered under LPA ref: 35/13/0008. It was refused permission by decision notice dated 21st August 2013 on the grounds that it constituted development outside of settlement limits without a proven genuine rural need, and without having adequately demonstrated that it could be appropriately assimilated into open countryside, all of which made the proposal contrary to adopted national and local policy. In such circumstances, it is the Council's policy to approve temporary residential accommodation for a period of time to allow the 'new' business the opportunity to prove viability, and this may be a sensible way forward, if this current application becomes approved.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP -

The site is served by an existing agricultural access to which this application seeks to make significant improvements to allow a suitable means of access to the site providing access to proposed agricultural infrastructure.

Drawing No. 100-02, details the proposed access arrangements. Cothay Manor Lane is subject to a National Speed Limit Traffic Regulation Order (TRO), however it is considered that vehicle speeds in this location are significantly reduced due to the narrow nature of Cothay Manor Road. From onsite observations I would estimate that typical vehicle speeds are approximately in the region of 30mph.

Given the proposal is to make use of an existing access, the proposed splays

shown on Drawing No. 100-02 are considered acceptable, which provide a 'Y' co-ordinate of 43metres (taken from Manual for Streets guidance, commensurate with speeds of 30mph). It is indicated that the proposed access provides a 5metre width and incorporates a hard surfaced 10m apron to allow vehicles to pull clear of the existing highway and operate the entrance gates without becoming an obstruction on the adopted highway. The Highway Authority considers the access proposals acceptable.

With regards to the agricultural units, I have no objection to this element of the development. It is likely that there will be a significant increase in vehicle movements generated by the proposal. However, the provisions put forward as part of the application are considered adequate to accommodate the development.

As a result, the Highway Authority raises no objection to the proposals put forward for application 35/13/0007 subject to the following conditions:-

- (1) No obstruction to visibility greater than 900 millimetres above adjoining road level within the visibility splays.
- (2) The proposed access shall be constructed in accordance with details shown on the submitted plan, made available before use and maintained.
- (3) The gradient of the proposed access shall not be steeper than 1 in 10.
- (4) Provision shall be made for the disposal of surface water to prevent its discharge onto the highway.

The Highway Authority also point out that a licence under Section 171 of the Highways Act 1980 must be obtained from the Highway Authority.

STAWLEY PARISH COUNCIL -

Stawley Parish Council considered the above applications at its meeting on 6 August following a site visit on 29 July and representations from both the applicants and objectors. We recognise and support the need for the applicants to expand and modernise their farm. This is an important local business that provides a living for a young family and helps with the diversity, sustainability and prosperity of our rural community. The existing farm buildings are clearly inadequate and the applicants have demonstrated the need for the business to expand into new agricultural buildings.

However, the Parish Council does not believe that the applicants have yet demonstrated the need for the new farm to be relocated to the proposed site. In our view, the application site should only be considered for development once all the other possible options have been discounted. Although all the land in the applicants ownership is defined as being 'open countryside' the site they have chosen is, in the Parish Council's view, of the very best quality in terms of local landscape and the most remote from nearby small settlements. It is also close to Cothay Manor, a Grade 1 listed building, and evidence was presented to the Parish Council by Cothay residents suggesting that the application site may be within 400 metres of the curtilage of the Manor House - one of the same reasons given by the applicants' agents for not siting the new farm at its existing location because of proximity to another listed building, Wellesford Manor. The application site is clearly further away from Cothay Manor than the existing farm is from Wellesford Manor but, if it is within the 400 metre zone, it would be difficult to justify this as a reason for not developing on the existing site, particularly as Cothay Manor is a building of

great historic importance and value which is open to the public as a tourist attraction. Wellesford Manor does not fall into the same category.

Before determining the new farm application, the Parish Council therefore believes that Taunton Deane planners should ask the applicants' agents to provide a detailed justification of why this particular site was chosen, the alternative sites considered and why these were rejected. In conducting this analysis to justify the business case for locating the new farm on the application site, we suggest that the applicants need to:

- 1) Address the fact that the Taunton Deane Landscape Character Assessment shows that the application site is in an area classified as 'Farm and Settled High Vale' where the overall strategy is to "enhance the quality of the landscape and, in areas where landscape character is stronger, to conserve those features, elements and characteristics that combine to form a strong and recognisable landscape pattern". The Parish Council's view is that this particular site is located in an area where the landscape character is strong and there are no nearby buildings, so the development of a new farm will interrupt the integrity of the existing landscape.
- 2) Consider the proximity of the site to Cothay Manor and, in particular, whether it falls within the 400 metre zone where the erection of livestock buildings needs special consideration.
- 3) Demonstrate that the risk of polluting the river Tone is significantly lower than at the present location, bearing in mind the elevation of the proposed site and its proximity to the river.

We also strongly suggest that if the officer's recommendation is for approval, Taunton Deane Borough Council's Planning Committee should visit the site and potential alternative locations for the new farm before reaching a decision on whether the current application is acceptable or not.

In the event that TDBC is minded to grant permission for this application, the Parish Council believes that there are a number of important changes and conditions that should be included:

- 1) Most importantly, a condition should be placed on the permission that the applicant removes the existing farm buildings at Wellesford and restores this site to its original greenfield state once the new farm is occupied and shown to be viable. This is not an application for an entirely new farm but for the relocation and expansion of the existing business on a different site. As this will involve the loss of an attractive site, we suggest that this impact should be minimised by restoring the existing farm site to a green field and, thereby, minimise the net loss of greenfield land to the community.
- 2) Consideration should be given to re-orientating the proposed buildings on the application site to minimise the impact of views of the site from the ridge line to the west at Kittisford. Currently the larger buildings are proposed to be located in the south west corner of the site to the right of the existing farm entrance. This location is more visible from long-distance views and closer to Cothay Manor. The land in the north west corner of the site is better screened by existing mature trees and would, in our view, be a more suitable location for the larger agricultural buildings.
- 3) A lighting scheme for the new farm should be submitted and approved by the planners. Stawley Parish is an area that enjoys genuinely dark skies at night with minimal light pollution. Currently at night there is no visible light pollution in the vicinity of the application site which is remote from any settlement. The character of the night sky will be altered by development of this site, to the detriment of wildlife,

and we believe the applicant should therefore be required to produce a lighting scheme that seeks to minimise light spillage and pollution both in terms of external lighting and the nature of the lighting to be used in the agricultural buildings.

4) Finally, we suggest that an informative should be added to the planning permission indicating that it is unlikely that the Council would support further development on the site in the future.

BIODIVERSITY -

The site is predominantly improved grassland. The main ecological value of the site is the mature boundary and hedges and a wooded area surrounding a pond on the along the eastern boundary of the site.

The desk study revealed records of some bats in the area, but no evidence of bats was found within the application site. The existing mature trees are likely to provide some foraging and commuting habitat, and possibly roosting space. However, subject to a lighting condition, these should not be unduly affected.

Birds are likely to nest within the boundary trees, hedges and woodland, and so any required clearance work should take place outside of the nesting season.

There is suitable habitat for grass snakes but none were found.

The pond is below average potential to support Greater Crested newts.

A number of badger setts were identified along the field margins. These should have a 10 metre buffer protected by fencing.

No evidence of dormice.

The application is acceptable subject to a suitably worded condition requiring the submission of a strategy to protect wildlife based on the advice of the submitted wildlife survey. An informative should also be added to remind the applicant of legal obligations to wildlife under UK and EU legislation.

LANDSCAPE -

Subject to a detailed method statement for the realignment of the roadside hedgerows and implementation of planting as proposed it should be possible to significantly reduce the landscape impact of the proposed buildings.

Representations

There have been 15 representations received from members of the public and other interested parties. 5 are objecting to the proposal, a further 2 (from the same person) did object but have subsequently been withdrawn (by a 3rd representation) in the light of fresh information, and 7 are in general support (including 3 businesses that have direct dealings with the applicant).

Of the 5 that are still **objecting**, the following comments have been made:-

- This unique and beautiful part of Somerset would change forever.

- This field has been untouched for centuries. Is it the only viable site to build on?
- Noise and light pollution will inevitably occur.
- Large machinery will compete with cyclists and domestic vehicles on very narrow and winding roads.
- Once permission is granted it sets a precedent and opens the flood gates for more development.
- The ancient domain of Cothay (a small medieval manor) will be exposed to the modern way of life.
- Encroachment of buildings on the beautiful and precious British landscape.
- Would jeopardise the safety of the many who use this as a cycle route.
- This is a beautiful greenfield site.
- There will be smell nuisance from living next to a farm with cattle and sheep.

Of the 8 in general **support**, the following comments have been made:-

- The applicant is a valued customer and I have witnessed their business expand and develop into a viable local business.
- The current facilities are no longer fit for purpose and quite unsuitable for expansion.
- It is important to encourage young farming families.
- The applicant has created a low impact farming system.
- the proposed buildings will replace those at the present site.
- confidential information from bank supporting the business.
- With farming generally in decline and many local farms having been lost, this is a great opportunity for the applicant and a welcome addition to the area.
- Proposed site is in the heart of the countryside, a considerable distance from neighbours, and only visible from the air, so will help to restore our agricultural heritage with minimal impact on any one.
- The existing business started in 2001 and has expanded demonstrating financial viability.
- The business has a very low agro-chemical input.
- Successful and sustainable family businesses are essential to the economy of this rural parish.
- the application is consistent with Policy DM2.4(a) of the Taunton Deane Core Strategy.
- The applicant's have been a farming family since the 1960's.
- The objections seem to be the best/worst examples of NIMBYISM.
- The countryside looks like it does because of farmers.
- It's a working landscape and the people who run them are those who create this desirable place to live.
- It's a very challenging industry to be in and we should all support the applicants.
- There have been several applications approved recently for dwellings for tourism purposes and an agricultural application is even more important.

PLANNING POLICIES

EN12 - (NOW CP8)TDBCLP - Landscape Character Areas HISTORIC,
 CP1 - TD CORE STRAT. CLIMATE CHANGE,
 CP8 - CP 8 ENVIRONMENT,
 DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
 DM2 - TD CORE STRATEGY - DEV,

LOCAL FINANCE CONSIDERATIONS

The development of this site would not result in payment to the Council of the New Homes Bonus.

DETERMINING ISSUES AND CONSIDERATIONS

Policy and considerations and principles.

The Taunton Deane Core Strategy (adopted September 2012) has a number of relevant policies which need to be taken into account. Firstly, the vision for the rural areas (Vision 4) states that growth must support and enhance existing sustainable rural centres and it must protect and enhance the local character and distinctiveness of the built and natural environment. This is supported by Core Policy CP8 (Environment) which seeks the conservation and enhancement of the natural and historic environment. It makes clear that unallocated land outside of settlement boundaries will be protected with development strictly controlled in order to conserve the environmental assets and open character of the area. Policy DM2 (Development in the countryside) does support new non-residential agricultural buildings commensurate with the role and function of the unit.

In terms of the Core Strategy, it is considered that the proposal for new agricultural structures would meet the above tests of policy. The proposed new structures would not be located in an existing rural centre, which in this case would be Lower Wellisford, and so the proposal would be much less sustainable than the existing situation. However, the applicant has demonstrated that the proposal can be screened and landscaped in order to lessen its impact. The proposal could therefore be said to conserve the environmental assets and the open character of the area, as Policy DM2 requires. Although the case has not been adequately made to justify the new farm having to be located where proposed, and there is little acceptable 'sequential testing' to rule out better more appropriately located parts of the existing agricultural holding, in planning law, applications must be considered as submitted on the basis of their own merits and cannot be refused merely because another alternative might be preferable. In any event, the Council would like to support such a proposal if it was in association with a genuine expansion of an existing rural business.

Landscape considerations

The area is identified in the 'Taunton Deane Landscape Character assessment' document of 2011 as being within landscape type 3 – 'farmed and settled high vale'. This is a transitional landscape between the low vale and Blackdown Hills AONB, with undulating terrain of between 50 and 150 metres AOD, containing rich agricultural landscape, being for the most part overtly rural and significantly influenced by hedgerows. The landscape type and its strength of character is judged to be in a moderate condition, and from this, the report deems that the landscape strategy should be to enhance the quality of the area and to conserve those features, elements and characteristics that combine to form a strong landscape pattern. The need to protect the high quality of Taunton Deane's natural environment is stated quite clearly in the adopted Core Strategy by policies CP8 (Environment) – which states that the Council will conserve and enhance the natural environment and will not permit development proposals that would harm these

interests. This is supported by Policy DM1 (d) which states that development will be required to demonstrate that, taking account of any mitigation measures proposed, the appearance and character of the landscape would not be unacceptably harmed. The Council's landscape lead has commented that subject to a detailed method statement for the realignment of the roadside hedgerows and implementation of planting as proposed it should be possible to significantly reduce the landscape impact of the proposed buildings. Therefore subject to a suitably worded condition, it is considered to be reasonable that approval should not be withheld on landscaping grounds.

Highways, access and parking

The Highway Authority's detailed comments are given above. It is noted that they consider the access proposals to be acceptable. There are no objections *per-se* to the agricultural units despite it being likely that there will be a significant increase in vehicle movements generated by the proposal. However, the provisions put forward as part of the application are considered adequate to accommodate the development. As a result, the Highway Authority raises no objection to the proposals put forward for application 35/13/0007 subject to the conditions and informatives as stated. The Borough should not pursue a highways objection without the support of the County, but it is noted that it would be preferable to seek the demolition and cessation of the existing structures in order to ensure that the use of the local lanes is minimised as far as possible.

Amenity considerations

The nearest residential units are located at the Cothay Manor complex, and this is situated approximately half a kilometre away from the proposed site. It is considered that this site is too far away to have a justifiable impact upon the residential amenities of those living within the Cothay Manor complex.

Business and economic considerations

The application argues the case for expanding and relocating the farm business. The Borough Council would wish to support any genuine need to expand a rural business. This is generally covered by policies SP4 and DM2 of the adopted Core Strategy. It is also one of the main themes of the NPPF in section 3 (Supporting a prosperous rural economy). There is of course a presumption in favour of sustainable development that accords with the development plan unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. In this instance the proposal is considered to accord with the adopted Core Strategy. On the balance of probabilities and given the business support provided by third parties including the bank, the LPA is of the opinion that the applicant has demonstrated that there is a good business case for having to move the farm from its current location. Whilst it is considered that the application site might not be the best, or the most sustainable choice of location, it would not be reasonable to refuse the application on this basis, as the LPA has a duty to consider the application as submitted, and there are no reasonable or justifiable grounds for refusal at this location. The two primary issues of landscaping and highways/access are considered to be acceptable by the experts.

The existing farm structures

The LPA is mindful of the recent change announced by the Government to class M of the General Permitted Development Order, in which a degree of permitted change is now allowed (since 30th May 2013) from agricultural buildings to A1, A2, A3, B1, B8, C1 and D2 uses. Although the LPA would retain an element of control via the requirement for prior approval, it would want to guard against uses being introduced beyond its control that might otherwise be unacceptable.

It is also a fact that if the new farm buildings were erected and used as well as the existing, there would be a potential doubling (or worse) of the impact upon the landscape and upon the local road network.

This proposal has been submitted as a replacement for the existing units, required because the business needs to expand and the existing units are of limited use in this circumstance. The Agent has actually stated during his pre-application enquiry that the land (currently containing the farm buildings) could be returned to pasture as an option. It seems reasonable therefore that the LPA seeks the removal of the existing farm structures so that the overall impact of this proposal is minimised as far as possible. The applicant has agreed to this.

Conclusions

The proposal has been tested against the key considerations of landscape and highway impact. There are no objections on these grounds. Whilst the application is made in full, there are a number of details still required for approval, but it is considered that it would be appropriate in this instance to seek the information by way of suitably worded conditions. On balance, the impact of this proposal would be lessened by the loss of the existing agricultural structures and the extra impact is thus far less than it would otherwise be. It is important to help the genuine expansion of proper rural businesses. It is considered that there are now no outstanding issues that would prevent approval being recommended.

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

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